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FOR IMMEDIATE RELEASE

October 29, 1974

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I am today signing into law S. 1769, the "Federal Fire Prevention and Control Act of 1974."

While fire prevention and control is and will remain a State and local responsibility, I believe the Federal Government can make useful contributions. I endorse the intention of this act to supplement rather than supplant existing State and local government activities.

The program established by this act, which will be implemented by an agency within the Department of Commerce, will contribute to our knowledge of fire, and our ability to prevent it.

Federal assistance for research and development on fire problems will be consolidated and expanded to provide the scientific and technological base for the development of materials, equipment and systems to reduce the number and severity of fires.

The Fire Academy system will supplement existing education and training for fire prevention personnel across the Nation.

The research and development program will be closely tied to the education and training program, thereby insuring that research and development results are disseminated quickly to communities.

The data base of the National Fire Data Center will assist States and communities in setting priorities and in identifying possible solutions to problems. I will monitor the progress of the Nation in reducing fire losses.

The bill contains a provision that requires the Secretary of Health, Education, and Welfare to establish 25 burn treatment centers, 90 burn programs and 25 centers for expanded research on burns. Since these centers would duplicate the burn research carried on through the trauma program of the National Institute of General Medical Sciences and would add 5 million to the FY 75 budget, I will not seek appropriations to implement this particular provision of the bill.



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FEDERAL FIRE PREVENTION AND
CONTROL ACT OF 1974

REPORT
OF THE
COMMITTEE OF CONFERENCE
ON
S. 1769

TO REDUCE LOSSES OF LIFE AND PROPERTY THROUGH
BETTER FIRE PREVENTION AND CONTROL, AND FOR
OTHER PURPOSES



AUGUST 12, 1974.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1974

FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

AUGUST 12, 1974.—Ordered to be printed

Mr. TEAGUE, from the Committee of Conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 1769]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Federal Fire Prevention and Control Act of 1974".

FINDINGS

Sec. 2. *The Congress finds that—*

(1) *The National Commission on Fire Prevention and Control, established pursuant to Public Law 90-259, has made an exhaustive and comprehensive examination of the Nation's fire problem, has made detailed findings as to the extent of this problem in terms of human suffering and loss of life and property, and has made ninety thoughtful recommendations.*

(2) *The United States today has the highest per capita rate of death and property loss from fire of all the major industrialized nations in the world.*

(3) *Fire is an undue burden affecting all Americans, and fire also constitutes a public health and safety problem of great dimensions. Fire kills 12,000 and scars and injures 300,000 Americans each year, including 50,000 individuals who require extended hospitalization. Almost \$3 billion worth of property is destroyed annually by fire, and the total economic cost of destructive fire in the United States is estimated conserv-*

atively to be \$11,000,000,000 per year. Firefighting is the Nation's most hazardous profession.

(4) Such losses of life and property from fire are unacceptable to the Congress.

(5) While fire prevention and control is and should remain a State and local responsibility, the Federal Government must help if a significant reduction in fire losses is to be achieved.

(6) The fire service and the civil defense program in each locality would both benefit from closer cooperation.

(7) The Nation's fire problem is exacerbated by (A) the indifference with which some Americans confront the subject; (B) the Nation's failure to undertake enough research and development into fire and fire-related problems; (C) the scarcity of reliable data and information; (D) the fact that designers and purchasers of buildings and products generally give insufficient attention to fire safety; (E) the fact that many communities lack adequate building and fire prevention codes; and (F) the fact that local fire departments spend about 95 cents of every dollar appropriated to the fire services on efforts to extinguish fires and only about 5 cents on fire prevention.

(8) There is a need for improved professional training and education oriented toward improving the effectiveness of the fire services, including an increased emphasis on preventing fires and on reducing injuries to firefighters.

(9) A national system for the collection, analysis, and dissemination of fire data is needed to help local fire services establish research and action priorities.

(10) The number of specialized medical centers which are properly equipped and staffed for the treatment of burns and the rehabilitation of victims of fires is inadequate.

(11) The unacceptably high rates of death, injury, and property loss from fire can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of State and local governments.

PURPOSES

SEC. 3. It is declared to be the purpose of Congress in this Act to—

(1) reduce the Nation's losses caused by fire through better fire prevention and control;

(2) supplement existing programs of research, training, and education, and to encourage new and improved programs and activities by State and local governments;

(3) establish the National Fire Prevention and Control Administration and the Fire Research Center within the Department of Commerce; and

(4) establish an intensified program of research into the treatment of burn and smoke injuries and the rehabilitation of victims of fires within the National Institutes of Health.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Academy" means the National Academy for Fire Prevention and Control;

(2) "Administration" means the National Fire Prevention and Control Administration established pursuant to section 5 of this Act;

(3) "Administrator" means the Administrator of the National Fire Prevention and Control Administration;

(4) "fire service" means any organization in any State consisting of personnel, apparatus, and equipment which has as its purpose protecting property and maintaining the safety and welfare of the public from the dangers of fire, including a private firefighting brigade. The personnel of any such organization may be paid employees or unpaid volunteers or any combination thereof. The location of any such organization and its responsibility for extinguishment and suppression of fires may include, but need not be limited to, a Federal installation, a State, city, town, borough, parish, county, fire district, fire protection district, rural fire district, or other special district. The terms "fire prevention", "firefighting", and "firecontrol" relate to activities conducted by a fire service;

(5) "local" means of or pertaining to any city, town, county, special purpose district, unincorporated territory, or other political subdivision of a State;

(6) "Secretary" means the Secretary of Commerce; and

(7) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, the Trust Territory of the Pacific Islands and any other territory or possession of the United States.

ESTABLISHMENT OF THE NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

SEC. 5. (a) ESTABLISHMENT OF ADMINISTRATION.—There is hereby established in the Department of Commerce an agency which shall be known as the National Fire Prevention and Control Administration.

(b) ADMINISTRATOR.—There shall be at the head of the Administration the Administrator of the National Fire Prevention and Control Administration. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates (5 U.S.C. 5315). The Administrator shall report and be responsible to the Secretary.

(c) DEPUTY ADMINISTRATOR.—There shall be in the Administration a Deputy Administrator of the National Fire Prevention and Control Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5316). The Deputy Administrator shall perform such functions as the Administrator shall from time to time assign or delegate, and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

PUBLIC EDUCATION

SEC. 6. The Administrator is authorized to take all steps necessary to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to, publica-

tions, audiovisual presentations, and demonstrations. Such public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, such as the young and the elderly. The Administrator shall sponsor and encourage research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

SEC. 7. (a) **ESTABLISHMENT.**—The Secretary shall establish, at the earliest practicable date, a National Academy for Fire Prevention and Control. The purpose of the Academy shall be to advance the professional development of fire service personnel and of other persons engaged in fire prevention and control activities.

(b) **SUPERINTENDENT.**—The Academy shall be headed by a Superintendent, who shall be appointed by the Secretary. In exercising the powers and authority contained in this section the Superintendent shall be subject to the direction of the Administrator.

(c) **POWERS OF SUPERINTENDENT.**—The Superintendent is authorized to—

(1) develop and revise curricula, standards for admission and performance, and criteria for the awarding of degrees and certifications;

(2) appoint such teaching staff and other personnel as he determines to be necessary or appropriate;

(3) conduct courses and programs of training and education, as defined in subsection (d) of this section;

(4) appoint faculty members and consultants without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and, with respect to temporary and intermittent services, to make appointments to the same extent as is authorized by section 3109 of title 5, United States Code;

(5) establish fees and other charges for attendance at, and subscription to, courses and programs offered by the Academy. Such fees may be modified or waived as determined by the Superintendent;

(6) conduct short courses, seminars, workshops, conferences, and similar education and training activities in all parts and localities of the United States;

(7) enter into such contracts and take such other actions as may be necessary in carrying out the purposes of the Academy; and

(8) consult with officials of the fire services and other interested persons in the exercise of the foregoing powers.

(d) **PROGRAM OF THE ACADEMY.**—The Superintendent is authorized to—

(1) train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires, including, but not limited to—

(A) techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(B) tactics and command of firefighting for present and future fire chiefs and commanders;

(C) administration and management of fire services;

(D) tactical training in the specialized field of aircraft fire control and crash rescue;

(E) tactical training in the specialized field of fire control and rescue aboard waterborne vessels; and

(F) the training of present and future instructors in the aforementioned subjects;

(2) develop model curricula, training programs, and other educational materials suitable for use at other educational institutions, and to make such materials available without charge;

(3) develop and administer a program of correspondence courses to advance the knowledge and skills of fire service personnel;

(4) develop and distribute to appropriate officials model questions suitable for use in conducting entrance and promotional examinations for fire service personnel; and

(5) encourage the inclusion of fire prevention and detection technology and practices in the education and professional practice of architects, builders, city planners, and others engaged in design and planning affected by fire safety problems.

(e) **TECHNICAL ASSISTANCE.**—The Administrator is authorized, to the extent that he determines it necessary to meet the needs of the Nation, to encourage new programs and to strengthen existing programs of education and training by local fire services, units, and departments, State and local governments, and private institutions, by providing technical assistance and advice to—

(1) vocational training programs in techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(2) fire training courses and programs at junior colleges; and

(3) four-year degree programs in fire engineering at colleges and universities.

(f) **ASSISTANCE.**—The Administrator is authorized to provide assistance to State and local fire service training programs through grants, contracts, or otherwise. Such assistance shall not exceed 4 per centum of the amount authorized to be appropriated in each fiscal year pursuant to section 17 of this Act.

(g) **SITE SELECTION.**—The Academy shall be located on such site as the Secretary selects, subject to the following provisions:

(1) The Secretary is authorized to appoint a Site Selection Board consisting of the Academy Superintendent and two other members to survey the most suitable sites for the location of the Academy and to make recommendations to the Secretary.

(2) The Site Selection Board in making its recommendations and the Secretary in making his final selection, shall give consideration to the training and facility needs of the Academy, environmental effects, the possibility of using a surplus Government facility, and such other factors as are deemed important and relevant. The Secretary shall make a final site selection not later than 2 years after the date of enactment of this Act.

(h) **CONSTRUCTION APPROVAL.**—(1) No appropriations shall be made for the planning or construction of facilities for the Academy involving an expenditure in excess of \$100,000 if such planning or construction has not been approved by resolutions adopted in substantially the same form



by the Committee on Science and Astronautics of the House of Representatives and by the Committee on Commerce of the Senate. For the purpose of securing consideration of such approval, the Secretary shall transmit to the Congress a prospectus of the proposed facility, including, but not limited to, a brief description of the facility to be planned or constructed, the location of the facility, and an estimate of the maximum cost of the facility.

(2) The estimated maximum cost of any facility approved under this subsection as set forth in the prospectus, may be increased by an amount equal to the percentage increase, if any, as determined by the Secretary, in construction costs, from the date of transmittal of such prospectus to Congress, but in no event shall the increase authorized by this paragraph exceed 10 per centum of such estimated maximum cost.

(i) **EDUCATIONAL AND PROFESSIONAL ASSISTANCE.**—The Administrator is authorized to—

(1) provide stipends to students attending Academy courses and programs, in amounts up to 75 per centum of the expense of attendance, as established by the Superintendent;

(2) provide stipends to students attending courses and nondegree training programs approved by the Superintendent at universities, colleges, and junior colleges, in amounts up to 50 per centum of the cost of tuition;

(3) make or enter into contracts to make payments to institutions of higher education for loans, not to exceed \$2,500 per academic year for any individual who is enrolled on a full-time basis in an undergraduate or graduate program of fire research or engineering which is certified by the Superintendent. Loans under this paragraph shall be made on such terms and subject to such conditions as the Superintendent and each institution involved may jointly determine; and

(4) establish and maintain a placement and promotion opportunities center in cooperation with the fire services, for firefighters who wish to learn and take advantage of different or better career opportunities. Such center shall not limit such assistance to students and graduates of the Academy, but shall undertake to assist all fire service personnel.

(j) **BOARD OF VISITORS.**—Upon establishment of the Academy, the Secretary shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Visitors for the Academy. Pursuant to such procedure, the Secretary shall select eight such persons to serve as members of such Board of Visitors to serve such terms as the Secretary may prescribe. The function of such Board shall be to review annually the program of the Academy and to make comments and recommendations to the Secretary regarding the operation of the Academy and any improvements therein which such Board deems appropriate. Each member of such Board shall be reimbursed for any expenses actually incurred by him in the performance of his duties as a member of such Board.

(k) **ACCREDITATION.**—The Superintendent is authorized to establish a Committee on Fire Training and Education which shall inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs and

courses, and the role which the Academy should play if such a mechanism is recommended. The Committee shall consist of the Superintendent as Chairman and eighteen other members appointed by the Administrator from among individuals and organizations possessing special knowledge and experience in the field of fire training and education or related fields. The Committee shall submit to the Administrator within two years after its appointment, a full and complete report of its findings and recommendations. Upon the submission of such report, the Committee shall cease to exist. Each appointed member of the Committee shall be reimbursed for expenses actually incurred in the performance of his duties as a member.

(l) **ADMISSION.**—The Superintendent is authorized to admit to the courses and programs of the Academy individuals who are members of the firefighting, rescue, and civil defense forces of the Nation and such other individuals, including candidates for membership in these forces, as he determines can benefit from attendance. Students shall be admitted from any State, with due regard to adequate representation in the student body of all geographic regions of the Nation. In selecting students, the Superintendent may seek nominations and advice from the fire services and other organizations which wish to send students to the Academy.

FIRE TECHNOLOGY

SEC. 8. (a) TECHNOLOGY DEVELOPMENT PROGRAM.—The Administrator shall conduct a continuing program of development, testing, and evaluation of equipment for use by the Nation's fire, rescue, and civil defense services, with the aim of making available improved suppression, protective, auxiliary, and warning devices incorporating the latest technology. Attention shall be given to the standardization, compatibility, and interchangeability of such equipment. Such development, testing, and evaluation activities shall include, but need not be limited to—

(1) safer, less cumbersome articles of protective clothing, including helmets, boots, and coats;

(2) breathing apparatus with the necessary duration of service, reliability, low weight, and ease of operation for practical use;

(3) safe and reliable auxiliary equipment for use in fire prevention, detection, and control, such as fire location detectors, visual and audio communications equipment, and mobile equipment;

(4) special clothing and equipment needed for forest fires, brush fires, oil and gasoline fires, aircraft fires and crash rescue, fires occurring aboard waterborne vessels, and in other special firefighting situations;

(5) fire detectors and related equipment for residential use with high sensitivity and reliability, and which are sufficiently inexpensive to purchase, install, and maintain to insure wide acceptance and use;

(6) in-place fire prevention systems of low cost and of increased reliability and effectiveness;

(7) methods of testing fire alarms and fire protection devices and systems on a non-interference basis;

(8) the development of purchase specifications, standards, and acceptance and validation test procedures for all such equipment and devices; and

(9) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

(b) **LIMITATION.**—The Administration shall not engage in the manufacture or sale of any equipment or device developed pursuant to this section, except to the extent that it deems it necessary to adequately develop, test, or evaluate such equipment or device.

(c) **MANAGEMENT STUDIES.**—(1) The Administrator is authorized to conduct, directly or through contracts or grants, studies of the operations and management aspects of fire services, utilizing quantitative techniques, such as operations research, management economics, cost effectiveness studies, and such other techniques and methods as may be applicable and useful. Such studies shall include, but need not be limited to, the allocation of resources, the optimum location of fire stations, the optimum geographical area for an integrated fire service, the manner of responding to alarms, the operation of citywide and regional fire dispatch centers, firefighting under conditions of civil disturbance, and the effectiveness, frequency, and methods of building inspections.

(2) The Administrator is authorized to conduct, directly or through contracts or grants, research concerning the productivity and efficiency of fire service personnel, the job categories and skills required by fire services under varying conditions, the reduction of injuries to fire service personnel, the most effective fire prevention programs and activities, and techniques for accurately measuring and analyzing the foregoing.

(3) The Administrator is authorized to conduct, directly or through contracts, grants, or other forms of assistance, development, testing, and demonstration projects to the extent deemed necessary to introduce and to encourage the acceptance of new technology, standards, operating methods, command techniques, and management systems for utilization by the fire services.

(4) The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to measure and evaluate, on a cost-benefit basis, the effectiveness of the programs and activities of each fire service and the predictable consequences on the applicable local fire services of coordination or combination, in whole or in part, in a regional, metropolitan, or statewide fire service.

(d) **RURAL ASSISTANCE.**—The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to sponsor and encourage research into approaches, techniques, systems, and equipment to improve fire prevention and control in the rural and remote areas of the Nation.

(e) **COORDINATION.**—In establishing and conducting programs under this section, the Administrator shall take full advantage of applicable technological developments made by other departments and agencies of the Federal Government, by State and local governments, and by business industry, and nonprofit associations.

NATIONAL FIRE DATA CENTER

SEC. 9. (a) GENERAL.—The Administrator shall operate, directly or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The program of such Data Center shall be designed to

(1) provide an accurate nationwide analysis of the fire problem, (2) identify major problem areas, (3) assist in setting priorities, (4) determine possible solutions to problems, and (5) monitor the progress of

programs to reduce fire losses. To carry out these functions, the Data Center shall gather and analyze—

(1) information on the frequency, causes, spread, and extinguishment of fires;

(2) information on the number of injuries and deaths resulting from fires, including the maximum available information on the specific causes and nature of such injuries and deaths, and information on property losses;

(3) information on the occupational hazards faced by firefighters, including the causes of deaths and injuries arising, directly and indirectly, from firefighting activities;

(4) information on all types of firefighting activities, including inspection practices;

(5) technical information related to building construction, fire properties of materials, and similar information;

(6) information on fire prevention and control laws, systems, methods, techniques, and administrative structures used in foreign nations;

(7) information on the causes, behavior, and best method of control of other types of fire, including, but not limited to, forest fires, brush fires, fire underground, oil blow-out fires, and waterborne fires; and

(8) such other information and data as is deemed useful and applicable.

(b) **METHODS.**—In carrying out the program of the Data Center, the Administrator is authorized to—

(1) develop standardized data reporting methods;

(2) encourage and assist State, local, and other agencies, public and private, in developing and reporting information; and

(3) make full use of existing data gathering and analysis organizations, both public and private.

(c) **DISSEMINATION.**—The Administrator shall insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center, and shall make such data, information, and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLAN DEMONSTRATION PROJECTS

SEC. 10. (a) GENERAL.—The Administrator shall establish master plan demonstration projects, which shall commence not later than 2 years after the date of enactment of this Act. Not less than three nor more than eight such projects shall be so assisted. Any demonstration project under this section shall be conducted by, or under the supervision of, a State in accordance with an application submitted by such State under subsection (c) of this section. If any such State includes a standard metropolitan statistical area, as defined by the Bureau of the Census, the geographical boundaries of which include two or more States, such State shall include the entire such standard metropolitan statistical area in its master plan demonstration project.

(b) **ELIGIBILITY FOR GRANTS.**—The Administrator shall establish criteria of eligibility for awarding master plan demonstration project grants. In awarding such project grants, he shall select projects which are unique in terms of—

(1) the characteristics of the State, including, but not limited to, density and distribution of population; ratio of volunteer versus paid fire services; geographic location, topography, and climate; per capita rate of death and property loss from fire; size and characteristics of political subdivisions of the State; and socioeconomic composition; and

(2) the approach to development and implementation of the master plan which is proposed to be developed with Federal assistance under this section. Such approaches may include central planning by a State agency, regionalized planning within a State coordinated by a State agency, or local planning supplemented and coordinated by a State agency.

(c) **PROCEDURE FOR AWARDING GRANTS.**—A grant under this section may be obtained upon an application by a State at such time, in such manner, and containing such information as the Administrator shall require. Upon the approval of any such application, the Administrator may make a grant to the State to pay each fiscal year an amount not in excess of 80 per centum of the total cost of such project. Not more than 50 per centum of the amount of each grant shall be allocated to the planning and development of the master plan and the remainder to partial or total implementation. Payments under this subsection may be made in advance, in installments, or by way of reimbursement.

(d) **MASTER PLAN.**—(1) Each demonstration project established pursuant to this section shall result in the planning and implementation of a comprehensive master plan for fire protection for each State funded thereunder. Each such master plan shall contain—

(A) a survey of the resources and personnel of existing fire services and an analysis of the effectiveness of the fire and building codes in the State;

(B) an analysis of short- and long-term fire prevention and control needs in the State;

(C) a plan to meet the fire prevention and control needs of the State; and

(D) an estimate of costs and a realistic plan for financing implementation of the plan and operation on a continuing basis, and a summary of problems that are anticipated in implementing such plan.

(2) Four years after the date of enactment of this Act, the Secretary shall submit to Congress a summary and evaluation of the master plans prepared pursuant to this section. Such report shall also assess the costs and benefits of the master plan program and recommend to Congress whether Federal financial assistance should be authorized in order that master plans can be developed in all States.

(e) **AUTHORIZATION FOR APPROPRIATION.**—There is authorized to be appropriated to carry out the provisions of this section not to exceed \$2,500,000. Not more than 35 per centum of the amount appropriated under this section for any fiscal year may be granted for projects in any one State.

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

SEC. 11. (a) CLAIM.—Each fire service that engages in the fighting of a fire on property which is under the jurisdiction of the United States may file a claim with the Administrator for the amount of direct expenses

and direct losses incurred by such fire service as a result of fighting such fire. The claim shall include such supporting information as the Administrator may prescribe.

(b) **DETERMINATION.**—Upon receipt of a claim filed under subsection (a) of this section, the Administrator shall determine—

(1) what payments, if any, to the fire service or its parent jurisdiction, including taxes or payments in lieu of taxes, the United States has made for the support of fire services on the property in question;

(2) the extent to which the fire service incurred additional fire-fighting costs, over and above its normal operating costs, in connection with the fire which is the subject of the claim; and

(3) the amount, if any, of the additional costs referred to in paragraph (2) of this subsection which were not adequately covered by the payments referred to in paragraph (1) of this subsection.

(c) **PAYMENT.**—The Secretary shall forward the claim and a copy of the Administrator's determination under subsection (b) (3) of this section to the Secretary of the Treasury. The Secretary of the Treasury shall, upon receipt of the claim and determination, pay such fire service or its parent jurisdiction, from any moneys in the Treasury not otherwise appropriated but subject to reimbursement (from any appropriations which may be available or which may be made available for the purpose) by the Federal department or agency under whose jurisdiction the fire occurred, a sum no greater than the amount determined with respect to the claim under subsection (b) (3) of this section.

(d) **ADJUDICATION.**—In the case of a dispute arising in connection with a claim under this section, the Court of Claims of the United States shall have jurisdiction to adjudicate the claim and enter judgment accordingly.

REVIEW OF CODES

SEC. 12. The Administrator is authorized to review, evaluate, and suggest improvements in State and local fire prevention codes, building codes, and any relevant Federal or private codes and regulations. In evaluating any such code or codes, the Administrator shall consider the human impact of all code requirements, standards, or provisions in terms of comfort and habitability for residents or employees, as well as the fire prevention and control value or potential of each such requirement, standard, or provision.

FIRE SAFETY EFFECTIVENESS STATEMENTS

SEC. 13. The Administrator is authorized to encourage owners and managers of residential multiple-unit, commercial, industrial, and transportation structures to prepare Fire Safety Effectiveness Statements, pursuant to standards, forms, rules, and regulations to be developed and issued by the Administrator.

ANNUAL CONFERENCE

SEC. 14. The Administrator is authorized to organize, or to participate in organizing, an annual conference on fire prevention and control. He may pay, in whole or in part, the cost of such conference and the expenses of some or all of the participants. All of the Nation's fire services shall be

eligible to send representatives to each such conference to discuss, exchange ideas on, and participate in educational programs on new techniques in fire prevention and control. Such conferences shall be open to the public.

PUBLIC SAFETY AWARDS

SEC. 15. (a) ESTABLISHMENT.—There are hereby established two classes of honorary awards for the recognition of outstanding and distinguished service by public safety officers—

(1) the President's Award For Outstanding Public Safety Service ("President's Award"); and

(2) the Secretary's Award For Distinguished Public Safety Service ("Secretary's Award").

(b) DESCRIPTION.—(1) The President's Award shall be presented by the President of the United States to public safety officers for extraordinary valor in the line of duty or for outstanding contribution to public safety.

(2) The Secretary's Award shall be presented by the Secretary, the Secretary of Defense, or by the Attorney General to public safety officers for distinguished service in the field of public safety.

(c) SELECTION.—The Secretary, the Secretary of Defense, and the Attorney General shall advise and assist the President in the selection of individuals to whom the President's Award shall be tendered and in the course of performing such duties they shall seek and review nominations for such awards which are submitted to them by Federal, State, county, and local government officials. They shall annually transmit to the President the names of those individuals determined by them to merit the award, together with the reasons therefor. Recipients of the President's Award shall be selected by the President.

(d) LIMITATION.—(1) There shall not be presented in any one calendar year in excess of twelve President's Awards.

(2) There shall be no limitation on the number of Secretary's Awards presented.

(e) AWARD.—(1) Each President's Award shall consist of—

(A) a medal suitably inscribed, bearing such devices and emblems, and struck from such material as the Secretary of the Treasury, after consultation with the Secretary, the Secretary of Defense, and the Attorney General deems appropriate. The Secretary of the Treasury shall cause the medal to be struck and furnished to the President; and

(B) an appropriate citation.

(2) Each Secretary's Award shall consist of an appropriate citation.

(f) REGULATIONS.—The Secretary, the Secretary of Defense, and the Attorney General are authorized and directed to issue jointly such regulations as may be necessary to carry out this section.

(g) DEFINITIONS.—As used in this section, the term "public safety officer" means a person serving a public agency, with or without compensation, as—

(1) a firefighter;

(2) a law enforcement officer, including a corrections or court officer; or

(3) a civil defense officer.

ANNUAL REPORT

SEC. 16. The Secretary shall report to the Congress and the President not later than June 30 of the year following the date of enactment of this Act and each year thereafter on all activities relating to fire prevention and control, and all measures taken to implement and carry out this Act during the preceding calendar year. Such report shall include, but need not be limited to—

(a) a thorough appraisal, including statistical analysis, estimates, and long-term projections of the human and economic losses due to fire;

(b) a survey and summary, in such detail as is deemed advisable, of the research and technology program undertaken or sponsored pursuant to this Act;

(c) a summary of the activities of the Academy for the preceding 12 months, including, but not limited to—

(1) an explanation of the curriculum of study,

(2) a description of the standards of admission and performance;

(3) the criteria for the awarding of degrees and certificates; and

(4) a statistical compilation of the number of students attending the Academy and receiving degrees or certificates;

(d) a summary of the activities undertaken to assist the Nation's fire services;

(e) a summary of the public education programs undertaken;

(f) an analysis of the extent of participation in preparing and submitting Fire Safety Effectiveness Statements;

(g) a summary of outstanding problems confronting the administration of this Act, in order of priority;

(h) such recommendations for additional legislation as are deemed necessary or appropriate; and

(i) a summary of reviews, evaluations, and suggested improvements in State and local fire prevention and building codes, fire services, and any relevant Federal or private codes, regulations, and fire services.

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. There are authorized to be appropriated to carry out the foregoing provisions of this Act, except section 11 of this Act, such sums as are necessary, not to exceed \$15,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$21,000,000 for the fiscal year ending June 30, 1976.

FIRE RESEARCH CENTER

SEC. 18. The Act of March 3, 1901 (15 United States Code 278), is amended by striking out sections 16 and 17 (as added by title I of the Fire Prevention and Control Act of 1968) and by inserting in lieu thereof the following new section:

"SEC. 16. (a) There is hereby established within the Department of Commerce a Fire Research Center which shall have the mission of performing and supporting research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention

and control of fires. The content and priorities of the research program shall be determined in consultation with the Administrator of the National Fire Prevention and Control Administration. In implementing this section, the Secretary is authorized to conduct, directly or through contracts or grants, a fire research program, including—

“(1) basic and applied fire research for the purpose of arriving at an understanding of the fundamental processes underlying all aspects of fire. Such research shall include scientific investigations of—

“(A) the physics and chemistry of combustion processes;

“(B) the dynamics of flame ignition, flame spread, and flame extinguishment;

“(C) the composition of combustion products developed by various sources and under various environmental conditions;

“(D) the early stages of fires in buildings and other structures, structural subsystems and structural components in all other types of fires, including, but not limited to, forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires, with the aim of improving early detection capability;

“(E) the behavior of fires involving all types of buildings and other structures and their contents (including mobile homes and highrise buildings, construction materials, floor and wall coverings, coatings, furnishings, and other combustible materials), and all other types of fires, including forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires;

“(F) the unique fire hazards arising from the transportation and use, in industrial and professional practices, of combustible gases, fluids, and materials;

“(G) design concepts for providing increased fire safety consistent with habitability, comfort, and human impact in buildings and other structures; and

“(H) such other aspects of the fire process as may be deemed useful in pursuing the objectives of the fire research program;

“(2) research into the biological, physiological, and psychological factors affecting human victims of fire, and the performance of individual members of fire services, including—

“(A) the biological and physiological effects of toxic substances encountered in fires;

“(B) the trauma, cardiac conditions, and other hazards resulting from exposure to fire;

“(C) the development of simple and reliable tests for determining the cause of death from fires;

“(D) improved methods of providing first aid to victims of fires;

“(E) psychological and motivational characteristics of persons who engage in arson, and the prediction and cure of such behavior;

“(F) the conditions of stress encountered by firefighters, the effects of such stress, and the alleviation and reduction of such conditions; and

“(G) such other biological, psychological, and physiological effects of such stress, and the alleviation and reduction of such conditions; and

“(3) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

“The Secretary shall insure that the results and advances arising from the work of the research program are disseminated broadly. He shall encourage the incorporation, to the extent applicable and practicable, of such results and advances in building codes, fire codes, and other relevant codes, test methods, fire service operations and training, and standards. The Secretary is authorized to encourage and assist in the development and adoption of uniform codes, test methods, and standards aimed at reducing fire losses and costs of fire protection.

“(b) For the purposes of this section there is authorized to be appropriated not to exceed \$3,500,000 for the fiscal year ending June 30, 1975 and not to exceed \$4,000,000 for the fiscal year ending June 30, 1976.”

VICTIMS OF FIRE

SEC. 19. (a) PROGRAM.—The Secretary of Health, Education, and Welfare shall establish, within the National Institutes of Health and in cooperation with the Secretary, an expanded program of research on burns, treatment of burn injuries, and rehabilitation of victims of fires. The National Institutes of Health shall—

(1) sponsor and encourage the establishment throughout the Nation of twenty-five additional burn centers, which shall comprise separate hospital facilities providing specialized burn treatment and including research and teaching programs, and twenty-five additional burn units, which shall comprise specialized facilities in general hospitals used only for burn victims;

(2) provide training and continuing support of specialists to staff the new burn centers and burn units;

(3) sponsor and encourage the establishment of ninety burn programs in general hospitals which comprise staffs of burn injury specialists;

(4) provide special training in emergency care for burn victims;

(5) augment sponsorship of research on burns and burn treatment;

(6) administer and support a systematic program of research concerning smoke inhalation injuries; and

(7) sponsor and support other research and training programs in the treatment and rehabilitation of burn injury victims.

(b) AUTHORIZATION OF APPROPRIATION.—For purposes of this section, there are authorized to be appropriated not to exceed \$5,000,000 for the fiscal year ending June 30, 1975 and not to exceed \$8,000,000 for the fiscal year ending June 30, 1976.

PUBLIC ACCESS TO INFORMATION

SEC. 20. Copies of any document, report, statement, or information received or sent by the Secretary or the Administrator shall be made available to the public pursuant to the provisions of section 552 of title 5, United States Code: Provided, That, notwithstanding the provisions of subsection (b) of such section and of section 1905 of title 18, United States Code, the Secretary may disclose information which concerns or relates to a trade secret—

(1) upon request, to other Federal Government departments and agencies for official use;

(2) upon request, to any committee of Congress having jurisdiction over the subject matter to which the information relates;

(3) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceedings; and

(4) to the public when he determines such disclosure to be necessary in order to protect health and safety after notice and opportunity for comment in writing or for discussion in closed session within fifteen days by the party to which the information pertains (if the delay resulting from such notice and opportunity for comment would not be detrimental to health and safety).

ADMINISTRATIVE PROVISIONS

SEC. 21. (a) ASSISTANCE.—Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and directed to furnish to the Administrator, upon written request, on a reimbursable basis or otherwise, such assistance as the Administrator deems necessary to carry out his functions and duties pursuant to this Act, including, but not limited to, transfer of personnel with their consent and without prejudice to their position and ratings.

(b) POWERS.—With respect to this Act, the Administrator is authorized to—

(1) enter into, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this Act;

(2) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U.S.C. 665(b));

(3) purchase, lease, or otherwise acquire, own, hold, improve, use, or deal in and with any property (real, personal, or mixed, tangible or intangible), or interest in property, wherever situated; and sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of property and assets;

(4) procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for qualified experts; and

(5) establish such rules, regulations, and procedures as are necessary to carry out the provisions of this Act.

(c) AUDIT.—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipients of contracts, grants, or other forms of assistance that are pertinent to its activities under this Act for the purpose of audit or to determine if a proposed activity is in the public interest.

(d) INVENTIONS AND DISCOVERIES.—All property rights with respect to inventions and discoveries, which are made in the course of or under contract with any government agency pursuant to this Act, shall be subject to the basic policies set forth in the President's Statement of Government Patent Policy issued August 23, 1971, or such revisions of that statement of policy as may subsequently be promulgated and published in the Federal Register.

(e) COORDINATION.—To the extent practicable, the Administrator shall utilize existing programs, data, information, and facilities already available in other Federal government departments and agencies and, where appropriate, existing research organizations, centers, and universities. The Administrator shall provide liaison at an appropriate organizational level to assure coordination of his activities with State and local government agencies, departments, bureaus, or offices concerned with any matter related to programs of fire prevention and control and with private and other Federal organizations and offices so concerned.

ASSISTANCE TO CONSUMER PRODUCT SAFETY COMMISSION

SEC. 22. Upon request, the Administrator shall assist the Consumer Product Safety Commission in the development of fire safety standards or codes for consumer products, as defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.).

CONFORMING AMENDMENTS

SEC. 23. Section 12, of the Act of February 14, 1903, as amended (15 U.S.C. 1511), is amended to read as follows:

"BUREAUS IN DEPARTMENT

"SEC. 12. The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall be under the jurisdiction and subject to the control of the Secretary of Commerce:

"(a) National Oceanic and Atmospheric Administration;

"(b) United States Travel Service;

"(c) Maritime Administration;

"(d) National Bureau of Standards;

"(e) Patent Office;

"(f) Bureau of the Census;

"(g) National Fire Prevention and Control Administration; and

"(h) such other bureaus or other organizational units as the Secretary of Commerce may from time to time establish in accordance with law."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to reduce losses of life and property, through better fire prevention and control, and for other purposes."

And the House agree to the same.

OLIN E. TEAGUE,
 JOHN W. DAVIS,
 JAMES W. SYMINGTON,
 CHARLES A. MOSHER,
 ALPHONZO BELL,
Managers on the Part of the House.

WARREN G. MAGNUSON,
 JOHN O. PASTORE,
 FRANK E. MOSS,
 TED STEVENS,
 J. GLENN BEALL, JR.
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text for the Senate bill, and the Senate disagreed to the House amendments. The House amendment amended the Senate title of the bill.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill. The committee of conference also recommends that the Senate recede from its disagreement to the amendment of the House to the title of the Senate bill, with an amendment which is a substitute for both the title of the Senate bill and the House amendment to the title of the Senate bill. The following statement explains the resolution of differences between the Senate bill and the House amendment thereto:

STRUCTURE OF THE NEW FIRE PROGRAM

Both the Senate bill and the House amendment established a comprehensive fire prevention and control program to be located primarily in the Department of Commerce. Both programs included, but were not limited to, a fire education program, a national fire academy, a fire research and development program and a national data gathering program.

The Senate bill created the new position of Assistant Secretary of Commerce for Fire Prevention and Control. The Assistant Secretary would have been responsible for carrying out the provisions of the Act under the direction of the Secretary. The Assistant Secretary would have been appointed by the President, by and with the advice and consent of the Senate and would have received compensation at a rate prescribed by law for Assistant Secretaries of Commerce (currently a level IV position).

Title I of the House amendment established in the Department of Commerce a National Bureau of Fire Safety which was to be headed by a Presidentially appointed Director. The Fire Bureau would have undertaken programs of technology development, training and education, data collection and analysis, and public education. Title II of the House amendment established a Fire Research Center in the Department of Commerce which was intended to carry on the

fire program of the National Bureau of Standards. Specifically, it would have conducted basic and applied research on the phenomenon of fire. The Director of the Fire Bureau would have received compensation at a level V and would have implemented his duties under the general direction of the Secretary of Commerce.

The Conference Substitute includes a compromise position between the Senate bill and the House amendment. The committee of conference recognized the importance of a separate and distinct fire program within the Department of Commerce while at the same time utilizing the expertise and resources of the National Bureau of Standards for implementing the fire research program. As a result, Section 5 of the Conference Substitute would establish, within the Department of Commerce, an agency which shall be known as the National Fire Prevention and Control Administration. The new Administration is modeled after the existing National Oceanic and Atmospheric Administration. The committee of conference agreed to propose a separate administration with an Administrator, who would report directly to the Secretary of Commerce to insure that the fire prevention and control program would be a highly visible program. In addition, the Administrator would be responsible only to the Secretary.

The conferees, after carefully considering the merits of the organizational arrangements in the two bills, unanimously agree that it would reduce the effectiveness of the program if it were to be located under the auspices of the Assistant Secretary for Science and Technology. Accordingly, the committee of conference has agreed that a new Fire Administration to implement all aspects of the fire program, with the exception of the research program, should be established. The research program, the conferees concluded, should be implemented by the National Bureau of Standards and Section 18 of the Conference Substitute amends the act of March 3, 1901 to reflect this intent.

The new Fire Administration shall be headed by an Administrator appointed by the President, by and with the advice and consent of the Senate. He shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates. The Conference Substitute also establishes the position of Deputy Administrator. The Deputy Administrator shall be appointed by the President by and with the advice and consent of the Senate and he shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates. The Deputy Administrator shall perform such functions as the Administrator shall assign or delegate and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator.

While the Conference Substitute structurally separates the research activities from the rest of the Fire Prevention and Control Program, the conferees intend that the Secretary of Commerce shall coordinate the two so that they are complementary. In view of the fact that the Administrator is to report directly to and be responsible to the Secretary of Commerce, the Secretary will be in a good position to coordinate research priorities for the research program with the Administrator.

PUBLIC EDUCATION PROGRAM

Both the Senate bill and the House amendment stressed the importance of a comprehensive fire education program.

The Senate bill would have authorized the Secretary to take all steps necessary to educate the public and to overcome public indifference as to fire safety and fire prevention.

The House amendment would have required the Director to undertake, in collaboration with existing public and private organizations, a continuing and extensive program of public education in fire prevention and fire safety which would have included specialized information aimed at those particularly vulnerable to fire hazards. In addition, the education program would have included research into new methods of public education in fire prevention.

The committee of conference agrees on the importance of public education as a part of the effort to reduce fire losses. Section 6 of the Conference Substitute requires the Administrator to take all steps necessary and practicable to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to publications, audio-visual presentations, and demonstrations. The public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, and shall also include sponsorship and encouragement of research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

The Senate bill would establish a National Academy for Fire Prevention and Control, while the House amendment provided for the establishment of a United States Fire Academy.

The committee of conference agreed that a central training facility for the nation's fire fighting forces is of the highest priority if the effort to reduce the losses from fires is to succeed, and accordingly section 7 establishes a National Academy for Fire Prevention and Control. In arriving at this conclusion, and in reconciling the provisions contained in the two bills regarding the specific functions of the Academy, the committee of conference carefully considered the several objectives which the Academy is established to serve. The committee of conference wishes to emphasize that it is not the intent that the National Academy for Fire Prevention and Control become a large, degree granting institution on the model of the service academies, the Coast Guard Academy, or the Merchant Marine Academy. Rather, the Fire Academy is modeled on the highly successful F.B.I. Academy, and on a number of national fire academies abroad. The intent of the conferees is that the National Fire Academy, by establishing a small, but excellent campus with a first class staff and facilities, will serve as a focal point for the professional training of fire officers.

Conduct of Short Courses and Conferences.—The House amendment gave the Fire Academy Superintendent authority to conduct short courses, seminars, workshops, conferences, and similar activities in

all parts of the United States. The Senate bill contained general authority for the Academy to implement similar programs.

The committee of conference agreed to include the House provision in the Conference Substitute.

Fire Prevention Practices.—The House amendment included a provision requiring the fire program to encourage the inclusion of fire prevention technology and practices in the education and professional practice of architects, builders, city planners and owners engaged in design and planning affected by fire safety problems. The Senate bill did not contain similar provisions.

The committee of conference agreed to include the House provision in the Conference Substitute.

Assistance to Fire Training Programs.—The House amendment authorized the Fire Academy to assist and support existing education and training programs conducted by State and local fire units, and by private institutions. The Senate bill authorized the Fire Academy to provide three special forms of assistance to existing fire training programs: educational materials such as model curricula, correspondence courses, and model promotion examinations.

The committee of conference agreed to include authority for such assistance, but with certain limitations. The authority for financial assistance would be authorized for all types of state, local, and private institutions, but would be limited to four percent of the total amount authorized for the program of the Fire Administration.

Academy Site and Construction Approval.—The Senate bill provided that the Department of Commerce must obtain the approval of the Committees of jurisdiction in the House and the Senate before funds exceeding \$100,000 are expended for planning or construction. The House bill contained no corresponding provision, but provided that the Secretary of Commerce shall appoint a Site Selection Board to advise him on the selection of a site for the Academy. The Board shall observe certain criteria including the possible use of a facility declared surplus by the Federal Government.

The committee of conference agreed to include both the construction approval provision from the Senate bill and the site selection provision from the House amendment.

Student Financial Assistance.—The House amendment provided that the Academy would be authorized to give financial assistance to students engaged in a number of different fire training and education activities. Such financial assistance would be provided to students attending the Fire Academy and to students attending Fire Engineering Programs at colleges and universities. It also included provisions for loans to individuals attending college undergraduate fire research or engineering programs. The Senate bill did not include provisions for direct financial assistance to students.

The committee of conference agreed to include the provisions of the House amendment which would authorize partial financial support for students attending the Academy and for students attending non-degree training programs at junior colleges, colleges, and universities. The loan program for undergraduate and graduate students is also included in the Conference Substitute.

Placement Service.—The Senate bill provided that the Academy would operate a placement assistance program for the fire services. The House amendment contained no comparable provision.

The committee of conference agreed to include this provision in the Conference Substitute.

Board of Visitors.—The Senate bill provided for a Board of Advisors for the Fire Academy, to be selected by the Secretary, but the size of the Board was not specified. The House amendment provided for the establishment of a Board of Visitors to the Fire Academy, made up of eight members selected by the Secretary.

The committee of conference agreed to include a Board of Visitors composed of eight members selected by the Secretary of Commerce in the Conference Substitute.

Accreditation.—The House amendment included provisions for the establishment by the Academy of a Committee on Fire Training and Education. The purpose of this Committee would be to inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs on a nationwide basis. This Committee would complete its report and submit its recommendations within 1 year of its appointment. The Senate bill did not include provisions for such a Committee.

The committee of conference agreed to include this section from the House amendment after changing the life of the Committee from 1 to 2 years.

Admissions.—The House amendment included a section providing that admission to the Academy shall be open to members of the fire-fighting, rescue, and civil defense forces of the Nation, and that adequate representation of all geographic regions of the nation shall be included in the student body. The Senate bill did not include a comparable provision.

The committee of conference agreed to include the section on admissions from the House bill in the Conference Substitute.

Continuing Study of Educational Needs.—The House amendment included a section providing that the Fire Academy shall conduct a continuing study of the needs and content of the education and training programs both at the Academy and elsewhere. The studies would be coordinated with the Civil Defense Staff College. The Senate bill did not include a comparable section.

The committee of conference agreed to omit this provision from the Conference Substitute.

TECHNOLOGY PROGRAM

The Senate bill included provisions for a program of development, testing, and evaluation of equipment for the use of the Nation's fire services. The House amendment included similar provisions aimed at the same goal of making available to the Nation's fire, rescue, and civil defense services improved equipment for fire suppression, detection, and prevention.

The committee of conference agreed to include the fire technology program as section 8 of the Conference Substitute. The provision in the House bill providing for research on productivity measurement related to the fire services, and the provisions specifying the types of fire technology to be developed were incorporated into this section of the Conference Substitute.



NATIONAL FIRE DATA CENTER

Both the Senate bill and the House amendment provided for the operation of a comprehensive, integrated National Fire Data Information System. The language in each bill describing the type of data to be collected was identical. Both bills would have encouraged without compelling uniform reporting of fire data by local departments, utilization of existing data gathering activities, and the wide dissemination of the data collected.

The Senate bill authorized the Secretary of Commerce to establish a data center or information bank on all aspects of fire prevention and control. The Secretary was mandated to "insure dissemination to the maximum possible extent of fire data collected and developed under this section." He was also authorized to make "full use of existing data, data gathering and analysis organizations. . . ."

The House amendment authorized the Director of the National Bureau of Fire Safety to operate an integrated comprehensive national program of collecting, analyzing, and publishing fire data. Three kinds of data and information were to be collected under the comprehensive system: statistical, practical, and technical.

The Conference Substitute adopts the language of the Senate bill and the House amendment which were identical, describing the nature of the information to be gathered and analyzed. Under section 9 of the Conference Substitute, the Administrator of the National Fire Prevention and Control Administration shall operate directly, or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The Data Center is designed to fulfill five needs: (1) provide an accurate nationwide analysis of the fire problem; (2) identify major problem areas; (3) assist in setting priorities; (4) determine possible solutions to problems; and monitor the progress of programs to reduce fire losses.

The Conference Substitute also adopts much of the House language describing how the program of the Data Center is to be carried out. Specifically, the Administrator is authorized to develop standardized data reporting methods, encourage and assist State, local, and other agencies, public and private, in developing and reporting information and make full use of existing data gathering and analysis organizations, both public and private. Additionally, the Conference Substitute adopts the House language which requires the Administrator to insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center. The Administrator is also directed to make such data, information and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLAN DEMONSTRATION PROJECTS

The Senate bill authorized and directed the Secretary of Commerce to establish master plan demonstration projects. Specifically, the Senate bill included an authorization of appropriations (\$10 million total) for grants to at least five, but not more than eight States to prepare a master plan for fire prevention and control in their area.

The master plan concept is designed to insure that each local fire jurisdiction sets goals and priorities for the fire services to meet the changing needs of the community. The master plan should seek to allocate resources for the maximum payoff in fire protection, and it should provide for data systems for continual monitoring for cost effectiveness.

The Senate bill outlined criteria for eligibility for master plan grants. It also established a procedure for obtaining a grant and declared that the Federal share may not exceed 80 percent of the total cost of the master plan demonstration project approved. Of the Federal funds, 50 percent shall go to planning and 50 percent to implementation of the plan. It further set forth the basic ingredients in an acceptable state master plan which is financially assisted under the act, such as the following: survey of existing systems; needs; plan for meeting the need; and estimated cost of problems in implementation of the plan. Three and one half years after enactment of the act, the Secretary was to have reported to Congress his evaluation of the master plan demonstration project program and shall have advised the Congress whether master plan grants should be authorized in order that master plans can be developed in all the States. Under the Senate bill, no more than 20 percent of the funds appropriated under the master plan program may be spent in any one State.

The House amendment contained no similar provision.

Section 10 of the Conference Substitute includes the provisions of the Senate bill with several modifications. First, whereas the Senate bill provided that the master plan projects were to have commenced not later than 18 months after the date of enactment of the act, the Conference Substitute extends the period of time to 2 years. Second, the Senate bill required the establishment of 5-8 master plan demonstration projects. The Conference Substitute reduces this to 3-8 such projects. Third, the Conference Substitute reduces the level of authorization for implementing the master plan program to \$2.5 million and provides that not more than 35 percent of the amount appropriated under this section for any fiscal year may be granted for projects in any one state.

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

The House amendment included a section providing that a fire department or fire district may be reimbursed for the direct losses and direct costs it incurs in fighting fires on Federal property. Claims for such reimbursement would be made to the Federal agency provided in the bill and would be reduced by an amount equal to any payments in lieu of taxes made for fire protection services to the local government. The Senate bill did not contain a corresponding provision.

The committee of conference agreed to include this provision with certain minor changes affecting the administrative aspects of the submission, evaluation, and payments of such claims. These changes give the Administrator of the Fire Administration the responsibility for evaluating and making determinations on claims, give the Secretary of the Treasury the responsibility for paying claims in amounts not to exceed the sum determined by the Administrator, and provides that the adjudication of any disputes arising under any such claim shall be under the jurisdiction of the United States Court of Claims.

REVIEW OF CODES

The Senate bill authorized the Secretary of Commerce to review, evaluate, and suggest improvements in State and local fire prevention building codes, fire services, and any relevant Federal and private codes, regulations, and fire services. In evaluating such a code or codes, the Secretary was to consider the human impact of all code requirements, standards, and provisions in terms of comfort and habitability for residents or employees as well as the fire prevention and control value or potential of each such requirement, standard, and provision. The Secretary was required to annually submit to Congress a summary of such reviews, evaluations, and suggestions.

The House amendment contained no similar provision.

Section 11 of the Conference Substitute adopts the Senate provision with one minor change. While the Senate provision would have required the Secretary to report to Congress annually on his review, evaluation, and suggestions for improvements in codes, the Conference Substitute requires such review, evaluation, and suggestion to be included in the Secretary's annual report to Congress, required pursuant to section 16 of the Conference Substitute.

FIRE SAFETY EFFECTIVENESS STATEMENTS

The Senate bill authorized the Secretary of Commerce to encourage owners and managers of residential multiple unit, commercial, and industrial, and transportation structures to prepare and submit to him for evaluation and certification a Fire Safety Effectiveness Statement, pursuant to standards, forms, rules, and regulations to be developed and issued by the Secretary. Any person who submitted such a statement and received certification, was entitled to attach the following statement to any contract of sale or lease or any advertisement or notice which pertains to the structure as to which such statement has been submitted: "A Fire Safety Effectiveness Statement has been prepared regarding this structure and this structure has been certified as meeting the requirements of the United States Department of Commerce."

The House amendment contained no similar provision.

Section 13 of the Conference Substitute adopts the Senate provision with modifications.

The committee of conference agreed to include the provision encouraging owners of buildings to prepare Fire Safety Effectiveness Statements. However, it deletes the procedure of submitting the Fire Safety Effectiveness Statement to the Secretary of Commerce for his evaluation and certification. While this deletion no longer requires the Secretary to evaluate and certify a Fire Safety Effectiveness Statement, it is not intended to preclude him from doing so if he determines that such a procedure is desirable. In addition, the Conference Substitute deletes the provision allowing for a Fire Safety Effectiveness Statement to be included in contracts of sale, leases, advertisements or notices pertaining to the structure. Once again, the Secretary is not precluded from administratively establishing a similar procedure.

ANNUAL CONFERENCE

The Senate bill authorized the Secretary to organize or participate in organizing an annual conference of fire prevention and control. In addition, he was authorized to pay in whole or in part the expenses of participants and all of the Nation's fire services were eligible to send representatives to each such conference.

The House amendment contained no similar provision.

Section 14 of the Conference Substitute adopts the Senate provision.

PUBLIC SAFETY AWARDS

The Senate bill established two classes of honorary awards for recognition of outstanding and distinguished service by public safety officers. These two classes of awards were the President's Award for Outstanding Public Safety Service and the Secretary's Award for Distinguished Public Safety Service. The program was designed to recognize achievement by outstanding firefighters and law enforcement officers, and was to be administered jointly by the Secretary of Commerce and the Attorney General. The Secretary and the Attorney General were to select candidates for the President's Award and the Secretary's Award and submit them to the President for decision and awarding of the conferred distinctions. Not more than 12 President's Awards were to be conferred each year, but there was no limit on the number of Secretary's Awards.

The House amendment contained no similar provision.

Section 15 of the Conference Substitute adopts the Senate provision and also provides for similar awards to be made to civil defense officers. The Secretary of Defense as well as the Secretary of Commerce and the Attorney General are to jointly administer the program of public safety awards.

ANNUAL REPORT

The Senate bill provided for the submission of an annual report to the Congress. The House amendment contained no similar provision.

The Committee of Conference agreed to the inclusion of this provision as section 16 with minor changes to conform with the Conference Substitute.

FIRE RESEARCH CENTER

The Senate bill included provisions for the conduct of a program of basic and applied research aimed at developing an understanding of the fundamental processes underlying all aspects of fire. The research program would have been placed under the Assistant Secretary for Fire Prevention and Control rather than in a Fire Research Center in the National Bureau of Standards.

The House amendment provided for the establishment of a Fire Research Center to perform basic and applied research related to fire. The Fire Research Center would have been established by amending the organic act of the National Bureau of Standards to include this Fire Research Center in the Bureau. The research work of the Fire Research Center would include research on all aspects of fire with the

aim of providing scientific and technical knowledge applicable to the prevention and control of fires.

The committee of conference concluded that the continuation of the existing fire research program at the National Bureau of Standards would best serve the intent of the legislation. By basing the expanded fire research program on the existing staff and facilities, the research program will be able to take full advantage of the expertise and capabilities built up over the years. The committee of conference therefore included, as section 18 in the Conference Substitute, the provisions of the House amendment which establishes the Fire Research Center in the National Bureau of Standards by amending the organic act of the National Bureau of Standards.

VICTIMS OF FIRE

Both the Senate bill and the House amendment included identical provisions for the establishment of an expanded program of research on burns, the treatment of burn injuries, and the rehabilitation of the victims of fire within the National Institutes of Health. However, the Senate bill included authorization for appropriations for this program in the amounts of \$7,500,000 for fiscal year 1974, \$10,000,000 for fiscal year 1975, and \$10,000,000 for fiscal year 1976, totaling \$27,000,000 while no funds were authorized for this program in the House amendment.

The committee of conference agreed to include, as section 19, the Victims of Fire provision in the Conference Substitute, and to authorize funding for 2 rather than 3 years. The authorized funding included in the bill is in the amount of \$5,000,000 for fiscal year 1975, and in the amount of \$8,000,000 for fiscal year 1976.

The House conferees note that in the House of Representatives jurisdiction over the National Institutes of Health is not within the purview of the Committee on Science and Astronautics, and that agreement to restore these funds was reached only in view of the importance attached by the committee of conference to the burn research and treatment program, and with the understanding that in the House of Representatives the appropriate legislative Committee will further review and authorize this program.

PUBLIC ACCESS TO INFORMATION

The Senate bill provided that any information received by the Program for Fire Prevention and Control shall be made available to the public upon identifiable request and at reasonable cost, subject to limited exceptions.

The House amendment contained no similar provision.

Section 20 of the Conference Substitute includes a provision similar in intent to the Senate provision but with minor style alterations. The provision makes clear that this section is in addition to, and not in lieu of, the provisions of the Freedom of Information Act.

CIVIL DEFENSE

The Senate bill included no provisions specifically stating that the civil defense activities and personnel throughout the United States would be eligible to participate in the fire prevention and control

activities provided for in the bill. The House amendment provided that the civil defense activities and personnel would be eligible to participate in the activities contemplated under the amendment.

The committee of conference agreed to include in the Conference Substitute those specific provisions from the House amendment which include civil defense activities most directly related to fire prevention and control activities. The Conference Substitute authorizes civil defense personnel to be admitted to the Fire Academy (section 7); the Fire Technology program to include civil defense related technology for use in fire prevention and control (section 8); and civil defense personnel to be eligible for the Public Safety Awards (section 15).

FIRE PROTECTION ASSISTANCE

The Senate bill amended the National Housing Act's section on mortgage insurance assistance by providing that the Secretary of Housing and Urban Development may guarantee loans made to nursing homes and intermediate care facilities to pay for fire safety equipment which is needed to bring the facility into compliance with the latest "Life Safety Code".

The House amendment contained no similar provision.

The Senate provision was deleted in the Conference Substitute because this section has been enacted into law as Public Law 93-204.

STUDIES

The Senate bill authorized and directed the Comptroller General of the United States to study the financing of the Nation's fire services to determine whether moneys available through State and local taxation and Federal-State revenue sharing is adequate. In addition, the bill authorized and directed the Secretary to prepare a comprehensive study of the organization and operation of the Nation's fire services.

The House amendment contained no similar provision.

The Conference Substitute deletes both studies. While the conferees believe both are important, the Administrator, under his general powers to implement the Fire Prevention and Control Program, is already authorized to conduct such studies if he deems it appropriate.

AUTHORIZATION

In the Senate bill, funding was authorized for 3 years in the total amount of \$127,500,000. For fiscal year 1975, \$25,000,000 was authorized for the Fire Program, and \$7,500,000 for the Victims of Fires activities. For fiscal year 1976, \$30,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. For fiscal year 1977, \$35,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. In addition, \$10,000,000 was authorized for Master Plan Demonstration Projects.

In the House amendment the authorization was for 1 year. It provided, for fiscal year 1975, \$2,000,000 for the Fire Bureau, and \$3,500,000 for the Fire Research Center. No funds were authorized for the Victims of Fire (burn treatment) activities or for the Master Plan Demonstration Projects. Thus the House amendment authorized a total of \$5,500,000 for fiscal year 1975.

The committee of conference agreed to authorize funding for 2 years in the total amount of \$59,000,000. For fiscal year 1975, \$15,000,000 would be authorized for the Fire Administration (section 17), \$3,500,000 for the Fire Research Center (section 18), and \$5,000,000 for the Victims of Fire activities (section 19), for a total of \$23,500,000. For fiscal year 1976, \$21,000,000 would be authorized for the Fire Administration (section 17), \$4,000,000 for the Fire Research Center (section 18), and \$8,000,000 for the Victims of Fire Activities (section 19), for a total of \$33,000,000. For Master Plan Demonstration Projects \$2,500,000 is authorized (section 10).

OLIN E. TEAGUE,
 JOHN W. DAVIS,
 JAMES W. SYMINGTON,
 CHARLES A. MOSHER,
 ALPHONZO BELL,

Managers on the Part of the House.

WARREN G. MAGNUSON,
 JOHN O. PASTORE,
 FRANK E. MOSS,
 TED STEVENS,
 J. GLENN BEALL, JR.

Managers on the Part of the Senate.

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FEDERAL FIRE PREVENTION AND
CONTROL ACT OF 1974

REPORT

OF THE

COMMITTEE OF CONFERENCE

ON

S. 1769

TO REDUCE LOSSES OF LIFE AND PROPERTY THROUGH
BETTER FIRE PREVENTION AND CONTROL, AND FOR
OTHER PURPOSES



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1974

FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

August 13, 1974.—Ordered to be printed

Mr. MAGNUSON from the Committee of Conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 1769]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Federal Fire Prevention and Control Act of 1974".

FINDINGS

Sec. 2. The Congress finds that—

(1) *The National Commission on Fire Prevention and Control, established pursuant to Public Law 90-259, has made an exhaustive and comprehensive examination of the Nation's fire problem, has made detailed findings as to the extent of this problem in terms of human suffering and loss of life and property, and has made ninety thoughtful recommendations.*

(2) *The United States today has the highest per capita rate of death and property loss from fire of all the major industrialized nations in the world.*

(3) *Fire is an undue burden affecting all Americans, and fire also constitutes a public health and safety problem of great dimensions. Fire kills 12,000 and scars and injures 300,000 Americans each year, including 50,000 individuals who require extended hospitalization. Almost \$3 billion worth of property is destroyed annually by fire, and the total economic cost of destructive fire in the United States is estimated conserv-*

atively to be \$11,000,000,000 per year. Firefighting is the Nation's most hazardous profession.

(4) Such losses of life and property from fire are unacceptable to the Congress.

(5) While fire prevention and control is and should remain a State and local responsibility, the Federal Government must help if a significant reduction in fire losses is to be achieved.

(6) The fire service and the civil defense program in each locality would both benefit from closer cooperation.

(7) The Nation's fire problem is exacerbated by (A) the indifference with which some Americans confront the subject; (B) the Nation's failure to undertake enough research and development into fire and fire-related problems; (C) the scarcity of reliable data and information; (D) the fact that designers and purchasers of buildings and products generally give insufficient attention to fire safety; (E) the fact that many communities lack adequate building and fire prevention codes; and (F) the fact that local fire departments spend about 95 cents of every dollar appropriated to the fire services on efforts to extinguish fires and only about 5 cents on fire prevention.

(8) There is a need for improved professional training and education oriented toward improving the effectiveness of the fire services, including an increased emphasis on preventing fires and on reducing injuries to firefighters.

(9) A national system for the collection, analysis, and dissemination of fire data is needed to help local fire services establish research and action priorities.

(10) The number of specialized medical centers which are properly equipped and staffed for the treatment of burns and the rehabilitation of victims of fires is inadequate.

(11) The unacceptably high rates of death, injury, and property loss from fire can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of State and local governments.

PURPOSES

SEC. 3. It is declared to be the purpose of Congress in this Act to—

(1) reduce the Nation's losses caused by fire through better fire prevention and control;

(2) supplement existing programs of research, training, and education, and to encourage new and improved programs and activities by State and local governments;

(3) establish the National Fire Prevention and Control Administration and the Fire Research Center within the Department of Commerce; and

(4) establish an intensified program of research into the treatment of burn and smoke injuries and the rehabilitation of victims of fires within the National Institutes of Health.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Academy" means the National Academy for Fire Prevention and Control;

(2) "Administration" means the National Fire Prevention and Control Administration established pursuant to section 5 of this Act;

(3) "Administrator" means the Administrator of the National Fire Prevention and Control Administration;

(4) "fire service" means any organization in any State consisting of personnel, apparatus, and equipment which has as its purpose protecting property and maintaining the safety and welfare of the public from the dangers of fire, including a private firefighting brigade. The personnel of any such organization may be paid employees or unpaid volunteers or any combination thereof. The location of any such organization and its responsibility for extinguishment and suppression of fires may include, but need not be limited to, a Federal installation, a State, city, town, borough, parish, county, fire district, fire protection district, rural fire district, or other special district. The terms "fire prevention", "firefighting", and "firecontrol" relate to activities conducted by a fire service;

(5) "local" means of or pertaining to any city, town, county, special purpose district, unincorporated territory, or other political subdivision of a State;

(6) "Secretary" means the Secretary of Commerce; and

(7) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, the Trust Territory of the Pacific Islands and any other territory or possession of the United States.

ESTABLISHMENT OF THE NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

SEC. 5. (a) ESTABLISHMENT OF ADMINISTRATION.—There is hereby established in the Department of Commerce an agency which shall be known as the National Fire Prevention and Control Administration.

(b) **ADMINISTRATOR.**—There shall be at the head of the Administration the Administrator of the National Fire Prevention and Control Administration. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates (5 U.S.C. 5315). The Administrator shall report and be responsible to the Secretary.

(c) **DEPUTY ADMINISTRATOR.**—There shall be in the Administration a Deputy Administrator of the National Fire Prevention and Control Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5316). The Deputy Administrator shall perform such functions as the Administrator shall from time to time assign or delegate, and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

PUBLIC EDUCATION

SEC. 6. The Administrator is authorized to take all steps necessary to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to, publica-

tions, audiovisual presentations, and demonstrations. Such public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, such as the young and the elderly. The Administrator shall sponsor and encourage research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

SEC. 7. (a) **ESTABLISHMENT.**—The Secretary shall establish, at the earliest practicable date, a National Academy for Fire Prevention and Control. The purpose of the Academy shall be to advance the professional development of fire service personnel and of other persons engaged in fire prevention and control activities.

(b) **SUPERINTENDENT.**—The Academy shall be headed by a Superintendent, who shall be appointed by the Secretary. In exercising the powers and authority contained in this section the Superintendent shall be subject to the direction of the Administrator.

(c) **POWERS OF SUPERINTENDENT.**—The Superintendent is authorized to—

(1) develop and revise curricula, standards for admission and performance, and criteria for the awarding of degrees and certifications;

(2) appoint such teaching staff and other personnel as he determines to be necessary or appropriate;

(3) conduct courses and programs of training and education, as defined in subsection (d) of this section;

(4) appoint faculty members and consultants without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and, with respect to temporary and intermittent services, to make appointments to the same extent as is authorized by section 3109 of title 5, United States Code;

(5) establish fees and other charges for attendance at, and subscription to, courses and programs offered by the Academy. Such fees may be modified or waived as determined by the Superintendent;

(6) conduct short courses, seminars, workshops, conferences, and similar education and training activities in all parts and localities of the United States;

(7) enter into such contracts and take such other actions as may be necessary in carrying out the purposes of the Academy; and

(8) consult with officials of the fire services and other interested persons in the exercise of the foregoing powers.

(d) **PROGRAM OF THE ACADEMY.**—The Superintendent is authorized to—

(1) train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires, including, but not limited to—

(A) techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(B) tactics and command of firefighting for present and future fire chiefs and commanders;

(C) administration and management of fire services;

(D) tactical training in the specialized field of aircraft fire control and crash rescue;

(E) tactical training in the specialized field of fire control and rescue aboard waterborne vessels; and

(F) the training of present and future instructors in the aforementioned subjects;

(2) develop model curricula, training programs, and other educational materials suitable for use at other educational institutions, and to make such materials available without charge;

(3) develop and administer a program of correspondence courses to advance the knowledge and skills of fire service personnel;

(4) develop and distribute to appropriate officials model questions suitable for use in conducting entrance and promotional examinations for fire service personnel; and

(5) encourage the inclusion of fire prevention and detection technology and practices in the education and professional practice of architects, builders, city planners, and others engaged in design and planning affected by fire safety problems.

(e) **TECHNICAL ASSISTANCE.**—The Administrator is authorized, to the extent that he determines it necessary to meet the needs of the Nation, to encourage new programs and to strengthen existing programs of education and training by local fire services, units, and departments, State and local governments, and private institutions, by providing technical assistance and advice to—

(1) vocational training programs in techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(2) fire training courses and programs at junior colleges; and

(3) four-year degree programs in fire engineering at colleges and universities.

(f) **ASSISTANCE.**—The Administrator is authorized to provide assistance to State and local fire service training programs through grants, contracts, or otherwise. Such assistance shall not exceed 4 per centum of the amount authorized to be appropriated in each fiscal year pursuant to section 17 of this Act.

(g) **SITE SELECTION.**—The Academy shall be located on such site as the Secretary selects, subject to the following provisions:

(1) The Secretary is authorized to appoint a Site Selection Board consisting of the Academy Superintendent and two other members to survey the most suitable sites for the location of the Academy and to make recommendations to the Secretary.

(2) The Site Selection Board in making its recommendations and the Secretary in making his final selection, shall give consideration to the training and facility needs of the Academy, environmental effects, the possibility of using a surplus Government facility, and such other factors as are deemed important and relevant. The Secretary shall make a final site selection not later than 2 years after the date of enactment of this Act.

(h) **CONSTRUCTION APPROVAL.**—(1) No appropriations shall be made for the planning or construction of facilities for the Academy involving an expenditure in excess of \$100,000 if such planning or construction has not been approved by resolutions adopted in substantially the same form

by the Committee on Science and Astronautics of the House of Representatives and by the Committee on Commerce of the Senate. For the purpose of securing consideration of such approval, the Secretary shall transmit to the Congress a prospectus of the proposed facility, including, but not limited to, a brief description of the facility to be planned or constructed, the location of the facility, and an estimate of the maximum cost of the facility.

(2) The estimated maximum cost of any facility approved under this subsection as set forth in the prospectus, may be increased by an amount equal to the percentage increase, if any, as determined by the Secretary, in construction costs, from the date of transmittal of such prospectus to Congress, but in no event shall the increase authorized by this paragraph exceed 10 per centum of such estimated maximum cost.

(i) **EDUCATIONAL AND PROFESSIONAL ASSISTANCE.**—The Administrator is authorized to—

(1) provide stipends to students attending Academy courses and programs, in amounts up to 75 per centum of the expense of attendance, as established by the Superintendent;

(2) provide stipends to students attending courses and nondegree training programs approved by the Superintendent at universities, colleges, and junior colleges, in amounts up to 50 per centum of the cost of tuition;

(3) make or enter into contracts to make payments to institutions of higher education for loans, not to exceed \$2,500 per academic year for any individual who is enrolled on a full-time basis in an undergraduate or graduate program of fire research or engineering which is certified by the Superintendent. Loans under this paragraph shall be made on such terms and subject to such conditions as the Superintendent and each institution involved may jointly determine; and

(4) establish and maintain a placement and promotion opportunities center in cooperation with the fire services, for firefighters who wish to learn and take advantage of different or better career opportunities. Such center shall not limit such assistance to students and graduates of the Academy, but shall undertake to assist all fire service personnel.

(j) **BOARD OF VISITORS.**—Upon establishment of the Academy, the Secretary shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Visitors for the Academy. Pursuant to such procedure, the Secretary shall select eight such persons to serve as members of such Board of Visitors to serve such terms as the Secretary may prescribe. The function of such Board shall be to review annually the program of the Academy and to make comments and recommendations to the Secretary regarding the operation of the Academy and any improvements therein which such Board deems appropriate. Each member of such Board shall be reimbursed for any expenses actually incurred by him in the performance of his duties as a member of such Board.

(k) **ACCREDITATION.**—The Superintendent is authorized to establish a Committee on Fire Training and Education which shall inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs and

courses, and the role which the Academy should play if such a mechanism is recommended. The Committee shall consist of the Superintendent as Chairman and eighteen other members appointed by the Administrator from among individuals and organizations possessing special knowledge and experience in the field of fire training and education or related fields. The Committee shall submit to the Administrator within two years after its appointment, a full and complete report of its findings and recommendations. Upon the submission of such report, the Committee shall cease to exist. Each appointed member of the Committee shall be reimbursed for expenses actually incurred in the performance of his duties as a member.

(l) **ADMISSION.**—The Superintendent is authorized to admit to the courses and programs of the Academy individuals who are members of the firefighting, rescue, and civil defense forces of the Nation and such other individuals, including candidates for membership in these forces, as he determines can benefit from attendance. Students shall be admitted from any State, with due regard to adequate representation in the student body of all geographic regions of the Nation. In selecting students, the Superintendent may seek nominations and advice from the fire services and other organizations which wish to send students to the Academy.

FIRE TECHNOLOGY

SEC. 8. (a) TECHNOLOGY DEVELOPMENT PROGRAM.—The Administrator shall conduct a continuing program of development, testing, and evaluation of equipment for use by the Nation's fire, rescue, and civil defense services, with the aim of making available improved suppression, protective, auxiliary, and warning devices incorporating the latest technology. Attention shall be given to the standardization, compatibility, and interchangeability of such equipment. Such development, testing, and evaluation activities shall include, but need not be limited to—

(1) safer, less cumbersome articles of protective clothing, including helmets, boots, and coats;

(2) breathing apparatus with the necessary duration of service, reliability, low weight, and ease of operation for practical use;

(3) safe and reliable auxiliary equipment for use in fire prevention, detection, and control, such as fire location detectors, visual and audio communications equipment, and mobile equipment;

(4) special clothing and equipment needed for forest fires, brush fires, oil and gasoline fires, aircraft fires and crash rescue, fires occurring aboard waterborne vessels, and in other special firefighting situations;

(5) fire detectors and related equipment for residential use with high sensitivity and reliability, and which are sufficiently inexpensive to purchase, install, and maintain to insure wide acceptance and use;

(6) in-place fire prevention systems of low cost and of increased reliability and effectiveness;

(7) methods of testing fire alarms and fire protection devices and systems on a non-interference basis;

(8) the development of purchase specifications, standards, and acceptance and validation test procedures for all such equipment and devices; and

(9) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.



(b) **LIMITATION.**—The Administration shall not engage in the manufacture or sale of any equipment or device developed pursuant to this section, except to the extent that it deems it necessary to adequately develop, test, or evaluate such equipment or device.

(c) **MANAGEMENT STUDIES.**—(1) The Administrator is authorized to conduct, directly or through contracts or grants, studies of the operations and management aspects of fire services, utilizing quantitative techniques, such as operations research, management economics, cost effectiveness studies, and such other techniques and methods as may be applicable and useful. Such studies shall include, but need not be limited to, the allocation of resources, the optimum location of fire stations, the optimum geographical area for an integrated fire service, the manner of responding to alarms, the operation of citywide and regional fire dispatch centers, firefighting under conditions of civil disturbance, and the effectiveness, frequency, and methods of building inspections.

(2) The Administrator is authorized to conduct, directly or through contracts or grants, research concerning the productivity and efficiency of fire service personnel, the job categories and skills required by fire services under varying conditions, the reduction of injuries to fire service personnel, the most effective fire prevention programs and activities, and techniques for accurately measuring and analyzing the foregoing.

(3) The Administrator is authorized to conduct, directly or through contracts, grants, or other forms of assistance, development, testing, and demonstration projects to the extent deemed necessary to introduce and to encourage the acceptance of new technology, standards, operating methods, command techniques, and management systems for utilization by the fire services.

(4) The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to measure and evaluate, on a cost-benefit basis, the effectiveness of the programs and activities of each fire service and the predictable consequences on the applicable local fire services of coordination or combination, in whole or in part, in a regional, metropolitan, or statewide fire service.

(d) **RURAL ASSISTANCE.**—The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to sponsor and encourage research into approaches, techniques, systems, and equipment to improve fire prevention and control in the rural and remote areas of the Nation.

(e) **COORDINATION.**—In establishing and conducting programs under this section, the Administrator shall take full advantage of applicable technological developments made by other departments and agencies of the Federal Government, by State and local governments, and by business industry, and nonprofit associations.

NATIONAL FIRE DATA CENTER

SEC. 9. (a) GENERAL.—The Administrator shall operate, directly or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The program of such Data Center shall be designed to (1) provide an accurate nationwide analysis of the fire problem, (2) identify major problem areas, (3) assist in setting priorities, (4) determine possible solutions to problems, and (5) monitor the progress of

programs to reduce fire losses. To carry out these functions, the Data Center shall gather and analyze—

(1) information on the frequency, causes, spread, and extinguishment of fires;

(2) information on the number of injuries and deaths resulting from fires, including the maximum available information on the specific causes and nature of such injuries and deaths, and information on property losses;

(3) information on the occupational hazards faced by firefighters, including the causes of deaths and injuries arising, directly and indirectly, from firefighting activities;

(4) information on all types of firefighting activities, including inspection practices;

(5) technical information related to building construction, fire properties of materials, and similar information;

(6) information on fire prevention and control laws, systems, methods, techniques, and administrative structures used in foreign nations;

(7) information on the causes, behavior, and best method of control of other types of fire, including, but not limited to, forest fires, brush fires, fire underground, oil blow-out fires, and waterborne fires; and

(8) such other information and data as is deemed useful and applicable.

(b) **METHODS.**—In carrying out the program of the Data Center, the Administrator is authorized to—

(1) develop standardized data reporting methods;

(2) encourage and assist State, local, and other agencies, public and private, in developing and reporting information; and

(3) make full use of existing data gathering and analysis organizations, both public and private.

(c) **DISSEMINATION.**—The Administrator shall insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center, and shall make such data, information, and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLAN DEMONSTRATION PROJECTS

SEC. 10. (a) GENERAL.—The Administrator shall establish master plan demonstration projects, which shall commence not later than 2 years after the date of enactment of this Act. Not less than three nor more than eight such projects shall be so assisted. Any demonstration project under this section shall be conducted by, or under the supervision of, a State in accordance with an application submitted by such State under subsection (c) of this section. If any such State includes a standard metropolitan statistical area, as defined by the Bureau of the Census, the geographical boundaries of which include two or more States, such State shall include the entire such standard metropolitan statistical area in its master plan demonstration project.

(b) **ELIGIBILITY FOR GRANTS.**—The Administrator shall establish criteria of eligibility for awarding master plan demonstration project grants. In awarding such project grants, he shall select projects which are unique in terms of—

(1) the characteristics of the State, including, but not limited to, density and distribution of population; ratio of volunteer versus paid fire services; geographic location, topography, and climate; per capita rate of death and property loss from fire; size and characteristics of political subdivisions of the State; and socioeconomic composition; and

(2) the approach to development and implementation of the master plan which is proposed to be developed with Federal assistance under this section. Such approaches may include central planning by a State agency, regionalized planning within a State coordinated by a State agency, or local planning supplemented and coordinated by a State agency.

(c) **PROCEDURE FOR AWARDING GRANTS.**—A grant under this section may be obtained upon an application by a State at such time, in such manner, and containing such information as the Administrator shall require. Upon the approval of any such application, the Administrator may make a grant to the State to pay each fiscal year an amount not in excess of 80 per centum of the total cost of such project. Not more than 50 per centum of the amount of each grant shall be allocated to the planning and development of the master plan and the remainder to partial or total implementation. Payments under this subsection may be made in advance, in installments, or by way of reimbursement.

(d) **MASTER PLAN.**—(1) Each demonstration project established pursuant to this section shall result in the planning and implementation of a comprehensive master plan for fire protection for each State funded thereunder. Each such master plan shall contain—

(A) a survey of the resources and personnel of existing fire services and an analysis of the effectiveness of the fire and building codes in the State;

(B) an analysis of short- and long-term fire prevention and control needs in the State;

(C) a plan to meet the fire prevention and control needs of the State; and

(D) an estimate of costs and a realistic plan for financing implementation of the plan and operation on a continuing basis, and a summary of problems that are anticipated in implementing such plan.

(2) Four years after the date of enactment of this Act, the Secretary shall submit to Congress a summary and evaluation of the master plans prepared pursuant to this section. Such report shall also assess the costs and benefits of the master plan program and recommend to Congress whether Federal financial assistance should be authorized in order that master plans can be developed in all States.

(e) **AUTHORIZATION FOR APPROPRIATION.**—There is authorized to be appropriated to carry out the provisions of this section not to exceed \$2,500,000. Not more than 35 per centum of the amount appropriated under this section for any fiscal year may be granted for projects in any one State.

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

SEC. 11. (a) CLAIM.—Each fire service that engages in the fighting of a fire on property which is under the jurisdiction of the United States may file a claim with the Administrator for the amount of direct expenses

and direct losses incurred by such fire service as a result of fighting such fire. The claim shall include such supporting information as the Administrator may prescribe.

(b) **DETERMINATION.**—Upon receipt of a claim filed under subsection (a) of this section, the Administrator shall determine—

(1) what payments, if any, to the fire service or its parent jurisdiction, including taxes or payments in lieu of taxes, the United States has made for the support of fire services on the property in question;

(2) the extent to which the fire service incurred additional fire-fighting costs, over and above its normal operating costs, in connection with the fire which is the subject of the claim; and

(3) the amount, if any, of the additional costs referred to in paragraph (2) of this subsection which were not adequately covered by the payments referred to in paragraph (1) of this subsection.

(c) **PAYMENT.**—The Secretary shall forward the claim and a copy of the Administrator's determination under subsection (b) (3) of this section to the Secretary of the Treasury. The Secretary of the Treasury shall, upon receipt of the claim and determination, pay such fire service or its parent jurisdiction, from any moneys in the Treasury not otherwise appropriated but subject to reimbursement (from any appropriations which may be available or which may be made available for the purpose) by the Federal department or agency under whose jurisdiction the fire occurred, a sum no greater than the amount determined with respect to the claim under subsection (b) (3) of this section.

(d) **ADJUDICATION.**—In the case of a dispute arising in connection with a claim under this section, the Court of Claims of the United States shall have jurisdiction to adjudicate the claim and enter judgment accordingly.

REVIEW OF CODES

SEC. 12. The Administrator is authorized to review, evaluate, and suggest improvements in State and local fire prevention codes, building codes, and any relevant Federal or private codes and regulations. In evaluating any such code or codes, the Administrator shall consider the human impact of all code requirements, standards, or provisions in terms of comfort and habitability for residents or employees, as well as the fire prevention and control value or potential of each such requirement, standard, or provision.

FIRE SAFETY EFFECTIVENESS STATEMENTS

SEC. 13. The Administrator is authorized to encourage owners and managers of residential multiple-unit, commercial, industrial, and transportation structures to prepare Fire Safety Effectiveness Statements, pursuant to standards, forms, rules, and regulations to be developed and issued by the Administrator.

ANNUAL CONFERENCE

SEC. 14. The Administrator is authorized to organize, or to participate in organizing, an annual conference on fire prevention and control. He may pay, in whole or in part, the cost of such conference and the expenses of some or all of the participants. All of the Nation's fire services shall be

eligible to send representatives to each such conference to discuss, exchange ideas on, and participate in educational programs on new techniques in fire prevention and control. Such conferences shall be open to the public.

PUBLIC SAFETY AWARDS

SEC. 15. (a) ESTABLISHMENT.—There are hereby established two classes of honorary awards for the recognition of outstanding and distinguished service by public safety officers—

(1) the President's Award For Outstanding Public Safety Service ("President's Award"); and

(2) the Secretary's Award For Distinguished Public Safety Service ("Secretary's Award").

(b) DESCRIPTION.—(1) The President's Award shall be presented by the President of the United States to public safety officers for extraordinary valor in the line of duty or for outstanding contribution to public safety.

(2) The Secretary's Award shall be presented by the Secretary, the Secretary of Defense, or by the Attorney General to public safety officers for distinguished service in the field of public safety.

(c) SELECTION.—The Secretary, the Secretary of Defense, and the Attorney General shall advise and assist the President in the selection of individuals to whom the President's Award shall be tendered and in the course of performing such duties they shall seek and review nominations for such awards which are submitted to them by Federal, State, county, and local government officials. They shall annually transmit to the President the names of those individuals determined by them to merit the award, together with the reasons therefor. Recipients of the President's Award shall be selected by the President.

(d) LIMITATION.—(1) There shall not be presented in any one calendar year in excess of twelve President's Awards.

(2) There shall be no limitation on the number of Secretary's Awards presented.

(e) AWARD.—(1) Each President's Award shall consist of—

(A) a medal suitably inscribed, bearing such devices and emblems, and struck from such material as the Secretary of the Treasury, after consultation with the Secretary, the Secretary of Defense, and the Attorney General deems appropriate. The Secretary of the Treasury shall cause the medal to be struck and furnished to the President; and

(B) an appropriate citation.

(2) Each Secretary's Award shall consist of an appropriate citation.

(f) REGULATIONS.—The Secretary, the Secretary of Defense, and the Attorney General are authorized and directed to issue jointly such regulations as may be necessary to carry out this section.

(g) DEFINITIONS.—As used in this section, the term "public safety officer" means a person serving a public agency, with or without compensation, as—

(1) a firefighter;

(2) a law enforcement officer, including a corrections or court officer; or

(3) a civil defense officer.

ANNUAL REPORT

SEC. 16. The Secretary shall report to the Congress and the President not later than June 30 of the year following the date of enactment of this Act and each year thereafter on all activities relating to fire prevention and control, and all measures taken to implement and carry out this Act during the preceding calendar year. Such report shall include, but need not be limited to—

(a) a thorough appraisal, including statistical analysis, estimates, and long-term projections of the human and economic losses due to fire;

(b) a survey and summary, in such detail as is deemed advisable, of the research and technology program undertaken or sponsored pursuant to this Act;

(c) a summary of the activities of the Academy for the preceding 12 months, including, but not limited to—

(1) an explanation of the curriculum of study,

(2) a description of the standards of admission and performance;

(3) the criteria for the awarding of degrees and certificates; and

(4) a statistical compilation of the number of students attending the Academy and receiving degrees or certificates;

(d) a summary of the activities undertaken to assist the Nation's fire services;

(e) a summary of the public education programs undertaken;

(f) an analysis of the extent of participation in preparing and submitting Fire Safety Effectiveness Statements;

(g) a summary of outstanding problems confronting the administration of this Act, in order of priority;

(h) such recommendations for additional legislation as are deemed necessary or appropriate; and

(i) a summary of reviews, evaluations, and suggested improvements in State and local fire prevention and building codes, fire services, and any relevant Federal or private codes, regulations, and fire services.

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. There are authorized to be appropriated to carry out the foregoing provisions of this Act, except section 11 of this Act, such sums as are necessary, not to exceed \$15,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$21,000,000 for the fiscal year ending June 30, 1976.

FIRE RESEARCH CENTER

SEC. 18. The Act of March 3, 1901 (15 United States Code 278), is amended by striking out sections 16 and 17 (as added by title I of the Fire Prevention and Control Act of 1968) and by inserting in lieu thereof the following new section:

"SEC. 16. (a) There is hereby established within the Department of Commerce a Fire Research Center which shall have the mission of performing and supporting research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention

and control of fires. The content and priorities of the research program shall be determined in consultation with the Administrator of the National Fire Prevention and Control Administration. In implementing this section, the Secretary is authorized to conduct, directly or through contracts or grants, a fire research program, including—

“(1) basic and applied fire research for the purpose of arriving at an understanding of the fundamental processes underlying all aspects of fire. Such research shall include scientific investigations of—

“(A) the physics and chemistry of combustion processes;

“(B) the dynamics of flame ignition, flame spread, and flame extinguishment;

“(C) the composition of combustion products developed by various sources and under various environmental conditions;

“(D) the early stages of fires in buildings and other structures, structural subsystems and structural components in all other types of fires, including, but not limited to, forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires, with the aim of improving early detection capability;

“(E) the behavior of fires involving all types of buildings and other structures and their contents (including mobile homes and highrise buildings, construction materials, floor and wall coverings, coatings, furnishings, and other combustible materials), and all other types of fires, including forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires;

“(F) the unique fire hazards arising from the transportation and use, in industrial and professional practices, of combustible gases, fluids, and materials;

“(G) design concepts for providing increased fire safety consistent with habitability, comfort, and human impact in buildings and other structures; and

“(H) such other aspects of the fire process as may be deemed useful in pursuing the objectives of the fire research program;

“(2) research into the biological, physiological, and psychological factors affecting human victims of fire, and the performance of individual members of fire services, including—

“(A) the biological and physiological effects of toxic substances encountered in fires;

“(B) the trauma, cardiac conditions, and other hazards resulting from exposure to fire;

“(C) the development of simple and reliable tests for determining the cause of death from fires;

“(D) improved methods of providing first aid to victims of fires;

“(E) psychological and motivational characteristics of persons who engage in arson, and the prediction and cure of such behavior;

“(F) the conditions of stress encountered by firefighters, the effects of such stress, and the alleviation and reduction of such conditions; and

“(G) such other biological, psychological, and physiological effects of such stress, and the alleviation and reduction of such conditions; and

“(3) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

“The Secretary shall insure that the results and advances arising from the work of the research program are disseminated broadly. He shall encourage the incorporation, to the extent applicable and practicable, of such results and advances in building codes, fire codes, and other relevant codes, test methods, fire service operations and training, and standards. The Secretary is authorized to encourage and assist in the development and adoption of uniform codes, test methods, and standards aimed at reducing fire losses and costs of fire protection.

“(b) For the purposes of this section there is authorized to be appropriated not to exceed \$3,500,000 for the fiscal year ending June 30, 1975 and not to exceed \$4,000,000 for the fiscal year ending June 30, 1976.”

VICTIMS OF FIRE

SEC. 19. (a) PROGRAM.—The Secretary of Health, Education, and Welfare shall establish, within the National Institutes of Health and in cooperation with the Secretary, an expanded program of research on burns, treatment of burn injuries, and rehabilitation of victims of fires. The National Institutes of Health shall—

(1) sponsor and encourage the establishment throughout the Nation of twenty-five additional burn centers, which shall comprise separate hospital facilities providing specialized burn treatment and including research and teaching programs, and twenty-five additional burn units, which shall comprise specialized facilities in general hospitals used only for burn victims;

(2) provide training and continuing support of specialists to staff the new burn centers and burn units;

(3) sponsor and encourage the establishment of ninety burn programs in general hospitals which comprise staffs of burn injury specialists;

(4) provide special training in emergency care for burn victims;

(5) augment sponsorship of research on burns and burn treatment;

(6) administer and support a systematic program of research concerning smoke inhalation injuries; and

(7) sponsor and support other research and training programs in the treatment and rehabilitation of burn injury victims.

(b) AUTHORIZATION OF APPROPRIATION.—For purposes of this section, there are authorized to be appropriated not to exceed \$5,000,000 for the fiscal year ending June 30, 1975 and not to exceed \$8,000,000 for the fiscal year ending June 30, 1976.

PUBLIC ACCESS TO INFORMATION

SEC. 20. Copies of any document, report, statement, or information received or sent by the Secretary or the Administrator shall be made available to the public pursuant to the provisions of section 552 of title 5, United States Code: Provided, That, notwithstanding the provisions of subsection (b) of such section and of section 1905 of title 18, United States Code, the Secretary may disclose information which concerns or relates to a trade secret—

(1) upon request, to other Federal Government departments and agencies for official use;

(2) upon request, to any committee of Congress having jurisdiction over the subject matter to which the information relates;

(3) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceedings; and

(4) to the public when he determines such disclosure to be necessary in order to protect health and safety after notice and opportunity for comment in writing or for discussion in closed session within fifteen days by the party to which the information pertains (if the delay resulting from such notice and opportunity for comment would not be detrimental to health and safety).

ADMINISTRATIVE PROVISIONS

SEC. 21. (a) ASSISTANCE.—Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and directed to furnish to the Administrator, upon written request, on a reimbursable basis or otherwise, such assistance as the Administrator deems necessary to carry out his functions and duties pursuant to this Act, including, but not limited to, transfer of personnel with their consent and without prejudice to their position and ratings.

(b) POWERS.—With respect to this Act, the Administrator is authorized to—

(1) enter into, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this Act;

(2) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U.S.C. 665(b));

(3) purchase, lease, or otherwise acquire, own, hold, improve, use, or deal in and with any property (real, personal, or mixed, tangible or intangible), or interest in property, wherever situated; and sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of property and assets;

(4) procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for qualified experts; and

(5) establish such rules, regulations, and procedures as are necessary to carry out the provisions of this Act.

(c) AUDIT.—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipients of contracts, grants, or other forms of assistance that are pertinent to its activities under this Act for the purpose of audit or to determine if a proposed activity is in the public interest.

(d) INVENTIONS AND DISCOVERIES.—All property rights with respect to inventions and discoveries, which are made in the course of or under contract with any government agency pursuant to this Act, shall be subject to the basic policies set forth in the President's Statement of Government Patent Policy issued August 23, 1971, or such revisions of that statement of policy as may subsequently be promulgated and published in the Federal Register.

(e) COORDINATION.—To the extent practicable, the Administrator shall utilize existing programs, data, information, and facilities already available in other Federal government departments and agencies and, where appropriate, existing research organizations, centers, and universities. The Administrator shall provide liaison at an appropriate organizational level to assure coordination of his activities with State and local government agencies, departments, bureaus, or offices concerned with any matter related to programs of fire prevention and control and with private and other Federal organizations and offices so concerned.

ASSISTANCE TO CONSUMER PRODUCT SAFETY COMMISSION

SEC. 22. Upon request, the Administrator shall assist the Consumer Product Safety Commission in the development of fire safety standards or codes for consumer products, as defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.).

CONFORMING AMENDMENTS

SEC. 23. Section 12, of the Act of February 14, 1903, as amended (15 U.S.C. 1511), is amended to read as follows:

"BUREAUS IN DEPARTMENT

"SEC. 12. The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall be under the jurisdiction and subject to the control of the Secretary of Commerce:

"(a) National Oceanic and Atmospheric Administration;

"(b) United States Travel Service;

"(c) Maritime Administration;

"(d) National Bureau of Standards;

"(e) Patent Office;

"(f) Bureau of the Census;

"(g) National Fire Prevention and Control Administration; and

"(h) such other bureaus or other organizational units as the Secretary of Commerce may from time to time establish in accordance with law."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to reduce losses of life and property, through better fire prevention and control, and for other purposes."

And the House agree to the same.

WARREN G. MAGNUSON,
JOHN O. PASTORE,
FRANK E. MOSS,
TED STEVENS,
J. GLENN BEALL, JR.

Managers on the Part of the Senate.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
CHARLES A. MOSHER,
ALPHONZO BELL,
Managers on the Part of the House.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text for the Senate bill, and the Senate disagreed to the House amendments. The House amendment amended the Senate title of the bill.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill. The committee of conference also recommends that the Senate recede from its disagreement to the amendment of the House to the title of the Senate bill, with an amendment which is a substitute for both the title of the Senate bill and the House amendment to the title of the Senate bill. The following statement explains the resolution of differences between the Senate bill and the House amendment thereto:

STRUCTURE OF THE NEW FIRE PROGRAM

Both the Senate bill and the House amendment established a comprehensive fire prevention and control program to be located primarily in the Department of Commerce. Both programs included, but were not limited to, a fire education program, a national fire academy, a fire research and development program and a national data gathering program.

The Senate bill created the new position of Assistant Secretary of Commerce for Fire Prevention and Control. The Assistant Secretary would have been responsible for carrying out the provisions of the Act under the direction of the Secretary. The Assistant Secretary would have been appointed by the President, by and with the advice and consent of the Senate and would have received compensation at a rate prescribed by law for Assistant Secretaries of Commerce (currently a level IV position).

Title I of the House amendment established in the Department of Commerce a National Bureau of Fire Safety which was to be headed by a Presidentially appointed Director. The Fire Bureau would have undertaken programs of technology development, training and education, data collection and analysis, and public education. Title II of the House amendment established a Fire Research Center in the Department of Commerce which was intended to carry on the

fire program of the National Bureau of Standards. Specifically, it would have conducted basic and applied research on the phenomenon of fire. The Director of the Fire Bureau would have received compensation at a level V and would have implemented his duties under the general direction of the Secretary of Commerce.

The Conference Substitute includes a compromise position between the Senate bill and the House amendment. The committee of conference recognized the importance of a separate and distinct fire program within the Department of Commerce while at the same time utilizing the expertise and resources of the National Bureau of Standards for implementing the fire research program. As a result, section 5 of the Conference Substitute would establish, within the Department of Commerce, an agency which shall be known as the National Fire Prevention and Control Administration. The new Administration is modeled after the existing National Oceanic and Atmospheric Administration. The committee of conference agreed to propose a separate administration with an Administrator, who would report directly to the Secretary of Commerce to insure that the fire prevention and control program would be a highly visible program. In addition, the Administrator would be responsible only to the Secretary.

The conferees, after carefully considering the merits of the organizational arrangements in the two bills, unanimously agree that it would reduce the effectiveness of the program if it were to be located under the auspices of the Assistant Secretary for Science and Technology. Accordingly, the committee of conference has agreed that a new Fire Administration to implement all aspects of the fire program, with the exception of the research program, should be established. The research program, the conferees concluded, should be implemented by the National Bureau of Standards and section 18 of the Conference Substitute amends the act of March 3, 1901 to reflect this intent.

The new Fire Administration shall be headed by an Administrator appointed by the President, by and with the advice and consent of the Senate. He shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates. The Conference Substitute also establishes the position of Deputy Administrator. The Deputy Administrator shall be appointed by the President by and with the advice and consent of the Senate and he shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates. The Deputy Administrator shall perform such functions as the Administrator shall assign or delegate and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator.

While the Conference Substitute structurally separates the research activities from the rest of the Fire Prevention and Control Program, the conferees intend that the Secretary of Commerce shall coordinate the two so that they are complementary. In view of the fact that the Administrator is to report directly to and be responsible to the Secretary of Commerce, the Secretary will be in a good position to coordinate research priorities for the research program with the Administrator.

PUBLIC EDUCATION PROGRAM

Both the Senate bill and the House amendment stressed the importance of a comprehensive fire education program.

The Senate bill would have authorized the Secretary to take all steps necessary to educate the public and to overcome public indifference as to fire safety and fire prevention.

The House amendment would have required the Director to undertake, in collaboration with existing public and private organizations, a continuing and extensive program of public education in fire prevention and fire safety which would have included specialized information aimed at those particularly vulnerable to fire hazards. In addition, the education program would have included research into new methods of public education in fire prevention.

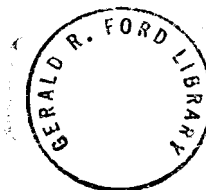
The committee of conference agrees on the importance of public education as a part of the effort to reduce fire losses. Section 6 of the Conference Substitute requires the Administrator to take all steps necessary and practicable to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to publications, audiovisual presentations, and demonstrations. The public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, and shall also include sponsorship and encouragement of research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

The Senate bill would establish a National Academy for Fire Prevention and Control, while the House amendment provided for the establishment of a United States Fire Academy.

The committee of conference agreed that a central training facility for the Nation's fire fighting forces is of the highest priority if the effort to reduce the losses from fires is to succeed, and accordingly section 7 establishes a National Academy for Fire Prevention and Control. In arriving at this conclusion, and in reconciling the provisions contained in the two bills regarding the specific functions of the Academy, the committee of conference carefully considered the several objectives which the Academy is established to serve. The committee of conference wishes to emphasize that it is not the intent that the National Academy for Fire Prevention and Control become a large, degree granting institution on the model of the service academies, the Coast Guard Academy, or the Merchant Marine Academy. Rather, the Fire Academy is modeled on the highly successful F.B.I. Academy, and on a number of national fire academies abroad. The intent of the conferees is that the National Fire Academy, by establishing a small, but excellent campus with a first class staff and facilities, will serve as a focal point for the professional training of fire officers.

Conduct of Short Courses and Conferences.—The House amendment gave the Fire Academy Superintendent authority to conduct short courses, seminars, workshops, conferences, and similar activities in



all parts of the United States. The Senate bill contained general authority for the Academy to implement similar programs.

The committee of conference agreed to include the House provision in the Conference Substitute.

Fire Prevention Practices.—The House amendment included a provision requiring the fire program to encourage the inclusion of fire prevention technology and practices in the education and professional practice of architects, builders, city planners and owners engaged in design and planning affected by fire safety problems. The Senate bill did not contain similar provisions.

The committee of conference agreed to include the House provision in the Conference Substitute.

Assistance to Fire Training Programs.—The House amendment authorized the Fire Academy to assist and support existing education and training programs conducted by State and local fire units, and by private institutions. The Senate bill authorized the Fire Academy to provide three special forms of assistance to existing fire training programs: educational materials such as model curricula, correspondence courses, and model promotion examinations.

The committee of conference agreed to include authority for such assistance, but with certain limitations. The authority for financial assistance would be authorized for all types of State, local, and private institutions, but would be limited to 4 percent of the total amount authorized for the program of the Fire Administration.

Academy Site and Construction Approval.—The Senate bill provided that the Department of Commerce must obtain the approval of the committees of jurisdiction in the House and the Senate before funds exceeding \$100,000 are expended for planning or construction. The House bill contained no corresponding provision, but provided that the Secretary of Commerce shall appoint a Site Selection Board to advise him on the selection of a site for the Academy. The Board shall observe certain criteria including the possible use of a facility declared surplus by the Federal Government.

The committee of conference agreed to include both the construction approval provision from the Senate bill and the site selection provision from the House amendment.

Student Financial Assistance.—The House amendment provided that the Academy would be authorized to give financial assistance to students engaged in a number of different fire training and education activities. Such financial assistance would be provided to students attending the Fire Academy and to students attending Fire Engineering Programs at colleges and universities. It also included provisions for loans to individuals attending college undergraduate fire research or engineering programs. The Senate bill did not include provisions for direct financial assistance to students.

The committee of conference agreed to include the provisions of the House amendment which would authorize partial financial support for students attending the Academy and for students attending non-degree training programs at junior colleges, colleges, and universities. The loan program for undergraduate and graduate students is also included in the Conference Substitute.

Placement Service.—The Senate bill provided that the Academy would operate a placement assistance program for the fire services. The House amendment contained no comparable provision.

The committee of conference agreed to include this provision in the Conference Substitute.

Board of Visitors.—The Senate bill provided for a Board of Advisors for the Fire Academy, to be selected by the Secretary, but the size of the Board was not specified. The House amendment provided for the establishment of a Board of Visitors to the Fire Academy, made up of eight members selected by the Secretary.

The committee of conference agreed to include a Board of Visitors composed of eight members selected by the Secretary of Commerce in the Conference Substitute.

Accreditation.—The House amendment included provisions for the establishment by the Academy of a Committee on Fire Training and Education. The purpose of this Committee would be to inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs on a nationwide basis. This Committee would complete its report and submit its recommendations within 1 year of its appointment. The Senate bill did not include provisions for such a Committee.

The committee of conference agreed to include this section from the House amendment after changing the life of the Committee from 1 to 2 years.

Admissions.—The House amendment included a section providing that admission to the Academy shall be open to members of the fire-fighting, rescue, and civil defense forces of the Nation, and that adequate representation of all geographic regions of the nation shall be included in the student body. The Senate bill did not include a comparable provision.

The committee of conference agreed to include the section on admissions from the House bill in the Conference Substitute.

Continuing Study of Educational Needs.—The House amendment included a section providing that the Fire Academy shall conduct a continuing study of the needs and content of the education and training programs both at the Academy and elsewhere. The studies would be coordinated with the Civil Defense Staff College. The Senate bill did not include a comparable section.

The committee of conference agreed to omit this provision from the Conference Substitute.

TECHNOLOGY PROGRAM

The Senate bill included provisions for a program of development, testing, and evaluation of equipment for the use of the Nation's fire services. The House amendment included similar provisions aimed at the same goal of making available to the Nation's fire, rescue, and civil defense services improved equipment for fire suppression, detection, and prevention.

The committee of conference agreed to include the fire technology program as section 8 of the Conference Substitute. The provision in the House bill providing for research on productivity measurement related to the fire services, and the provisions specifying the types of fire technology to be developed were incorporated into this section of the Conference Substitute.

NATIONAL FIRE DATA CENTER

Both the Senate bill and the House amendment provided for the operation of a comprehensive, integrated National Fire Data Information System. The language in each bill describing the type of data to be collected was identical. Both bills would have encouraged without compelling uniform reporting of fire data by local departments, utilization of existing data gathering activities, and the wide dissemination of the data collected.

The Senate bill authorized the Secretary of Commerce to establish a data center or information bank on all aspects of fire prevention and control. The Secretary was mandated to "insure dissemination to the maximum possible extent of fire data collected and developed under this section." He was also authorized to make "full use of existing data, data gathering and analysis organizations. . . ."

The House amendment authorized the Director of the National Bureau of Fire Safety to operate an integrated comprehensive national program of collecting, analyzing, and publishing fire data. Three kinds of data and information were to be collected under the comprehensive system: statistical, practical, and technical.

The Conference Substitute adopts the language of the Senate bill and the House amendment which were identical, describing the nature of the information to be gathered and analyzed. Under section 9 of the Conference Substitute, the Administrator of the National Fire Prevention and Control Administration shall operate directly, or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The Data Center is designed to fulfill five needs: (1) provide an accurate nationwide analysis of the fire problem; (2) identify major problem areas; (3) assist in setting priorities; (4) determine possible solutions to problems; and monitor the progress of programs to reduce fire losses.

The Conference Substitute also adopts much of the House language describing how the program of the Data Center is to be carried out. Specifically, the Administrator is authorized to develop standardized data reporting methods, encourage and assist State, local, and other agencies, public and private, in developing and reporting information and make full use of existing data gathering and analysis organizations, both public and private. Additionally, the Conference Substitute adopts the House language which requires the Administrator to insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center. The Administrator is also directed to make such data, information and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLAN DEMONSTRATION PROJECTS

The Senate bill authorized and directed the Secretary of Commerce to establish master plan demonstration projects. Specifically, the Senate bill included an authorization of appropriations (\$10 million total) for grants to at least five, but not more than eight States to prepare a master plan for fire prevention and control in their area.

The master plan concept is designed to insure that each local fire jurisdiction sets goals and priorities for the fire services to meet the changing needs of the community. The master plan should seek to allocate resources for the maximum payoff in fire protection, and it should provide data systems for continual monitoring for cost effectiveness.

The Senate bill outlined criteria for eligibility for master plan grants. It also established a procedure for obtaining a grant and declared that the Federal share may not exceed 80 percent of the total cost of the master plan demonstration project approved. Of the Federal funds, 50 percent shall go to planning and 50 percent to implementation of the plan. It further sets forth the basic ingredients in an acceptable state master plan which is financially assisted under the act, such as the following: survey of existing systems; needs; plan for meeting the need; and estimated cost of problems in implementation of the plan. Three and one half years after enactment of the act, the Secretary was to have reported to Congress his evaluation of the master plan demonstration project program and shall have advised the Congress whether master plan grants should be authorized in order that master plans can be developed in all the States. Under the Senate bill, no more than 20 percent of the funds appropriated under the master plan program may be spent in any one State.

The House amendment contained no similar provision.

Section 10 of the Conference Substitute includes the provisions of the Senate bill with several modifications. First, whereas the Senate bill provided that the master plan projects were to have commenced not later than 18 months after the date of enactment of the act, the Conference Substitute extends the period of time to 2 years. Second, the Senate bill required the establishment of 5-8 master plan demonstration projects. The Conference Substitute reduces this to 3-8 such projects. Third, the Conference Substitute reduces the level of authorization for implementing the master plan program to \$2.5 million and provides that not more than 35 percent of the amount appropriated under this section for any fiscal year may be granted for projects in any one State.

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

The House amendment included a section providing that a fire department or fire district may be reimbursed for the direct losses and direct costs it incurs in fighting fires on Federal property. Claims for such reimbursement would be made to the Federal agency provided in the bill and would be reduced by an amount equal to any payments in lieu of taxes made for fire protection services to the local government. The Senate bill did not contain a corresponding provision.

The committee of conference agreed to include this provision with certain minor changes affecting the administrative aspects of the submission, evaluation, and payments of such claims. These changes give the Administrator of the Fire Administration the responsibility for evaluating and making determinations on claims, give the Secretary of the Treasury the responsibility for paying claims in amounts not to exceed the sum determined by the Administrator, and provides that the adjudication of any disputes arising under any such claim shall be under the jurisdiction of the United States Court of Claims.

REVIEW OF CODES

The Senate bill authorized the Secretary of Commerce to review, evaluate, and suggest improvements in State and local fire prevention building codes, fire services, and any relevant Federal and private codes, regulations, and fire services. In evaluating such a code or codes, the Secretary was to consider the human impact of all code requirements, standards, and provisions in terms of comfort and habitability for residents or employees as well as the fire prevention and control value or potential of each such requirement, standard, and provision. The Secretary was required to annually submit to Congress a summary of such reviews, evaluations, and suggestions.

The House amendment contained no similar provision.

Section 11 of the Conference Substitute adopts the Senate provision with one minor change. While the Senate provision would have required the Secretary to report to Congress annually on his review, evaluation, and suggestions for improvements in codes, the Conference Substitute requires such review, evaluation, and suggestion to be included in the Secretary's annual report to Congress, required pursuant to section 16 of the Conference Substitute.

FIRE SAFETY EFFECTIVENESS STATEMENTS

The Senate bill authorized the Secretary of Commerce to encourage owners and managers of residential multiple unit, commercial, and industrial, and transportation structures to prepare and submit to him for evaluation and certification a Fire Safety Effectiveness Statement, pursuant to standards, forms, rules, and regulations to be developed and issued by the Secretary. Any person who submitted such a statement and received certification, was entitled to attach the following statement to any contract of sale or lease or any advertisement or notice which pertains to the structure as to which such statement has been submitted: "A Fire Safety Effectiveness Statement has been prepared regarding this structure and this structure has been certified as meeting the requirements of the United States Department of Commerce."

The House amendment contained no similar provision.

Section 13 of the Conference Substitute adopts the Senate provision with modifications.

The committee of conference agreed to include the provision encouraging owners of buildings to prepare Fire Safety Effectiveness Statements. However, it deletes the procedure of submitting the Fire Safety Effectiveness Statement to the Secretary of Commerce for his evaluation and certification. While this deletion no longer requires the Secretary to evaluate and certify a Fire Safety Effectiveness Statement, it is not intended to preclude him from doing so if he determines that such a procedure is desirable. In addition, the Conference Substitute deletes the provision allowing for a Fire Safety Effectiveness Statement to be included in contracts of sale, leases, advertisements or notices pertaining to the structure. Once again, the Secretary is not precluded from administratively establishing a similar procedure.

ANNUAL CONFERENCE

The Senate bill authorized the Secretary to organize or participate in organizing an annual conference of fire prevention and control. In addition, he was authorized to pay in whole or in part the expenses of participants and all of the Nation's fire services were eligible to send representatives to each such conference.

The House amendment contained no similar provision.

Section 14 of the Conference Substitute adopts the Senate provision.

PUBLIC SAFETY AWARDS

The Senate bill established two classes of honorary awards for recognition of outstanding and distinguished service by public safety officers. These two classes of awards were the President's Award for Outstanding Public Safety Service and the Secretary's Award for Distinguished Public Safety Service. The program was designed to recognize achievement by outstanding firefighters and law enforcement officers, and was to be administered jointly by the Secretary of Commerce and the Attorney General. The Secretary and the Attorney General were to select candidates for the President's Award and the Secretary's Award and submit them to the President for decision and awarding of the conferred distinctions. Not more than 12 President's Awards were to be conferred each year, but there was no limit on the number of Secretary's Awards.

The House amendment contained no similar provision.

Section 15 of the Conference Substitute adopts the Senate provision and also provides for similar awards to be made to civil defense officers. The Secretary of Defense as well as the Secretary of Commerce and the Attorney General are to jointly administer the program of public safety awards.

ANNUAL REPORT

The Senate bill provided for the submission of an annual report to the Congress. The House amendment contained no similar provision.

The Committee of Conference agreed to the inclusion of this provision as section 16 with minor changes to conform with the Conference Substitute.

FIRE RESEARCH CENTER

The Senate bill included provisions for the conduct of a program of basic and applied research aimed at developing an understanding of the fundamental processes underlying all aspects of fire. The research program would have been placed under the Assistant Secretary for Fire Prevention and Control rather than in a Fire Research Center in the National Bureau of Standards.

The House amendment provided for the establishment of a Fire Research Center to perform basic and applied research related to fire. The Fire Research Center would have been established by amending the organic act of the National Bureau of Standards to include this Fire Research Center in the Bureau. The research work of the Fire Research Center would include research on all aspects of fire with the

aim of providing scientific and technical knowledge applicable to the prevention and control of fires.

The committee of conference concluded that the continuation of the existing fire research program at the National Bureau of Standards would best serve the intent of the legislation. By basing the expanded fire research program on the existing staff and facilities, the research program will be able to take full advantage of the expertise and capabilities built up over the years. The committee of conference therefore included, as section 18 in the Conference Substitute, the provisions of the House amendment which establishes the Fire Research Center in the National Bureau of Standards by amending the organic act of the National Bureau of Standards.

VICTIMS OF FIRE

Both the Senate bill and the House amendment included identical provisions for the establishment of an expanded program of research on burns, the treatment of burn injuries, and the rehabilitation of the victims of fire within the National Institutes of Health. However, the Senate bill included authorization for appropriations for this program in the amounts of \$7,500,000 for fiscal year 1974, \$10,000,000 for fiscal year 1975, and \$10,000,000 for fiscal year 1976, totaling \$27,000,000 while no funds were authorized for this program in the House amendment.

The committee of conference agreed to include, as section 19, the Victims of Fire provision in the Conference Substitute, and to authorize funding for 2 rather than 3 years. The authorized funding included in the bill is in the amount of \$5,000,000 for fiscal year 1975, and in the amount of \$8,000,000 for fiscal year 1976.

The House conferees note that in the House of Representatives jurisdiction over the National Institutes of Health is not within the purview of the Committee on Science and Astronautics, and that agreement to restore these funds was reached only in view of the importance attached by the committee of conference to the burn research and treatment program, and with the understanding that in the House of Representatives the appropriate legislative Committee will further review and authorize this program.

PUBLIC ACCESS TO INFORMATION

The Senate bill provided that any information received by the Program for Fire Prevention and Control shall be made available to the public upon identifiable request and at reasonable cost, subject to limited exceptions.

The House amendment contained no similar provision.

Section 20 of the Conference Substitute includes a provision similar in intent to the Senate provision but with minor style alterations. The provision makes clear that this section is in addition to, and not in lieu of, the provisions of the Freedom of Information Act.

CIVIL DEFENSE

The Senate bill included no provisions specifically stating that the civil defense activities and personnel throughout the United States would be eligible to participate in the fire prevention and control

activities provided for in the bill. The House amendment provided that the civil defense activities and personnel would be eligible to participate in the activities contemplated under the amendment.

The committee of conference agreed to include in the Conference Substitute those specific provisions from the House amendment which include civil defense activities most directly related to fire prevention and control activities. The Conference Substitute authorizes civil defense personnel to be admitted to the Fire Academy (section 7); the Fire Technology program to include civil defense related technology for use in fire prevention and control (section 8); and civil defense personnel to be eligible for the Public Safety Awards (section 15).

FIRE PROTECTION ASSISTANCE

The Senate bill amended the National Housing Act's section on mortgage insurance assistance by providing that the Secretary of Housing and Urban Development may guarantee loans made to nursing homes and intermediate care facilities to pay for fire safety equipment which is needed to bring the facility into compliance with the latest "Life Safety Code".

The House amendment contained no similar provision.

The Senate provision was deleted in the Conference Substitute because this section has been enacted into law as Public Law 93-204.

STUDIES

The Senate bill authorized and directed the Comptroller General of the United States to study the financing of the Nation's fire services to determine whether moneys available through State and local taxation and Federal-State revenue sharing is adequate. In addition, the bill authorized and directed the Secretary to prepare a comprehensive study of the organization and operation of the Nation's fire services.

The House amendment contained no similar provision.

The Conference Substitute deletes both studies. While the conferees believe both are important, the Administrator, under his general powers to implement the Fire Prevention and Control Program, is already authorized to conduct such studies if he deems it appropriate.

AUTHORIZATION

In the Senate bill, funding was authorized for 3 years in the total amount of \$127,500,000. For fiscal year 1975, \$25,000,000 was authorized for the Fire Program, and \$7,500,000 for the Victims of Fires activities. For fiscal year 1976, \$30,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. For fiscal year 1977, \$35,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. In addition, \$10,000,000 was authorized for Master Plan Demonstration Projects.

In the House amendment the authorization was for 1 year. It provided, for fiscal year 1975, \$2,000,000 for the Fire Bureau, and \$3,500,000 for the Fire Research Center. No funds were authorized for the Victims of Fire (burn treatment) activities or for the Master Plan Demonstration Projects. Thus the House amendment authorized a total of \$5,500,000 for fiscal year 1975.

The committee of conference agreed to authorize funding for 2 years in the total amount of \$59,000,000. For fiscal year 1975, \$15,000,000 would be authorized for the Fire Administration (section 17), \$3,500,000 for the Fire Research Center (section 18), and \$5,000,000 for the Victims of Fire activities (section 19), for a total of \$23,500,000. For fiscal year 1976, \$21,000,000 would be authorized for the Fire Administration (section 17), \$4,000,000 for the Fire Research Center (section 18), and \$8,000,000 for the Victims of Fire Activities (section 19), for a total of \$33,000,000. For Master Plan Demonstration Projects \$2,500,000 is authorized (section 10).

WARREN G. MAGNUSON,
 JOHN O. PASTORE,
 FRANK E. MOSS,
 TED STEVENS,
 J. GLENN BEALL, Jr.

Managers on the Part of the Senate.

OLIN E. TEAGUE,
 JOHN W. DAVIS,
 JAMES W. SYMINGTON,
 CHARLES A. MOSHER,
 ALPHONZO BELL,

Managers on the Part of the House.

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FEDERAL FIRE PREVENTION AND
CONTROL ACT OF 1974

REPORT

OF THE

COMMITTEE OF CONFERENCE

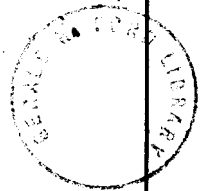
ON

S. 1769

TO REDUCE LOSSES OF LIFE AND PROPERTY THROUGH
BETTER FIRE PREVENTION AND CONTROL, AND FOR
OTHER PURPOSES



OCTOBER 2, 1974.—Ordered to be printed



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1974

FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

OCTOBER 2, 1974.—Ordered to be printed

Mr. TEAGUE, from the Committee of Conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 1769]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Federal Fire Prevention and Control Act of 1974".

FINDINGS

SEC. 2. The Congress finds that—

(1) The National Commission on Fire Prevention and Control, established pursuant to Public Law 90-259, has made an exhaustive and comprehensive examination of the Nation's fire problem, has made detailed findings as to the extent of this problem in terms of human suffering and loss of life and property, and has made ninety thoughtful recommendations.

(2) The United States today has the highest per capita rate of death and property loss from fire of all the major industrialized nations in the world.

(3) Fire is an undue burden affecting all Americans, and fire also constitutes a public health and safety problem of great dimensions. Fire kills 12,000 and scars and injures 300,000 Americans each year, including 50,000 individuals who require extended hospitalization. Almost \$3 billion worth of property is destroyed annually by fire, and the total economic cost of destructive fire in the United States is estimated conserv-

atively to be \$11,000,000,000 per year. Firefighting is the Nation's most hazardous profession.

(4) Such losses of life and property from fire are unacceptable to the Congress.

(5) While fire prevention and control is and should remain a State and local responsibility, the Federal Government must help if a significant reduction in fire losses is to be achieved.

(6) The fire service and the civil defense program in each locality would both benefit from closer cooperation.

(7) The Nation's fire problem is exacerbated by (A) the indifference with which some Americans confront the subject; (B) the Nation's failure to undertake enough research and development into fire and fire-related problems; (C) the scarcity of reliable data and information; (D) the fact that designers and purchasers of buildings and products generally give insufficient attention to fire safety; (E) the fact that many communities lack adequate building and fire prevention codes; and (F) the fact that local fire departments spend about 95 cents of every dollar appropriated to the fire services on efforts to extinguish fires and only about 5 cents on fire prevention.

(8) There is a need for improved professional training and education oriented toward improving the effectiveness of the fire services, including an increased emphasis on preventing fires and on reducing injuries to firefighters.

(9) A national system for the collection, analysis, and dissemination of fire data is needed to help local fire services establish research and action priorities.

(10) The number of specialized medical centers which are properly equipped and staffed for the treatment of burns and the rehabilitation of victims of fires is inadequate.

(11) The unacceptably high rates of death, injury, and property loss from fire can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of State and local governments.

PURPOSES

SEC. 3. It is declared to be the purpose of Congress in this Act to—

(1) reduce the Nation's losses caused by fire through better fire prevention and control;

(2) supplement existing programs of research, training, and education, and to encourage new and improved programs and activities by State and local governments;

(3) establish the National Fire Prevention and Control Administration and the Fire Research Center within the Department of Commerce; and

(4) establish an intensified program of research into the treatment of burn and smoke injuries and the rehabilitation of victims of fires within the National Institutes of Health.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Academy" means the National Academy for Fire Prevention and Control;

(2) "Administration" means the National Fire Prevention and Control Administration established pursuant to section 5 of this Act;

(3) "Administrator" means the Administrator of the National Fire Prevention and Control Administration;

(4) "fire service" means any organization in any State consisting of personnel, apparatus, and equipment which has as its purpose protecting property and maintaining the safety and welfare of the public from the dangers of fire, including a private firefighting brigade. The personnel of any such organization may be paid employees or unpaid volunteers or any combination thereof. The location of any such organization and its responsibility for extinguishment and suppression of fires may include, but need not be limited to, a Federal installation, a State, city, town, borough, parish, county, fire district, fire protection district, rural fire district, or other special district. The terms "fire prevention", "firefighting", and "firecontrol" relate to activities conducted by a fire service;

(5) "local" means of or pertaining to any city, town, county, special purpose district, unincorporated territory, or other political subdivision of a State;

(6) "Secretary" means the Secretary of Commerce; and

(7) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, the Trust Territory of the Pacific Islands and any other territory or possession of the United States.

ESTABLISHMENT OF THE NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

SEC. 5. (a) ESTABLISHMENT OF ADMINISTRATION.—There is hereby established in the Department of Commerce an agency which shall be known as the National Fire Prevention and Control Administration.

(b) ADMINISTRATOR.—There shall be at the head of the Administration the Administrator of the National Fire Prevention and Control Administration. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates (5 U.S.C. 5315). The Administrator shall report and be responsible to the Secretary.

(c) DEPUTY ADMINISTRATOR.—There shall be in the Administration a Deputy Administrator of the National Fire Prevention and Control Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5316). The Deputy Administrator shall perform such functions as the Administrator shall from time to time assign or delegate, and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

PUBLIC EDUCATION

SEC. 6. The Administrator is authorized to take all steps necessary to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to, publica-

tions, audiovisual presentations, and demonstrations. Such public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, such as the young and the elderly. The Administrator shall sponsor and encourage research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

SEC. 7. (a) *ESTABLISHMENT.*—The Secretary shall establish, at the earliest practicable date, a National Academy for Fire Prevention and Control. The purpose of the Academy shall be to advance the professional development of fire service personnel and of other persons engaged in fire prevention and control activities.

(b) *SUPERINTENDENT.*—The Academy shall be headed by a Superintendent, who shall be appointed by the Secretary. In exercising the powers and authority contained in this section the Superintendent shall be subject to the direction of the Administrator.

(c) *POWERS OF SUPERINTENDENT.*—The Superintendent is authorized to—

(1) develop and revise curricula, standards for admission and performance, and criteria for the awarding of degrees and certifications;

(2) appoint such teaching staff and other personnel as he determines to be necessary or appropriate;

(3) conduct courses and programs of training and education, as defined in subsection (d) of this section;

(4) appoint faculty members and consultants without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and, with respect to temporary and intermittent services, to make appointments to the same extent as is authorized by section 3109 of title 5, United States Code;

(5) establish fees and other charges for attendance at, and subscription to, courses and programs offered by the Academy. Such fees may be modified or waived as determined by the Superintendent;

(6) conduct short courses, seminars, workshops, conferences, and similar education and training activities in all parts and localities of the United States;

(7) enter into such contracts and take such other actions as may be necessary in carrying out the purposes of the Academy; and

(8) consult with officials of the fire services and other interested persons in the exercise of the foregoing powers.

(d) *PROGRAM OF THE ACADEMY.*—The Superintendent is authorized to—

(1) train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires, including, but not limited to—

(A) techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(B) tactics and command of firefighting for present and future fire chiefs and commanders;

(C) administration and management of fire services;

(D) tactical training in the specialized field of aircraft fire control and crash rescue;

(E) tactical training in the specialized field of fire control and rescue aboard waterborne vessels; and

(F) the training of present and future instructors in the aforementioned subjects;

(2) develop model curricula, training programs, and other educational materials suitable for use at other educational institutions, and to make such materials available without charge;

(3) develop and administer a program of correspondence courses to advance the knowledge and skills of fire service personnel;

(4) develop and distribute to appropriate officials model questions suitable for use in conducting entrance and promotional examinations for fire service personnel; and

(5) encourage the inclusion of fire prevention and detection technology and practices in the education and professional practice of architects, builders, city planners, and others engaged in design and planning affected by fire safety problems.

(e) *TECHNICAL ASSISTANCE.*—The Administrator is authorized, to the extent that he determines it necessary to meet the needs of the Nation, to encourage new programs and to strengthen existing programs of education and training by local fire services, units, and departments, State and local governments, and private institutions, by providing technical assistance and advice to—

(1) vocational training programs in techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(2) fire training courses and programs at junior colleges; and

(3) four-year degree programs in fire engineering at colleges and universities.

(f) *ASSISTANCE.*—The Administrator is authorized to provide assistance to State and local fire service training programs through grants, contracts, or otherwise. Such assistance shall not exceed 4 per centum of the amount authorized to be appropriated in each fiscal year pursuant to section 17 of this Act.

(g) *SITE SELECTION.*—The Academy shall be located on such site as the Secretary selects, subject to the following provisions:

(1) The Secretary is authorized to appoint a Site Selection Board consisting of the Academy Superintendent and two other members to survey the most suitable sites for the location of the Academy and to make recommendations to the Secretary.

(2) The Site Selection Board in making its recommendations and the Secretary in making his final selection, shall give consideration to the training and facility needs of the Academy, environmental effects, the possibility of using a surplus Government facility, and such other factors as are deemed important and relevant. The Secretary shall make a final site selection not later than 2 years after the date of enactment of this Act.

(h) *CONSTRUCTION COSTS.*—Of the sums authorized to be appropriated for the purposes of implementing the programs of the Administration, not more than \$9,000,000 shall be available for the construction of facilities of the Academy on the site selected under subsection (g) of this section. Such sums for such construction shall remain available until expended.

(i) **EDUCATIONAL AND PROFESSIONAL ASSISTANCE.**—The Administrator is authorized to—

(1) provide stipends to students attending Academy courses and programs, in amounts up to 75 per centum of the expense of attendance, as established by the Superintendent;

(2) provide stipends to students attending courses and nondegree training programs approved by the Superintendent at universities, colleges, and junior colleges, in amounts up to 50 per centum of the cost of tuition;

(3) make or enter into contracts to make payments to institutions of higher education for loans, not to exceed \$2,500 per academic year for any individual who is enrolled on a full-time basis in an undergraduate or graduate program of fire research or engineering which is certified by the Superintendent. Loans under this paragraph shall be made on such terms and subject to such conditions as the Superintendent and each institution involved may jointly determine; and

(4) establish and maintain a placement and promotion opportunities center in cooperation with the fire services, for firefighters who wish to learn and take advantage of different or better career opportunities. Such center shall not limit such assistance to students and graduates of the Academy, but shall undertake to assist all fire service personnel.

(j) **BOARD OF VISITORS.**—Upon establishment of the Academy, the Secretary shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Visitors for the Academy. Pursuant to such procedure, the Secretary shall select eight such persons to serve as members of such Board of Visitors to serve such terms as the Secretary may prescribe. The function of such Board shall be to review annually the program of the Academy and to make comments and recommendations to the Secretary regarding the operation of the Academy and any improvements therein which such Board deems appropriate. Each member of such Board shall be reimbursed for any expenses actually incurred by him in the performance of his duties as a member of such Board.

(k) **ACCREDITATION.**—The Superintendent is authorized to establish a Committee on Fire Training and Education which shall inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs and courses, and the role which the Academy should play if such a mechanism is recommended. The Committee shall consist of the Superintendent as Chairman and eighteen other members appointed by the Administrator from among individuals and organizations possessing special knowledge and experience in the field of fire training and education or related fields. The Committee shall submit to the Administrator within two years after its appointment, a full and complete report of its findings and recommendations. Upon the submission of such report, the Committee shall cease to exist. Each appointed member of the Committee shall be reimbursed for expenses actually incurred in the performance of his duties as a member.

(l) **ADMISSION.**—The Superintendent is authorized to admit to the courses and programs of the Academy individuals who are members of the firefighting, rescue, and civil defense forces of the Nation and such

other individuals, including candidates for membership in these forces, as he determines can benefit from attendance. Students shall be admitted from any State, with due regard to adequate representation in the student body of all geographic regions of the Nation. In selecting students, the Superintendent may seek nominations and advice from the fire services and other organizations which wish to send students to the Academy.

FIRE TECHNOLOGY

SEC. 8. (a) TECHNOLOGY DEVELOPMENT PROGRAM.—The Administrator shall conduct a continuing program of development, testing, and evaluation of equipment for use by the Nation's fire, rescue, and civil defense services, with the aim of making available improved suppression, protective, auxiliary, and warning devices incorporating the latest technology. Attention shall be given to the standardization, compatibility, and interchangeability of such equipment. Such development, testing, and evaluation activities shall include, but need not be limited to—

(1) safer, less cumbersome articles of protective clothing, including helmets, boots, and coats;

(2) breathing apparatus with the necessary duration of service, reliability, low weight, and ease of operation for practical use;

(3) safe and reliable auxiliary equipment for use in fire prevention, detection, and control, such as fire location detectors, visual and audio communications equipment, and mobile equipment;

(4) special clothing and equipment needed for forest fires, brush fires, oil and gasoline fires, aircraft fires and crash rescue, fires occurring aboard waterborne vessels, and in other special firefighting situations;

(5) fire detectors and related equipment for residential use with high sensitivity and reliability, and which are sufficiently inexpensive to purchase, install, and maintain to insure wide acceptance and use;

(6) in-place fire prevention systems of low cost and of increased reliability and effectiveness;

(7) methods of testing fire alarms and fire protection devices and systems on a non-interference basis;

(8) the development of purchase specifications, standards, and acceptance and validation test procedures for all such equipment and devices; and

(9) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

(b) **LIMITATION.**—The Administration shall not engage in the manufacture or sale of any equipment or device developed pursuant to this section, except to the extent that it deems it necessary to adequately develop, test, or evaluate such equipment or device.

(c) **MANAGEMENT STUDIES.**—(1) The Administrator is authorized to conduct, directly or through contracts or grants, studies of the operations and management aspects of fire services, utilizing quantitative techniques, such as operations research, management economics, cost effectiveness studies, and such other techniques and methods as may be applicable and useful. Such studies shall include, but need not be limited to, the allocation of resources, the optimum location of fire stations, the optimum geographical area for an integrated fire service, the manner of responding

to alarms, the operation of citywide and regional fire dispatch centers, firefighting under conditions of civil disturbance, and the effectiveness, frequency, and methods of building inspections.

(2) The Administrator is authorized to conduct, directly or through contracts or grants, research concerning the productivity and efficiency of fire service personnel, the job categories and skills required by fire services under varying conditions, the reduction of injuries to fire service personnel, the most effective fire prevention programs and activities, and techniques for accurately measuring and analyzing the foregoing.

(3) The Administrator is authorized to conduct, directly or through contracts, grants, or other forms of assistance, development, testing, and demonstration projects to the extent deemed necessary to introduce and to encourage the acceptance of new technology, standards, operating methods, command techniques, and management systems for utilization by the fire services.

(4) The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to measure and evaluate, on a cost-benefit basis, the effectiveness of the programs and activities of each fire service and the predictable consequences on the applicable local fire services of coordination or combination, in whole or in part, in a regional, metropolitan, or statewide fire service.

(d) RURAL ASSISTANCE.—The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to sponsor and encourage research into approaches, techniques, systems, and equipment to improve fire prevention and control in the rural and remote areas of the Nation.

(e) COORDINATION.—In establishing and conducting programs under this section, the Administrator shall take full advantage of applicable technological developments made by other departments and agencies of the Federal Government, by State and local governments, and by business industry, and nonprofit associations.

NATIONAL FIRE DATA CENTER

SEC. 9. (a) GENERAL.—The Administrator shall operate, directly or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The program of such Data Center shall be designed to (1) provide an accurate nationwide analysis of the fire problem, (2) identify major problem areas, (3) assist in setting priorities, (4) determine possible solutions to problems, and (5) monitor the progress of programs to reduce fire losses. To carry out these functions, the Data Center shall gather and analyze—

(1) information on the frequency, causes, spread, and extinguishment of fires;

(2) information on the number of injuries and deaths resulting from fires, including the maximum available information on the specific causes and nature of such injuries and deaths, and information on property losses;

(3) information on the occupational hazards faced by firefighters, including the causes of deaths and injuries arising, directly and indirectly, from firefighting activities;

(4) information on all types of firefighting activities, including inspection practices;

(5) technical information related to building construction, fire properties of materials, and similar information;

(6) information on fire prevention and control laws, systems, methods, techniques, and administrative structures used in foreign nations;

(7) information on the causes, behavior, and best method of control of other types of fire, including, but not limited to, forest fires, brush fires, fire underground, oil blow-out fires, and waterborne fires; and

(8) such other information and data as is deemed useful and applicable.

(b) METHODS.—In carrying out the program of the Data Center, the Administrator is authorized to—

(1) develop standardized data reporting methods;

(2) encourage and assist State, local, and other agencies, public and private, in developing and reporting information; and

(3) make full use of existing data gathering and analysis organizations, both public and private.

(c) DISSEMINATION.—The Administrator shall insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center, and shall make such data, information, and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLANS

SEC. 10(a) GENERAL.—The establishment of master plans for fire prevention and control are the responsibility of the States and the political subdivisions thereof. The Administrator is authorized to encourage and assist such States and political subdivisions in such planning activities, consistent with his powers and duties under this Act.

(b) REPORT.—Four years after the date of enactment of this Act, the Secretary shall submit to the Congress a report on the establishment and effectiveness of master plans in the field of fire prevention and control throughout the Nation. Such report shall include, but need not be limited to—

(1) a summary of the extent and quality of master planning activities;

(2) a summary and evaluation of master plans that have been prepared by States and political subdivisions thereof. Such summary and evaluation shall consider, with respect to each such plan (A) the characteristics of the jurisdiction adopting it, including, but not limited to, density and distribution of population; ratio of volunteer versus paid fire services; geographic location, topography, and climate; per capita rate of death and property loss from fire; size and characteristics of political subdivisions of the governmental units thereof; and socio-economic composition; and (G) the approach to development and implementation of the master plans;

(3) an evaluation of the best approach to the development and implementation of master plans (e.g. central planning by a State agency,

regionalized planning within a State coordinated by a State agency, or local planning supplemented and coordinated by a State agency);

(4) an assessment of the costs and benefits of master plans;

(5) a recommendation to Congress on whether Federal financial assistance should be authorized in order that master plans can be developed in all States; and

(6) a model master plan or plans suitable for State and local implementation.

(c) *DEFINITION.*—For the purposes of this section, a “master plan” is one which will result in the planning and implementation in the area involved of a general program of action or fire prevention and control. Such master plan is reasonably expected to include (1) a survey of the resources and personnel of existing fire services and an analysis of the effectiveness of the fire and building codes in such area; (2) an analysis of short and long term fire prevention and control needs in such area; (3) a plan to meet the fire prevention and control needs in such area; and (4) an estimate of cost and realistic plans for financing the implementation of the plan and operation on a continuing basis and a summary of problems that are anticipated in implementing such master plan.

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

SEC. 11. (a) *CLAIM.*—Each fire service that engages in the fighting of a fire on property which is under the jurisdiction of the United States may file a claim with the Administrator for the amount of direct expenses and direct losses incurred by such fire service as a result of fighting such fire. The claim shall include such supporting information as the Administrator may prescribe.

(b) *DETERMINATION.*—Upon receipt of a claim filed under subsection (a) of this section, the Administrator shall determine—

(1) what payments, if any, to the fire service or its parent jurisdiction, including taxes or payments in lieu of taxes, the United States has made for the support of fire services on the property in question;

(2) the extent to which the fire service incurred additional fire-fighting costs, over and above its normal operating costs, in connection with the fire which is the subject of the claim; and

(3) the amount, if any, of the additional costs referred to in paragraph (2) of this subsection which were not adequately covered by the payments referred to in paragraph (1) of this subsection.

(c) *PAYMENT.*—The Secretary shall forward the claim and a copy of the Administrator’s determination under subsection (b) (3) of this section to the Secretary of the Treasury. The Secretary of the Treasury shall, upon receipt of the claim and determination, pay such fire service or its parent jurisdiction, from any moneys in the Treasury not otherwise appropriated but subject to reimbursement (from any appropriations which may be available or which may be made available for the purpose) by the Federal department or agency under whose jurisdiction the fire occurred, a sum no greater than the amount determined with respect to the claim under subsection (b) (3) of this section.

(d) *ADJUDICATION.*—In the case of a dispute arising in connection with a claim under this section, the Court of Claims of the United States shall have jurisdiction to adjudicate the claim and enter judgment accordingly.

REVIEW OF CODES

SEC. 12. The Administrator is authorized to review, evaluate, and suggest improvements in State and local fire prevention codes, building codes, and any relevant Federal or private codes and regulations. In evaluating any such code or codes, the Administrator shall consider the human impact of all code requirements, standards, or provisions in terms of comfort and habitability for residents or employees, as well as the fire prevention and control value or potential of each such requirement, standard, or provision.

FIRE SAFETY EFFECTIVENESS STATEMENTS

SEC. 13. The Administrator is authorized to encourage owners and managers of residential multiple-unit, commercial, industrial, and transportation structures to prepare Fire Safety Effectiveness Statements, pursuant to standards, forms, rules, and regulations to be developed and issued by the Administrator.

ANNUAL CONFERENCE

SEC. 14. The Administrator is authorized to organize, or to participate in organizing, an annual conference on fire prevention and control. He may pay, in whole or in part, the cost of such conference and the expenses of some or all of the participants. All of the Nation’s fire services shall be eligible to send representatives to each such conference to discuss, exchange ideas on, and participate in educational programs on new techniques in fire prevention and control. Such conferences shall be open to the public.

PUBLIC SAFETY AWARDS

SEC. 15. (a) *ESTABLISHMENT.*—There are hereby established two classes of honorary awards for the recognition of outstanding and distinguished service by public safety officers—

(1) the President’s Award For Outstanding Public Safety Service (“President’s Award”); and

(2) the Secretary’s Award For Distinguished Public Safety Service (“Secretary’s Award”).

(b) *DESCRIPTION.*—(1) The President’s Award shall be presented by the President of the United States to public safety officers for extraordinary valor in the line of duty or for outstanding contribution to public safety.

(2) The Secretary’s Award shall be presented by the Secretary, the Secretary of Defense, or by the Attorney General to public safety officers for distinguished service in the field of public safety.

(c) *SELECTION.*—The Secretary, the Secretary of Defense, and the Attorney General shall advise and assist the President in the selection of individuals to whom the President’s Award shall be tendered and in the course of performing such duties they shall seek and review nominations for such awards which are submitted to them by Federal, State, county, and local government officials. They shall annually transmit to the President the names of those individuals determined by them to merit the award, together with the reasons therefor. Recipients of the President’s Award shall be selected by the President.

(d) *LIMITATION.*—(1) *There shall not be presented in any one calendar year in excess of twelve President's Awards.*

(2) *There shall be no limitation on the number of Secretary's Awards presented.*

(e) *AWARD.*—(1) *Each President's Award shall consist of—*

(A) *a medal suitably inscribed, bearing such devices and emblems, and struck from such material as the Secretary of the Treasury, after consultation with the Secretary, the Secretary of Defense, and the Attorney General deems appropriate. The Secretary of the Treasury shall cause the medal to be struck and furnished to the President; and*

(B) *an appropriate citation.*

(2) *Each Secretary's Award shall consist of an appropriate citation.*

(f) *REGULATIONS.*—*The Secretary, the Secretary of Defense, and the Attorney General are authorized and directed to issue jointly such regulations as may be necessary to carry out this section.*

(g) *DEFINITIONS.*—*As used in this section, the term "public safety officer" means a person serving a public agency, with or without compensation, as—*

(1) *a firefighter;*

(2) *a law enforcement officer, including a corrections or court officer; or*

(3) *a civil defense officer.*

ANNUAL REPORT

SEC. 16. The Secretary shall report to the Congress and the President not later than June 30 of the year following the date of enactment of this Act and each year thereafter on all activities relating to fire prevention and control, and all measures taken to implement and carry out this Act during the preceding calendar year. Such report shall include, but need not be limited to—

(a) *a thorough appraisal, including statistical analysis, estimates, and long-term projections of the human and economic losses due to fire;*

(b) *a survey and summary, in such detail as is deemed advisable, of the research and technology program undertaken or sponsored pursuant to this Act;*

(c) *a summary of the activities of the Academy for the preceding 12 months, including, but not limited to—*

(1) *an explanation of the curriculum of study,*

(2) *a description of the standards of admission and performance;*

(3) *the criteria for the awarding of degrees and certificates; and*

(4) *a statistical compilation of the number of students attending the Academy and receiving degrees or certificates;*

(d) *a summary of the activities undertaken to assist the Nation's fire services;*

(e) *a summary of the public education programs undertaken;*

(f) *an analysis of the extent of participation in preparing and submitting Fire Safety Effectiveness Statements;*

(g) *a summary of outstanding problems confronting the administration of this Act, in order of priority;*

(h) *such recommendations for additional legislation as are deemed necessary or appropriate; and*

(i) *a summary of reviews, evaluations, and suggested improvements in State and local fire prevention and building codes, fire services, and any relevant Federal or private codes, regulations, and fire services.*

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. There are authorized to be appropriated to carry out the foregoing provisions of this Act, except section 11 of this Act, such sums as are necessary, not to exceed \$10,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$15,000,000 for the fiscal year ending June 30, 1976.

FIRE RESEARCH CENTER

SEC. 18. The Act of March 3, 1901 (15 United States Code 278), is amended by striking out sections 16 and 17 (as added by title I of the Fire Prevention and Control Act of 1968) and by inserting in lieu thereof the following new section:

"SEC. 16. (a) There is hereby established within the Department of Commerce a Fire Research Center which shall have the mission of performing and supporting research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention and control of fires. The content and priorities of the research program shall be determined in consultation with the Administrator of the National Fire Prevention and Control Administration. In implementing this section, the Secretary is authorized to conduct, directly or through contracts or grants, a fire research program, including—

(1) basic and applied fire research for the purpose of arriving at an understanding of the fundamental processes underlying all aspects of fire. Such research shall include scientific investigations of—

"(A) the physics and chemistry of combustion processes;

"(B) the dynamics of flame ignition, flame spread, and flame extinguishment;

"(C) the composition of combustion products developed by various sources and under various environmental conditions;

"(D) the early stages of fires in buildings and other structures, structural subsystems and structural components in all other types of fires, including, but not limited to, forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires, with the aim of improving early detection capability;

"(E) the behavior of fires involving all types of buildings and other structures and their contents (including mobile homes and highrise buildings, construction materials, floor and wall coverings, coatings, furnishings, and other combustible materials), and all other types of fires, including forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires;

"(F) the unique fire hazards arising from the transportation and use, in industrial and professional practices, of combustible gases, fluids, and materials;

“(G) design concepts for providing increased fire safety consistent with habitability, comfort, and human impact in buildings and other structures; and

“(H) such other aspects of the fire process as may be deemed useful in pursuing the objectives of the fire research program;

“(2) research into the biological, physiological, and psychological factors affecting human victims of fire, and the performance of individual members of fire services, including—

“(A) the biological and physiological effects of toxic substances encountered in fires;

“(B) the trauma, cardiac conditions, and other hazards resulting from exposure to fire;

“(C) the development of simple and reliable tests for determining the cause of death from fires;

“(D) improved methods of providing first aid to victims of fires;

“(E) psychological and motivational characteristics of persons who engage in arson, and the prediction and cure of such behavior;

“(F) the conditions of stress encountered by firefighters, the effects of such stress, and the alleviation and reduction of such conditions; and

“(G) such other biological, psychological, and physiological effects of fire as have significance for purposes of control or prevention of fires; and

“(3) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

“The Secretary shall insure that the results and advances arising from the work of the research program are disseminated broadly. He shall encourage the incorporation, to the extent applicable and practicable, of such results and advances in building codes, fire codes, and other relevant codes, test methods, fire service operations and training, and standards. The Secretary is authorized to encourage and assist in the development and adoption of uniform codes, test methods, and standards aimed at reducing fire losses and costs of fire protection.

“(b) For the purposes of this section there is authorized to be appropriated not to exceed \$3,500,000 for the fiscal year ending June 30, 1975 and not to exceed \$4,000,000 for the fiscal year ending June 30, 1976.”

VICTIMS OF FIRE

SEC. 19. (a) PROGRAM.—The Secretary of Health, Education, and Welfare shall establish, within the National Institutes of Health and in cooperation with the Secretary, an expanded program of research on burns, treatment of burn injuries, and rehabilitation of victims of fires. The National Institutes of Health shall—

(1) sponsor and encourage the establishment throughout the Nation of twenty-five additional burn centers, which shall comprise separate hospital facilities providing specialized burn treatment and including research and teaching programs, and twenty-five additional burn units, which shall comprise specialized facilities in general hospitals used only for burn victims;

(2) provide training and continuing support of specialists to staff the new burn centers and burn units;

(3) sponsor and encourage the establishment of ninety burn programs in general hospitals which comprise staffs of burn injury specialists;

(4) provide special training in emergency care for burn victims;

(5) augment sponsorship of research on burns and burn treatment;

(6) administer and support a systematic program of research concerning smoke inhalation injuries; and

(7) sponsor and support other research and training programs in the treatment and rehabilitation of burn injury victims.

(b) AUTHORIZATION OF APPROPRIATION.—For purposes of this section, there are authorized to be appropriated not to exceed \$5,000,000 for the fiscal year ending June 30, 1975 and not to exceed \$8,000,000 for the fiscal year ending June 30, 1976.

PUBLIC ACCESS TO INFORMATION

SEC. 20. Copies of any document, report, statement, or information received or sent by the Secretary or the Administrator shall be made available to the public pursuant to the provisions of section 552 of title 5, United States Code: Provided, That, notwithstanding the provisions of subsection (b) of such section and of section 1905 of title 18, United States Code, the Secretary may disclose information which concerns or relates to a trade secret—

(1) upon request, to other Federal Government departments and agencies for official use;

(2) upon request, to any committee of Congress having jurisdiction over the subject matter to which the information relates;

(3) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceedings; and

(4) to the public when he determines such disclosure to be necessary in order to protect health and safety after notice and opportunity for comment in writing or for discussion in closed session within fifteen days by the party to which the information pertains (if the delay resulting from such notice and opportunity for comment would not be detrimental to health and safety).

ADMINISTRATIVE PROVISIONS

SEC. 21. (a) ASSISTANCE.—Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and directed to furnish to the Administrator, upon written request, on a reimbursable basis or otherwise, such assistance as the Administrator deems necessary to carry out his functions and duties pursuant to this Act, including, but not limited to, transfer of personnel with their consent and without prejudice to their position and ratings.

(b) POWERS.—With respect to this Act, the Administrator is authorized to—



(1) enter into, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this Act;

(2) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U.S.C. 665(b));

(3) purchase, lease, or otherwise acquire, own, hold, improve, use, or deal in and with any property (real, personal, or mixed, tangible or intangible), or interest in property, wherever situated; and sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of property and assets;

(4) procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for qualified experts; and

(5) establish such rules, regulations, and procedures as are necessary to carry out the provisions of this Act.

(c) **AUDIT.**—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipients of contracts, grants, or other forms of assistance that are pertinent to its activities under this Act for the purpose of audit or to determine if a proposed activity is in the public interest.

(d) **INVENTIONS AND DISCOVERIES.**—All property rights with respect to inventions and discoveries, which are made in the course of or under contract with any government agency pursuant to this Act, shall be subject to the basic policies set forth in the President's Statement of Government Patent Policy issued August 23, 1971, or such revisions of that statement of policy as may subsequently be promulgated and published in the Federal Register.

(e) **COORDINATION.**—To the extent practicable, the Administrator shall utilize existing programs, data, information, and facilities already available in other Federal government departments and agencies and, where appropriate, existing research organizations, centers, and universities. The Administrator shall provide liaison at an appropriate organizational level to assure coordination of his activities with State and local government agencies, departments, bureaus, or offices concerned with any matter related to programs of fire prevention and control and with private and other Federal organizations and offices so concerned.

ASSISTANCE TO CONSUMER PRODUCT SAFETY COMMISSION

SEC. 22. Upon request, the Administrator shall assist the Consumer Product Safety Commission in the development of fire safety standards or codes for consumer products, as defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.).

CONFORMING AMENDMENTS

SEC. 23. Section 12, of the Act of February 14, 1903, as amended (15 U.S.C. 1511), is amended to read as follows:

"BUREAUS IN DEPARTMENT

"**SEC. 12.** The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall be under the jurisdiction and subject to the control of the Secretary of Commerce:

"(a) National Oceanic and Atmospheric Administration;

"(b) United States Travel Service;

"(c) Maritime Administration;

"(d) National Bureau of Standards;

"(e) Patent Office;

"(f) Bureau of the Census;

"(g) National Fire Prevention and Control Administration; and

"(h) such other bureaus or other organizational units as the Secretary of Commerce may from time to time establish in accordance with law."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to reduce losses of life and property through better fire prevention and control, and for other purposes."

And the House agree to the same.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
CHARLES A. MOSHER,
ALPHONZO BELL,
Managers on the Part of the House.
WARREN G. MAGNUSON,
JOHN O. PASTORE,
FRANK E. MOSS,
TED STEVENS,
J. GLENN BEALL, JR.
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text for the Senate bill, and the Senate disagreed to the House amendments. The House amendment amended the Senate title of the bill.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill. The committee of conference also recommends that the Senate recede from its disagreement to the amendment of the House to the title of the Senate bill, with an amendment which is a substitute for both the title of the Senate bill and the House amendment to the title of the Senate bill. The following statement explains the resolution of differences between the Senate bill and the House amendment thereto:

STRUCTURE OF THE NEW FIRE PROGRAM

Both the Senate bill and the House amendment established a comprehensive fire prevention and control program to be located primarily in the Department of Commerce. Both programs included, but were not limited to, a fire education program, a national fire academy, a fire research and development program and a national data gathering program.

The Senate bill created the new position of Assistant Secretary of Commerce for Fire Prevention and Control. The Assistant Secretary would have been responsible for carrying out the provisions of the Act under the direction of the Secretary. The Assistant Secretary would have been appointed by the President, by and with the advice and consent of the Senate and would have received compensation at a rate prescribed by law for Assistant Secretaries of Commerce (currently a level IV position).

Title I of the House amendment established in the Department of Commerce a National Bureau of Fire Safety which was to be headed by a Presidentially appointed Director. The Fire Bureau would have undertaken programs of technology development, training and education, data collection and analysis, and public education. Title II of the House amendment established a Fire Research Center in the Department of Commerce which was intended to carry on the

fire program of the National Bureau of Standards. Specifically, it would have conducted basic and applied research on the phenomenon of fire. The Director of the Fire Bureau would have received compensation at a level V and would have implemented his duties under the general direction of the Secretary of Commerce.

The Conference Substitute includes a compromise position between the Senate bill and the House amendment. The committee of conference recognized the importance of a separate and distinct fire program within the Department of Commerce while at the same time utilizing the expertise and resources of the National Bureau of Standards for implementing the fire research program. As a result, Section 5 of the Conference Substitute would establish, within the Department of Commerce, an agency which shall be known as the National Fire Prevention and Control Administration. The new Administration is modeled after the existing National Oceanic and Atmospheric Administration. The committee of conference agreed to propose a separate administration with an Administrator, who would report directly to the Secretary of Commerce to insure that the fire prevention and control program would be a highly visible program. In addition, the Administrator would be responsible only to the Secretary.

The conferees, after carefully considering the merits of the organizational arrangements in the two bills, unanimously agree that it would reduce the effectiveness of the program if it were to be located under the auspices of the Assistant Secretary for Science and Technology. Accordingly, the committee of conference has agreed that a new Fire Administration to implement all aspects of the fire program, with the exception of the research program, should be established. The research program, the conferees concluded, should be implemented by the National Bureau of Standards and Section 18 of the Conference Substitute amends the act of March 3, 1901 to reflect this intent.

The new Fire Administration shall be headed by an Administrator appointed by the President, by and with the advice and consent of the Senate. He shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates. The Conference Substitute also establishes the position of Deputy Administrator. The Deputy Administrator shall be appointed by the President by and with the advice and consent of the Senate and he shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates. The Deputy Administrator shall perform such functions as the Administrator shall assign or delegate and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator.

While the Conference Substitute structurally separates the research activities from the rest of the Fire Prevention and Control Program, the conferees intend that the Secretary of Commerce shall coordinate the two so that they are complementary. In view of the fact that the Administrator is to report directly to and be responsible to the Secretary of Commerce, the Secretary will be in a good position to coordinate research priorities for the research program with the Administrator.

PUBLIC EDUCATION PROGRAM

Both the Senate bill and the House amendment stressed the importance of a comprehensive fire education program.

The Senate bill would have authorized the Secretary to take all steps necessary to educate the public and to overcome public indifference as to fire safety and fire prevention.

The House amendment would have required the Director to undertake, in collaboration with existing public and private organizations, a continuing and extensive program of public education in fire prevention and fire safety which would have included specialized information aimed at those particularly vulnerable to fire hazards. In addition, the education program would have included research into new methods of public education in fire prevention.

The committee of conference agrees on the importance of public education as a part of the effort to reduce fire losses. Section 6 of the Conference Substitute requires the Administrator to take all steps necessary and practicable to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to publications, audio-visual presentations, and demonstrations. The public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, and shall also include sponsorship and encouragement of research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

The Senate bill would establish a National Academy for Fire Prevention and Control, while the House amendment provided for the establishment of a United States Fire Academy.

The committee of conference agreed that a central training facility for the nation's fire fighting forces is of the highest priority if the effort to reduce the losses from fires is to succeed, and accordingly section 7 establishes a National Academy for Fire Prevention and Control. In arriving at this conclusion, and in reconciling the provisions contained in the two bills regarding the specific functions of the Academy, the committee of conference carefully considered the several objectives which the Academy is established to serve. The committee of conference wishes to emphasize that it is not the intent that the National Academy for Fire Prevention and Control become a large, degree granting institution on the model of the service academies, the Coast Guard Academy, or the Merchant Marine Academy. Rather, the Fire Academy is modeled on the highly successful F.B.I. Academy, and on a number of national fire academies abroad. The intent of the conferees is that the National Fire Academy, by establishing a small, but excellent campus with a first class staff and facilities, will serve as a focal point for the professional training of fire officers.

Conduct of Short Courses and Conferences.—The House amendment gave the Fire Academy Superintendent authority to conduct short courses, seminars, workshops, conferences, and similar activities in

all parts of the United States. The Senate bill contained general authority for the Academy to implement similar programs.

The committee of conference agreed to include the House provision in the Conference Substitute.

Fire Prevention Practices.—The House amendment included a provision requiring the fire program to encourage the inclusion of fire prevention technology and practices in the education and professional practice of architects, builders, city planners and owners engaged in design and planning affected by fire safety problems. The Senate bill did not contain similar provisions.

The committee of conference agreed to include the House provision in the Conference Substitute.

Assistance to Fire Training Programs.—The House amendment authorized the Fire Academy to assist and support existing education and training programs conducted by State and local fire units, and by private institutions. The Senate bill authorized the Fire Academy to provide three special forms of assistance to existing fire training programs: educational materials such as model curricula, correspondence courses, and model promotion examinations.

The committee of conference agreed to include authority for such assistance, but with certain limitations. The authority for financial assistance would be authorized for all types of state, local, and private institutions, but would be limited to four percent of the total amount authorized for the program of the Fire Administration.

Academy Site and Construction Costs.—The Senate bill provided that the Department of Commerce must obtain the approval of the Committees of jurisdiction in the House and the Senate before funds exceeding \$100,000 are expended for planning or construction. The House bill contained no corresponding provision, but provided that the Secretary of Commerce shall appoint a Site Selection Board to advise him on the selection of a site for the Academy. The Board shall observe certain criteria including the possible use of a facility declared surplus by the Federal Government.

The committee of conference agreed to include a limitation on the facility construction costs in the amount of \$9,000,000 embodying the intent of the Senate bill and the site selection provision from the House amendment.

Student Financial Assistance.—The House amendment provided that the Academy would be authorized to give financial assistance to students engaged in a number of different fire training and education activities. Such financial assistance would be provided to students attending the Fire Academy and to students attending Fire Engineering Programs at colleges and universities. It also included provisions for loans to individuals attending college undergraduate fire research or engineering programs. The Senate bill did not include provisions for direct financial assistance to students.

The committee of conference agreed to include the provisions of the House amendment which would authorize partial financial support for students attending the Academy and for students attending non-degree training programs at junior colleges, colleges, and universities. The loan program for undergraduate and graduate students is also included in the Conference Substitute.

Placement Service.—The Senate bill provided that the Academy would operate a placement assistance program for the fire services. The House amendment contained no comparable provision.

The committee of conference agreed to include this provision in the Conference Substitute.

Board of Visitors.—The Senate bill provided for a Board of Advisors for the Fire Academy, to be selected by the Secretary, but the size of the Board was not specified. The House amendment provided for the establishment of a Board of Visitors to the Fire Academy, made up of eight members selected by the Secretary.

The committee of conference agreed to include a Board of Visitors composed of eight members selected by the Secretary of Commerce in the Conference Substitute.

Accreditation.—The House amendment included provisions for the establishment by the Academy of a Committee on Fire Training and Education. The purpose of this Committee would be to inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs on a nationwide basis. This Committee would complete its report and submit its recommendations within 1 year of its appointment. The Senate bill did not include provisions for such a Committee.

The committee of conference agreed to include this section from the House amendment after changing the life of the Committee from 1 to 2 years.

Admissions.—The House amendment included a section providing that admission to the Academy shall be open to members of the fire-fighting, rescue, and civil defense forces of the Nation, and that adequate representation of all geographic regions of the nation shall be included in the student body. The Senate bill did not include a comparable provision.

The committee of conference agreed to include the section on admissions from the House bill in the Conference Substitute.

Continuing Study of Educational Needs.—The House amendment included a section providing that the Fire Academy shall conduct a continuing study of the needs and content of the education and training programs both at the Academy and elsewhere. The studies would be coordinated with the Civil Defense Staff College. The Senate bill did not include a comparable section.

The committee of conference agreed to omit this provision from the Conference Substitute.

TECHNOLOGY PROGRAM

The Senate bill included provisions for a program of development, testing, and evaluation of equipment for the use of the Nation's fire services. The House amendment included similar provisions aimed at the same goal of making available to the Nation's fire, rescue, and civil defense services improved equipment for fire suppression, detection, and prevention.

The committee of conference agreed to include the fire technology program as section 8 of the Conference Substitute. The provision in the House bill providing for research on productivity measurement related to the fire services, and the provisions specifying the types of fire technology to be developed were incorporated into this section of the Conference Substitute.

NATIONAL FIRE DATA CENTER

Both the Senate bill and the House amendment provided for the operation of a comprehensive, integrated National Fire Data Information System. The language in each bill describing the type of data to be collected was identical. Both bills would have encouraged without compelling uniform reporting of fire data by local departments, utilization of existing data gathering activities, and the wide dissemination of the data collected.

The Senate bill authorized the Secretary of Commerce to establish a data center or information bank on all aspects of fire prevention and control. The Secretary was mandated to "insure dissemination to the maximum possible extent of fire data collected and developed under this section." He was also authorized to make "full use of existing data, data gathering and analysis organizations. . . ."

The House amendment authorized the Director of the National Bureau of Fire Safety to operate an integrated comprehensive national program of collecting, analyzing, and publishing fire data. Three kinds of data and information were to be collected under the comprehensive system: statistical, practical, and technical.

The Conference Substitute adopts the language of the Senate bill and the House amendment which were identical, describing the nature of the information to be gathered and analyzed. Under section 9 of the Conference Substitute, the Administrator of the National Fire Prevention and Control Administration shall operate directly, or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The Data Center is designed to fulfill five needs: (1) provide an accurate nationwide analysis of the fire problem; (2) identify major problem areas; (3) assist in setting priorities; (4) determine possible solutions to problems; and monitor the progress of programs to reduce fire losses.

The Conference Substitute also adopts much of the House language describing how the program of the Data Center is to be carried out. Specifically, the Administrator is authorized to develop standardized data reporting methods, encourage and assist State, local, and other agencies, public and private, in developing and reporting information and make full use of existing data gathering and analysis organizations, both public and private. Additionally, the Conference Substitute adopts the House language which requires the Administrator to insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center. The Administrator is also directed to make such data, information and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLANS

The Senate bill authorized and directed the Secretary of Commerce to establish master plan demonstration projects. Specifically, the Senate bill included an authorization of appropriations (\$10 million total) for grants to at least five, but not more than eight States to prepare a master plan for fire prevention and control in their area.

The master plan concept is designed to insure that each local fire jurisdiction sets goals and priorities for the fire services to meet the changing needs of the community. The master plan should seek to allocate resources for the maximum payoff in fire protection, and it should provide for data systems for continual monitoring for cost effectiveness.

The Senate bill outlined criteria for eligibility for master plan grants. It also established a procedure for obtaining a grant and declared that the Federal share may not exceed 80 percent of the total cost of the master plan demonstration project approved. Of the Federal funds, 50 percent shall go to planning and 50 percent to implementation of the plan. It further set forth the basic ingredients in an acceptable state master plan which is financially assisted under the act, such as the following: survey of existing systems; needs; plan for meeting the need; and estimated cost of problems in implementation of the plan. Three and one half years after enactment of the act, the Secretary was to have reported to Congress his evaluation of the master plan demonstration project program and shall have advised the Congress whether master plan grants should be authorized in order that master plans can be developed in all the States. Under the Senate bill, no more than 20 percent of the funds appropriated under the master plan program may be spent in any one State.

The House amendment contained no similar provision.

Section 10 of the Conference Substitute provides that the establishment of master plans for fire prevention and control are the responsibility of the States and the political subdivisions thereof. However, the language also recognizes the importance of the master plan concept by authorizing the Administrator to encourage and assist the States through the use of his powers under the Act in the development of master plans.

The Conference Substitute further requires the Secretary, four years after the date of enactment of the Act, to submit to Congress a report on the establishment and effectiveness of master plans for fire prevention and control. The report shall include, but is not limited to (1) a summary of the extent and quality of master planning activities; (2) a summary and evaluation of master plans that have been prepared by States and political subdivisions thereof; (3) an evaluation of the best approach to the development and implementation of master plans; (4) an assessment of the costs and benefits of master plans; (5) a recommendation to Congress on whether federal financial assistance should be authorized in order that master plans can be developed in all States; and (6) a model master plan or plans suitable for State and local implementation. The report should be designated to provide Congress with guidance on what future action the federal government should pursue in the area of master planning.

Finally, section 10 contains a definition of a "master plan."

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

The House amendment included a section providing that a fire department or fire district may be reimbursed for the direct losses and direct costs it incurs in fighting fires on Federal property. Claims for such reimbursement would be made to the Federal agency provided

in the bill and would be reduced by an amount equal to any payments in lieu of taxes made for fire protection services to the local government. The Senate bill did not contain a corresponding provision.

The committee of conference agreed to include this provision with certain minor changes affecting the administrative aspects of the submission, evaluation, and payments of such claims. These changes give the Administrator of the Fire Administration the responsibility for evaluating and making determinations on claims, give the Secretary of the Treasury the responsibility for paying claims in amounts not to exceed the sum determined by the Administrator, and provides that the adjudication of any disputes arising under any such claim shall be under the jurisdiction of the United States Court of Claims.

REVIEW OF CODES

The Senate bill authorized the Secretary of Commerce to review, evaluate, and suggest improvements in State and local fire prevention building codes, fire services, and any relevant Federal and private codes, regulations, and fire services. In evaluating such a code or codes, the Secretary was to consider the human impact of all code requirements, standards, and provisions in terms of comfort and habitability for residents or employees as well as the fire prevention and control value or potential of each such requirement, standard, and provision. The Secretary was required to annually submit to Congress a summary of such reviews, evaluations, and suggestions.

The House amendment contained no similar provision.

Section 11 of the Conference Substitute adopts the Senate provision with one minor change. While the Senate provision would have required the Secretary to report to Congress annually on his review, evaluation, and suggestions for improvements in codes, the Conference Substitute requires such review, evaluation, and suggestion to be included in the Secretary's annual report to Congress, required pursuant to section 16 of the Conference Substitute.

FIRE SAFETY EFFECTIVENESS STATEMENTS

The Senate bill authorized the Secretary of Commerce to encourage owners and managers of residential multiple unit, commercial, and industrial, and transportation structures to prepare and submit to him for evaluation and certification a Fire Safety Effectiveness Statement, pursuant to standards, forms, rules, and regulations to be developed and issued by the Secretary. Any person who submitted such a statement and received certification, was entitled to attach the following statement to any contract of sale or lease or any advertisement or notice which pertains to the structure as to which such statement has been submitted: "A Fire Safety Effectiveness Statement has been prepared regarding this structure and this structure has been certified as meeting the requirements of the United States Department of Commerce."

The House amendment contained no similar provision.

Section 13 of the Conference Substitute adopts the Senate provision with modifications.

The committee of conference agreed to include the provision encouraging owners of buildings to prepare Fire Safety Effectiveness Statements. However, it deletes the procedure of submitting the Fire Safety Effectiveness Statement to the Secretary of Commerce for his evaluation and certification. While this deletion no longer requires the Secretary to evaluate and certify a Fire Safety Effectiveness Statement, it is not intended to preclude him from doing so if he determines that such a procedure is desirable. In addition, the Conference Substitute deletes the provision allowing for a Fire Safety Effectiveness Statement to be included in contracts of sale, leases, advertisements or notices pertaining to the structure. Once again, the Secretary is not precluded from administratively establishing a similar procedure.

ANNUAL CONFERENCE

The Senate bill authorized the Secretary to organize or participate in organizing an annual conference of fire prevention and control. In addition, he was authorized to pay in whole or in part the expenses of participants and all of the Nation's fire services were eligible to send representatives to each such conference.

The House amendment contained no similar provision.

Section 14 of the Conference Substitute adopts the Senate provision.

PUBLIC SAFETY AWARDS

The Senate bill established two classes of honorary awards for recognition of outstanding and distinguished service by public safety officers. These two classes of awards were the President's Award for Outstanding Public Safety Service and the Secretary's Award for Distinguished Public Safety Service. The program was designed to recognize achievement by outstanding firefighters and law enforcement officers, and was to be administered jointly by the Secretary of Commerce and the Attorney General. The Secretary and the Attorney General were to select candidates for the President's Award and the Secretary's Award and submit them to the President for decision and awarding of the conferred distinctions. Not more than 12 President's Awards were to be conferred each year, but there was no limit on the number of Secretary's Awards.

The House amendment contained no similar provision.

Section 15 of the Conference Substitute adopts the Senate provision and also provides for similar awards to be made to civil defense officers. The Secretary of Defense as well as the Secretary of Commerce and the Attorney General are to jointly administer the program of public safety awards.

ANNUAL REPORT

The Senate bill provided for the submission of an annual report to the Congress. The House amendment contained no similar provision.

The Committee of Conference agreed to the inclusion of this provision as section 16 with minor changes to conform with the Conference Substitute.

FIRE RESEARCH CENTER

The Senate bill included provisions for the conduct of a program of basic and applied research aimed at developing an understanding of the fundamental processes underlying all aspects of fire. The research program would have been placed under the Assistant Secretary for Fire Prevention and Control rather than in a Fire Research Center in the National Bureau of Standards.

The House amendment provided for the establishment of a Fire Research Center to perform basic and applied research related to fire. The Fire Research Center would have been established by amending the organic act of the National Bureau of Standards to include this Fire Research Center in the Bureau. The research work of the Fire Research Center would include research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention and control of fires.

The committee of conference concluded that the continuation of the existing fire research program at the National Bureau of Standards would best serve the intent of the legislation. By basing the expanded fire research program on the existing staff and facilities, the research program will be able to take full advantage of the expertise and capabilities built up over the years. The committee of conference therefore included, as section 18 in the Conference Substitute, the provisions of the House amendment which establishes the Fire Research Center in the National Bureau of Standards by amending the organic act of the National Bureau of Standards.

VICTIMS OF FIRE

Both the Senate bill and the House amendment included identical provisions for the establishment of an expanded program of research on burns, the treatment of burn injuries, and the rehabilitation of the victims of fire within the National Institutes of Health. However, the Senate bill included authorization for appropriations for this program in the amounts of \$7,500,000 for fiscal year 1974, \$10,000,000 for fiscal year 1975, and \$10,000,000 for fiscal year 1976, totaling \$27,000,000 while no funds were authorized for this program in the House amendment.

The committee of conference agreed to include, as section 19, the Victims of Fire provision in the Conference Substitute, and to authorize funding for 2 rather than 3 years. The authorized funding included in the bill is in the amount of \$5,000,000 for fiscal year 1975, and in the amount of \$8,000,000 for fiscal year 1976.

The House conferees note that in the House of Representatives jurisdiction over the National Institutes of Health is not within the purview of the Committee on Science and Astronautics, and that agreement to restore these funds was reached only in view of the importance attached by the committee of conference to the burn research and treatment program, and with the understanding that in the House of Representatives the appropriate legislative Committee will further review and authorize this program.

PUBLIC ACCESS TO INFORMATION

The Senate bill provided that any information received by the Program for Fire Prevention and Control shall be made available to the public upon identifiable request and at reasonable cost, subject to limited exceptions.

The House amendment contained no similar provision.

Section 20 of the Conference Substitute includes a provision similar in intent to the Senate provision but with minor style alterations. The provision makes clear that this section is in addition to, and not in lieu of, the provisions of the Freedom of Information Act.

CIVIL DEFENSE

The Senate bill included no provisions specifically stating that the civil defense activities and personnel throughout the United States would be eligible to participate in the fire prevention and control activities provided for in the bill. The House amendment provided that the civil defense activities and personnel would be eligible to participate in the activities contemplated under the amendment.

The committee of conference agreed to include in the Conference Substitute those specific provisions from the House amendment which include civil defense activities most directly related to fire prevention and control activities. The Conference Substitute authorizes civil defense personnel to be admitted to the Fire Academy (section 7); the Fire Technology program to include civil defense related technology for use in fire prevention and control (section 8); and civil defense personnel to be eligible for the Public Safety Awards (section 15).

FIRE PROTECTION ASSISTANCE

The Senate bill amended the National Housing Act's section on mortgage insurance assistance by providing that the Secretary of Housing and Urban Development may guarantee loans made to nursing homes and intermediate care facilities to pay for fire safety equipment which is needed to bring the facility into compliance with the latest "Life Safety Code".

The House amendment contained no similar provision.

The Senate provision was deleted in the Conference Substitute because this section has been enacted into law as Public Law 93-204.

STUDIES

The Senate bill authorized and directed the Comptroller General of the United States to study the financing of the Nation's fire services to determine whether moneys available through State and local taxation and Federal-State revenue sharing is adequate. In addition, the bill authorized and directed the Secretary to prepare a comprehensive study of the organization and operation of the Nation's fire services.

The House amendment contained no similar provision.

The Conference Substitute deletes both studies. While the conferees believe both are important, the Administrator, under his general powers to implement the Fire Prevention and Control Program, is already authorized to conduct such studies if he deems it appropriate.

AUTHORIZATION

In the Senate bill, funding was authorized for 3 years in the total amount of \$127,500,000. For fiscal year 1975, \$25,000,000 was authorized for the Fire Program, and \$7,500,000 for the Victims of Fires activities. For fiscal year 1976, \$30,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. For fiscal year 1977, \$35,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. In addition, \$10,000,000 was authorized for Master Plan Demonstration Projects.

In the House amendment the authorization was for 1 year. It provided, for fiscal year 1975, \$2,000,000 for the Fire Bureau, and \$3,500,000 for the Fire Research Center. No funds were authorized for the Victims of Fire (burn treatment) activities or for the Master Plan Demonstration Projects. Thus the House amendment authorized a total of \$5,500,000 for fiscal year 1975.

The committee of conference agreed to authorize funding for 2 years in the total amount of \$45,500,000. For fiscal year 1975, \$10,000,000, would be authorized for the Fire Administration (section 17), \$3,500,000 for the Fire Research Center (section 18), and \$5,000,000 for the Victims of Fire activities (section 19), for a total of \$18,500,000. For fiscal year 1976, \$15,000,000 would be authorized for the Fire Administration (section 17), \$4,000,000 for the Fire Research Center (section 18), and \$8,000,000 for the Victims of Fire Activities (section 19), for a total of \$27,000,000.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
CHARLES A. MOSHER,
ALPHONZO BELL,

Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN O. PASTORE,
FRANK E. MOSS,
TED STEVENS,
J. GLENN BEALL, JR.

Managers on the Part of the Senate.



FEDERAL FIRE PREVENTION AND
CONTROL ACT OF 1974

REPORT
OF THE
COMMITTEE OF CONFERENCE

ON

S. 1769

TO REDUCE LOSSES OF LIFE AND PROPERTY THROUGH
BETTER FIRE PREVENTION AND CONTROL, AND FOR
OTHER PURPOSES



OCTOBER 2, 1974.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1974

FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

OCTOBER 2, 1974.—Ordered to be printed

Mr. MAGNUSON, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 1769]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Federal Fire Prevention and Control Act of 1974".

FINDINGS

Sec. 2. The Congress finds that—

(1) *The National Commission on Fire Prevention and Control, established pursuant to Public Law 90-259, has made an exhaustive and comprehensive examination of the Nation's fire problem, has made detailed findings as to the extent of this problem in terms of human suffering and loss of life and property, and has made ninety thoughtful recommendations.*

(2) *The United States today has the highest per capita rate of death and property loss from fire of all the major industrialized nations in the world.*

(3) *Fire is an undue burden affecting all Americans, and fire also constitutes a public health and safety problem of great dimensions. Fire kills 12,000 and scars and injures 300,000 Americans each year, including 50,000 individuals who require extended hospitalization. Almost \$3 billion worth of property is destroyed annually by fire, and the total economic cost of destructive fire in the United States is estimated conserv-*

atively to be \$11,000,000,000 per year. Firefighting is the Nation's most hazardous profession.

(4) Such losses of life and property from fire are unacceptable to the Congress.

(5) While fire prevention and control is and should remain a State and local responsibility, the Federal Government must help if a significant reduction in fire losses is to be achieved.

(6) The fire service and the civil defense program in each locality would both benefit from closer cooperation.

(7) The Nation's fire problem is exacerbated by (A) the indifference with which some Americans confront the subject; (B) the Nation's failure to undertake enough research and development into fire and fire-related problems; (C) the scarcity of reliable data and information; (D) the fact that designers and purchasers of buildings and products generally give insufficient attention to fire safety; (E) the fact that many communities lack adequate building and fire prevention codes; and (F) the fact that local fire departments spend about 95 cents of every dollar appropriated to the fire services on efforts to extinguish fires and only about 5 cents on fire prevention.

(8) There is a need for improved professional training and education oriented toward improving the effectiveness of the fire services, including an increased emphasis on preventing fires and on reducing injuries to firefighters.

(9) A national system for the collection, analysis, and dissemination of fire data is needed to help local fire services establish research and action priorities.

(10) The number of specialized medical centers which are properly equipped and staffed for the treatment of burns and the rehabilitation of victims of fires is inadequate.

(11) The unacceptably high rates of death, injury, and property loss from fire can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of State and local governments.

PURPOSES

SEC. 3. It is declared to be the purpose of Congress in this Act to—

(1) reduce the Nation's losses caused by fire through better fire prevention and control;

(2) supplement existing programs of research, training, and education, and to encourage new and improved programs and activities by State and local governments;

(3) establish the National Fire Prevention and Control Administration and the Fire Research Center within the Department of Commerce; and

(4) establish an intensified program of research into the treatment of burn and smoke injuries and the rehabilitation of victims of fires within the National Institutes of Health.

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Academy" means the National Academy for Fire Prevention and Control;

(2) "Administration" means the National Fire Prevention and Control Administration established pursuant to section 5 of this Act;

(3) "Administrator" means the Administrator of the National Fire Prevention and Control Administration;

(4) "fire service" means any organization in any State consisting of personnel, apparatus, and equipment which has as its purpose protecting property and maintaining the safety and welfare of the public from the dangers of fire, including a private firefighting brigade. The personnel of any such organization may be paid employees or unpaid volunteers or any combination thereof. The location of any such organization and its responsibility for extinguishment and suppression of fires may include, but need not be limited to, a Federal installation, a State, city, town, borough, parish, county, fire district, fire protection district, rural fire district, or other special district. The terms "fire prevention", "firefighting", and "firecontrol" relate to activities conducted by a fire service;

(5) "local" means of or pertaining to any city, town, county, special purpose district, unincorporated territory, or other political subdivision of a State;

(6) "Secretary" means the Secretary of Commerce; and

(7) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, the Trust Territory of the Pacific Islands and any other territory or possession of the United States.

ESTABLISHMENT OF THE NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

SEC. 5. (a) ESTABLISHMENT OF ADMINISTRATION.—There is hereby established in the Department of Commerce an agency which shall be known as the National Fire Prevention and Control Administration.

(b) ADMINISTRATOR.—There shall be at the head of the Administration the Administrator of the National Fire Prevention and Control Administration. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates (5 U.S.C. 5315). The Administrator shall report and be responsible to the Secretary.

(c) DEPUTY ADMINISTRATOR.—There shall be in the Administration a Deputy Administrator of the National Fire Prevention and Control Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5316). The Deputy Administrator shall perform such functions as the Administrator shall from time to time assign or delegate, and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

PUBLIC EDUCATION

SEC. 6. The Administrator is authorized to take all steps necessary to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to, publica-

tions, audiovisual presentations, and demonstrations. Such public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, such as the young and the elderly. The Administrator shall sponsor and encourage research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

SEC. 7. (a) *ESTABLISHMENT.*—The Secretary shall establish, at the earliest practicable date, a National Academy for Fire Prevention and Control. The purpose of the Academy shall be to advance the professional development of fire service personnel and of other persons engaged in fire prevention and control activities.

(b) *SUPERINTENDENT.*—The Academy shall be headed by a Superintendent, who shall be appointed by the Secretary. In exercising the powers and authority contained in this section the Superintendent shall be subject to the direction of the Administrator.

(c) *POWERS OF SUPERINTENDENT.*—The Superintendent is authorized to—

(1) develop and revise curricula, standards for admission and performance, and criteria for the awarding of degrees and certifications;

(2) appoint such teaching staff and other personnel as he determines to be necessary or appropriate;

(3) conduct courses and programs of training and education, as defined in subsection (d) of this section;

(4) appoint faculty members and consultants without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and, with respect to temporary and intermittent services, to make appointments to the same extent as is authorized by section 3109 of title 5, United States Code;

(5) establish fees and other charges for attendance at, and subscription to, courses and programs offered by the Academy. Such fees may be modified or waived as determined by the Superintendent;

(6) conduct short courses, seminars, workshops, conferences, and similar education and training activities in all parts and localities of the United States;

(7) enter into such contracts and take such other actions as may be necessary in carrying out the purposes of the Academy; and

(8) consult with officials of the fire services and other interested persons in the exercise of the foregoing powers.

(d) *PROGRAM OF THE ACADEMY.*—The Superintendent is authorized to—

(1) train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires, including, but not limited to—

(A) techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(B) tactics and command of firefighting for present and future fire chiefs and commanders;

(C) administration and management of fire services;

(D) tactical training in the specialized field of aircraft fire control and crash rescue;

(E) tactical training in the specialized field of fire control and rescue aboard waterborne vessels; and

(F) the training of present and future instructors in the aforementioned subjects;

(2) develop model curricula, training programs, and other educational materials suitable for use at other educational institutions, and to make such materials available without charge;

(3) develop and administer a program of correspondence courses to advance the knowledge and skills of fire service personnel;

(4) develop and distribute to appropriate officials model questions suitable for use in conducting entrance and promotional examinations for fire service personnel; and

(5) encourage the inclusion of fire prevention and detection technology and practices in the education and professional practice of architects, builders, city planners, and others engaged in design and planning affected by fire safety problems.

(e) *TECHNICAL ASSISTANCE.*—The Administrator is authorized, to the extent that he determines it necessary to meet the needs of the Nation, to encourage new programs and to strengthen existing programs of education and training by local fire services, units, and departments, State and local governments, and private institutions, by providing technical assistance and advice to—

(1) vocational training programs in techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(2) fire training courses and programs at junior colleges; and

(3) four-year degree programs in fire engineering at colleges and universities.

(f) *ASSISTANCE.*—The Administrator is authorized to provide assistance to State and local fire service training programs through grants, contracts, or otherwise. Such assistance shall not exceed 4 per centum of the amount authorized to be appropriated in each fiscal year pursuant to section 17 of this Act.

(g) *SITE SELECTION.*—The Academy shall be located on such site as the Secretary selects, subject to the following provisions:

(1) The Secretary is authorized to appoint a Site Selection Board consisting of the Academy Superintendent and two other members to survey the most suitable sites for the location of the Academy and to make recommendations to the Secretary.

(2) The Site Selection Board in making its recommendations and the Secretary in making his final selection, shall give consideration to the training and facility needs of the Academy, environmental effects, the possibility of using a surplus Government facility, and such other factors as are deemed important and relevant. The Secretary shall make a final site selection not later than 2 years after the date of enactment of this Act.

(h) *CONSTRUCTION COSTS.*—Of the sums authorized to be appropriated for the purposes of implementing the programs of the Administration, not more than \$9,000,000 shall be available for the construction of facilities of the Academy on the site selected under subsection (g) of this section. Such sums for such construction shall remain available until expended.

(i) **EDUCATIONAL AND PROFESSIONAL ASSISTANCE.**—The Administrator is authorized to—

(1) provide stipends to students attending Academy courses and programs, in amounts up to 75 per centum of the expense of attendance, as established by the Superintendent;

(2) provide stipends to students attending courses and nondegree training programs approved by the Superintendent at universities, colleges, and junior colleges, in amounts up to 50 per centum of the cost of tuition;

(3) make or enter into contracts to make payments to institutions of higher education for loans, not to exceed \$2,500 per academic year for any individual who is enrolled on a full-time basis in an undergraduate or graduate program of fire research or engineering which is certified by the Superintendent. Loans under this paragraph shall be made on such terms and subject to such conditions as the Superintendent and each institution involved may jointly determine; and

(4) establish and maintain a placement and promotion opportunities center in cooperation with the fire services, for firefighters who wish to learn and take advantage of different or better career opportunities. Such center shall not limit such assistance to students and graduates of the Academy, but shall undertake to assist all fire service personnel.

(j) **BOARD OF VISITORS.**—Upon establishment of the Academy, the Secretary shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Visitors for the Academy. Pursuant to such procedure, the Secretary shall select eight such persons to serve as members of such Board of Visitors to serve such terms as the Secretary may prescribe. The function of such Board shall be to review annually the program of the Academy and to make comments and recommendations to the Secretary regarding the operation of the Academy and any improvements therein which such Board deems appropriate. Each member of such Board shall be reimbursed for any expenses actually incurred by him in the performance of his duties as a member of such Board.

(k) **ACCREDITATION.**—The Superintendent is authorized to establish a Committee on Fire Training and Education which shall inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs and courses, and the role which the Academy should play if such a mechanism is recommended. The Committee shall consist of the Superintendent as Chairman and eighteen other members appointed by the Administrator from among individuals and organizations possessing special knowledge and experience in the field of fire training and education or related fields. The Committee shall submit to the Administrator within two years after its appointment, a full and complete report of its findings and recommendations. Upon the submission of such report, the Committee shall cease to exist. Each appointed member of the Committee shall be reimbursed for expenses actually incurred in the performance of his duties as a member.

(l) **ADMISSION.**—The Superintendent is authorized to admit to the courses and programs of the Academy individuals who are members of the firefighting, rescue, and civil defense forces of the Nation and such

other individuals, including candidates for membership in these forces, as he determines can benefit from attendance. Students shall be admitted from any State, with due regard to adequate representation in the student body of all geographic regions of the Nation. In selecting students, the Superintendent may seek nominations and advice from the fire services and other organizations which wish to send students to the Academy.

FIRE TECHNOLOGY

SEC. 8. (a) TECHNOLOGY DEVELOPMENT PROGRAM.—The Administrator shall conduct a continuing program of development, testing, and evaluation of equipment for use by the Nation's fire, rescue, and civil defense services, with the aim of making available improved suppression, protective, auxiliary, and warning devices incorporating the latest technology. Attention shall be given to the standardization, compatibility, and interchangeability of such equipment. Such development, testing, and evaluation activities shall include, but need not be limited to—

(1) safer, less cumbersome articles of protective clothing, including helmets, boots, and coats;

(2) breathing apparatus with the necessary duration of service, reliability, low weight, and ease of operation for practical use;

(3) safe and reliable auxiliary equipment for use in fire prevention, detection, and control, such as fire location detectors, visual and audio communications equipment, and mobile equipment;

(4) special clothing and equipment needed for forest fires, brush fires, oil and gasoline fires, aircraft fires and crash rescue, fires occurring aboard waterborne vessels, and in other special firefighting situations;

(5) fire detectors and related equipment for residential use with high sensitivity and reliability, and which are sufficiently inexpensive to purchase, install, and maintain to insure wide acceptance and use;

(6) in-place fire prevention systems of low cost and of increased reliability and effectiveness;

(7) methods of testing fire alarms and fire protection devices and systems on a non-interference basis;

(8) the development of purchase specifications, standards, and acceptance and validation test procedures for all such equipment and devices; and

(9) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

(b) **LIMITATION.**—The Administration shall not engage in the manufacture or sale of any equipment or device developed pursuant to this section, except to the extent that it deems it necessary to adequately develop, test, or evaluate such equipment or device.

(c) **MANAGEMENT STUDIES.**—(1) The Administrator is authorized to conduct, directly or through contracts or grants, studies of the operations and management aspects of fire services, utilizing quantitative techniques, such as operations research, management economics, cost effectiveness studies, and such other techniques and methods as may be applicable and useful. Such studies shall include, but need not be limited to, the allocation of resources, the optimum location of fire stations, the optimum geographical area for an integrated fire service, the manner of responding

to alarms, the operation of citywide and regional fire dispatch centers, firefighting under conditions of civil disturbance, and the effectiveness, frequency, and methods of building inspections.

(2) The Administrator is authorized to conduct, directly or through contracts or grants, research concerning the productivity and efficiency of fire service personnel, the job categories and skills required by fire services under varying conditions, the reduction of injuries to fire service personnel, the most effective fire prevention programs and activities, and techniques for accurately measuring and analyzing the foregoing.

(3) The Administrator is authorized to conduct, directly or through contracts, grants, or other forms of assistance, development, testing, and demonstration projects to the extent deemed necessary to introduce and to encourage the acceptance of new technology, standards, operating methods, command techniques, and management systems for utilization by the fire services.

(4) The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to measure and evaluate, on a cost-benefit basis, the effectiveness of the programs and activities of each fire service and the predictable consequences on the applicable local fire services of coordination or combination, in whole or in part, in a regional, metropolitan, or statewide fire service.

(d) RURAL ASSISTANCE.—The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to sponsor and encourage research into approaches, techniques, systems, and equipment to improve fire prevention and control in the rural and remote areas of the Nation.

(e) COORDINATION.—In establishing and conducting programs under this section, the Administrator shall take full advantage of applicable technological developments made by other departments and agencies of the Federal Government, by State and local governments, and by business industry, and nonprofit associations.

NATIONAL FIRE DATA CENTER

SEC. 9. (a) GENERAL.—The Administrator shall operate, directly or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The program of such Data Center shall be designed to (1) provide an accurate nationwide analysis of the fire problem, (2) identify major problem areas, (3) assist in setting priorities, (4) determine possible solutions to problems, and (5) monitor the progress of programs to reduce fire losses. To carry out these functions, the Data Center shall gather and analyze—

(1) information on the frequency, causes, spread, and extinguishment of fires;

(2) information on the number of injuries and deaths resulting from fires, including the maximum available information on the specific causes and nature of such injuries and deaths, and information on property losses;

(3) information on the occupational hazards faced by firefighters, including the causes of deaths and injuries arising, directly and indirectly, from firefighting activities;

(4) information on all types of firefighting activities, including inspection practices;

(5) technical information related to building construction, fire properties of materials, and similar information;

(6) information on fire prevention and control laws, systems, methods, techniques, and administrative structures used in foreign nations;

(7) information on the causes, behavior, and best method of control of other types of fire, including, but not limited to, forest fires, brush fires, fire underground, oil blow-out fires, and waterborne fires; and

(8) such other information and data as is deemed useful and applicable.

(b) METHODS.—In carrying out the program of the Data Center, the Administrator is authorized to—

(1) develop standardized data reporting methods;

(2) encourage and assist State, local, and other agencies, public and private, in developing and reporting information; and

(3) make full use of existing data gathering and analysis organizations, both public and private.

(c) DISSEMINATION.—The Administrator shall insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center, and shall make such data, information, and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLANS

SEC. 10(a) GENERAL.—The establishment of master plans for fire prevention and control are the responsibility of the States and the political subdivisions thereof. The Administrator is authorized to encourage and assist such States and political subdivisions in such planning activities, consistent with his powers and duties under this Act.

(b) REPORT.—Four years after the date of enactment of this Act, the Secretary shall submit to the Congress a report on the establishment and effectiveness of master plans in the field of fire prevention and control throughout the Nation. Such report shall include, but need not be limited to—

(1) a summary of the extent and quality of master planning activities;

(2) a summary and evaluation of master plans that have been prepared by States and political subdivisions thereof. Such summary and evaluation shall consider, with respect to each such plan (A) the characteristics of the jurisdiction adopting it, including, but not limited to, density and distribution of population; ratio of volunteer versus paid fire services; geographic location, topography, and climate; per capita rate of death and property loss from fire; size and characteristics of political subdivisions of the governmental units thereof; and socio-economic composition; and (G) the approach to development and implementation of the master plans;

(3) an evaluation of the best approach to the development and implementation of master plans (e.g. central planning by a State agency,

regionalized planning within a State coordinated by a State agency, or local planning supplemented and coordinated by a State agency);

(4) an assessment of the costs and benefits of master plans;

(5) a recommendation to Congress on whether Federal financial assistance should be authorized in order that master plans can be developed in all States; and

(6) a model master plan or plans suitable for State and local implementation.

(c) **DEFINITION.**—For the purposes of this section, a “master plan” is one which will result in the planning and implementation in the area involved of a general program of action or fire prevention and control. Such master plan is reasonably expected to include (1) a survey of the resources and personnel of existing fire services and an analysis of the effectiveness of the fire and building codes in such area; (2) an analysis of short and long term fire prevention and control needs in such area; (3) a plan to meet the fire prevention and control needs in such area; and (4) an estimate of cost and realistic plans for financing the implementation of the plan and operation on a continuing basis and a summary of problems that are anticipated in implementing such master plan.

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

SEC. 11. (a) CLAIM.—Each fire service that engages in the fighting of a fire on property which is under the jurisdiction of the United States may file a claim with the Administrator for the amount of direct expenses and direct losses incurred by such fire service as a result of fighting such fire. The claim shall include such supporting information as the Administrator may prescribe.

(b) **DETERMINATION.**—Upon receipt of a claim filed under subsection (a) of this section, the Administrator shall determine—

(1) what payments, if any, to the fire service or its parent jurisdiction, including taxes or payments in lieu of taxes, the United States has made for the support of fire services on the property in question;

(2) the extent to which the fire service incurred additional fire-fighting costs, over and above its normal operating costs, in connection with the fire which is the subject of the claim; and

(3) the amount, if any, of the additional costs referred to in paragraph (2) of this subsection which were not adequately covered by the payments referred to in paragraph (1) of this subsection.

(c) **PAYMENT.**—The Secretary shall forward the claim and a copy of the Administrator's determination under subsection (b) (3) of this section to the Secretary of the Treasury. The Secretary of the Treasury shall, upon receipt of the claim and determination, pay such fire service or its parent jurisdiction, from any moneys in the Treasury not otherwise appropriated but subject to reimbursement (from any appropriations which may be available or which may be made available for the purpose) by the Federal department or agency under whose jurisdiction the fire occurred, a sum no greater than the amount determined with respect to the claim under subsection (b) (3) of this section.

(d) **ADJUDICATION.**—In the case of a dispute arising in connection with a claim under this section, the Court of Claims of the United States shall have jurisdiction to adjudicate the claim and enter judgment accordingly.

REVIEW OF CODES

SEC. 12. The Administrator is authorized to review, evaluate, and suggest improvements in State and local fire prevention codes, building codes, and any relevant Federal or private codes and regulations. In evaluating any such code or codes, the Administrator shall consider the human impact of all code requirements, standards, or provisions in terms of comfort and habitability for residents or employees, as well as the fire prevention and control value or potential of each such requirement, standard, or provision.

FIRE SAFETY EFFECTIVENESS STATEMENTS

SEC. 13. The Administrator is authorized to encourage owners and managers of residential multiple-unit, commercial, industrial, and transportation structures to prepare Fire Safety Effectiveness Statements, pursuant to standards, forms, rules, and regulations to be developed and issued by the Administrator.

ANNUAL CONFERENCE

SEC. 14. The Administrator is authorized to organize, or to participate in organizing, an annual conference on fire prevention and control. He may pay, in whole or in part, the cost of such conference and the expenses of some or all of the participants. All of the Nation's fire services shall be eligible to send representatives to each such conference to discuss, exchange ideas on, and participate in educational programs on new techniques in fire prevention and control. Such conferences shall be open to the public.

PUBLIC SAFETY AWARDS

SEC. 15. (a) ESTABLISHMENT.—There are hereby established two classes of honorary awards for the recognition of outstanding and distinguished service by public safety officers—

(1) the President's Award For Outstanding Public Safety Service (“President's Award”); and

(2) the Secretary's Award For Distinguished Public Safety Service (“Secretary's Award”).

(b) **DESCRIPTION.**—(1) The President's Award shall be presented by the President of the United States to public safety officers for extraordinary valor in the line of duty or for outstanding contribution to public safety.

(2) The Secretary's Award shall be presented by the Secretary, the Secretary of Defense, or by the Attorney General to public safety officers for distinguished service in the field of public safety.

(c) **SELECTION.**—The Secretary, the Secretary of Defense, and the Attorney General shall advise and assist the President in the selection of individuals to whom the President's Award shall be tendered and in the course of performing such duties they shall seek and review nominations for such awards which are submitted to them by Federal, State, county, and local government officials. They shall annually transmit to the President the names of those individuals determined by them to merit the award, together with the reasons therefor. Recipients of the President's Award shall be selected by the President.

(d) *LIMITATION.*—(1) There shall not be presented in any one calendar year in excess of twelve President's Awards.

(2) There shall be no limitation on the number of Secretary's Awards presented.

(e) *AWARD.*—(1) Each President's Award shall consist of—

(A) a medal suitably inscribed, bearing such devices and emblems, and struck from such material as the Secretary of the Treasury, after consultation with the Secretary, the Secretary of Defense, and the Attorney General deems appropriate. The Secretary of the Treasury shall cause the medal to be struck and furnished to the President; and

(B) an appropriate citation.

(2) Each Secretary's Award shall consist of an appropriate citation.

(f) *REGULATIONS.*—The Secretary, the Secretary of Defense, and the Attorney General are authorized and directed to issue jointly such regulations as may be necessary to carry out this section.

(g) *DEFINITIONS.*—As used in this section, the term "public safety officer" means a person serving a public agency, with or without compensation, as—

(1) a firefighter;

(2) a law enforcement officer, including a corrections or court officer; or

(3) a civil defense officer.

ANNUAL REPORT

SEC. 16. The Secretary shall report to the Congress and the President not later than June 30 of the year following the date of enactment of this Act and each year thereafter on all activities relating to fire prevention and control, and all measures taken to implement and carry out this Act during the preceding calendar year. Such report shall include, but need not be limited to—

(a) a thorough appraisal, including statistical analysis, estimates, and long-term projections of the human and economic losses due to fire;

(b) a survey and summary, in such detail as is deemed advisable, of the research and technology program undertaken or sponsored pursuant to this Act;

(c) a summary of the activities of the Academy for the preceding 12 months, including, but not limited to—

(1) an explanation of the curriculum of study,

(2) a description of the standards of admission and performance;

(3) the criteria for the awarding of degrees and certificates; and

(4) a statistical compilation of the number of students attending the Academy and receiving degrees or certificates;

(d) a summary of the activities undertaken to assist the Nation's fire services;

(e) a summary of the public education programs undertaken;

(f) an analysis of the extent of participation in preparing and submitting Fire Safety Effectiveness Statements;

(g) a summary of outstanding problems confronting the administration of this Act, in order of priority;

(h) such recommendations for additional legislation as are deemed necessary or appropriate; and

(i) a summary of reviews, evaluations, and suggested improvements in State and local fire prevention and building codes, fire services, and any relevant Federal or private codes, regulations, and fire services.

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. There are authorized to be appropriated to carry out the foregoing provisions of this Act, except section 11 of this Act, such sums as are necessary, not to exceed \$10,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$15,000,000 for the fiscal year ending June 30, 1976.

FIRE RESEARCH CENTER

SEC. 18. The Act of March 3, 1901 (15 United States Code 278), is amended by striking out sections 16 and 17 (as added by title I of the Fire Prevention and Control Act of 1968) and by inserting in lieu thereof the following new section:

"*SEC. 16.* (a) There is hereby established within the Department of Commerce a Fire Research Center which shall have the mission of performing and supporting research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention and control of fires. The content and priorities of the research program shall be determined in consultation with the Administrator of the National Fire Prevention and Control Administration. In implementing this section, the Secretary is authorized to conduct, directly or through contracts or grants, a fire research program, including—

"(1) basic and applied fire research for the purpose of arriving at an understanding of the fundamental processes underlying all aspects of fire. Such research shall include scientific investigations of—

"(A) the physics and chemistry of combustion processes;

"(B) the dynamics of flame ignition, flame spread, and flame extinguishment;

"(C) the composition of combustion products developed by various sources and under various environmental conditions;

"(D) the early stages of fires in buildings and other structures, structural subsystems and structural components in all other types of fires, including, but not limited to, forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires, with the aim of improving early detection capability;

"(E) the behavior of fires involving all types of buildings and other structures and their contents (including mobile homes and highrise buildings, construction materials, floor and wall coverings, coatings, furnishings, and other combustible materials), and all other types of fires, including forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires;

"(F) the unique fire hazards arising from the transportation and use, in industrial and professional practices, of combustible gases, fluids, and materials;

"(G) design concepts for providing increased fire safety consistent with habitability, comfort, and human impact in buildings and other structures; and

"(H) such other aspects of the fire process as may be deemed useful in pursuing the objectives of the fire research program;

"(2) research into the biological, physiological, and psychological factors affecting human victims of fire, and the performance of individual members of fire services, including—

"(A) the biological and physiological effects of toxic substances encountered in fires;

"(B) the trauma, cardiac conditions, and other hazards resulting from exposure to fire;

"(C) the development of simple and reliable tests for determining the cause of death from fires;

"(D) improved methods of providing first aid to victims of fires;

"(E) psychological and motivational characteristics of persons who engage in arson, and the prediction and cure of such behavior;

"(F) the conditions of stress encountered by firefighters, the effects of such stress, and the alleviation and reduction of such conditions; and

"(G) such other biological, psychological, and physiological effects of such stress, and the alleviation and reduction of such conditions; and

"(3) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

"The Secretary shall insure that the results and advances arising from the work of the research program are disseminated broadly. He shall encourage the incorporation, to the extent applicable and practicable, of such results and advances in building codes, fire codes, and other relevant codes, test methods, fire service operations and training, and standards. The Secretary is authorized to encourage and assist in the development and adoption of uniform codes, test methods, and standards aimed at reducing fire losses and costs of fire protection.

"(b) For the purposes of this section there is authorized to be appropriated not to exceed \$3,500,000 for the fiscal year ending June 30, 1975 and not to exceed \$4,000,000 for the fiscal year ending June 30, 1976."

VICTIMS OF FIRE

SEC. 19. (a) PROGRAM.—The Secretary of Health, Education, and Welfare shall establish, within the National Institutes of Health and in cooperation with the Secretary, an expanded program of research on burns, treatment of burn injuries, and rehabilitation of victims of fires. The National Institutes of Health shall—

(1) sponsor and encourage the establishment throughout the Nation of twenty-five additional burn centers, which shall comprise separate hospital facilities providing specialized burn treatment and including research and teaching programs, and twenty-five additional burn units, which shall comprise specialized facilities in general hospitals used only for burn victims;

(2) provide training and continuing support of specialists to staff the new burn centers and burn units;

(3) sponsor and encourage the establishment of ninety burn programs in general hospitals which comprise staffs of burn injury specialists;

(4) provide special training in emergency care for burn victims;

(5) augment sponsorship of research on burns and burn treatment;

(6) administer and support a systematic program of research concerning smoke inhalation injuries; and

(7) sponsor and support other research and training programs in the treatment and rehabilitation of burn injury victims.

(b) AUTHORIZATION OF APPROPRIATION.—For purposes of this section, there are authorized to be appropriated not to exceed \$5,000,000 for the fiscal year ending June 30, 1975 and not to exceed \$8,000,000 for the fiscal year ending June 30, 1976.

PUBLIC ACCESS TO INFORMATION

SEC. 20. Copies of any document, report, statement, or information received or sent by the Secretary or the Administrator shall be made available to the public pursuant to the provisions of section 552 of title 5, United States Code: Provided, That, notwithstanding the provisions of subsection (b) of such section and of section 1905 of title 18, United States Code, the Secretary may disclose information which concerns or relates to a trade secret—

(1) upon request, to other Federal Government departments and agencies for official use;

(2) upon request, to any committee of Congress having jurisdiction over the subject matter to which the information relates;

(3) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceedings; and

(4) to the public when he determines such disclosure to be necessary in order to protect health and safety after notice and opportunity for comment in writing or for discussion in closed session within fifteen days by the party to which the information pertains (if the delay resulting from such notice and opportunity for comment would not be detrimental to health and safety).

ADMINISTRATIVE PROVISIONS

SEC. 21. (a) ASSISTANCE.—Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and directed to furnish to the Administrator, upon written request, on a reimbursable basis or otherwise, such assistance as the Administrator deems necessary to carry out his functions and duties pursuant to this Act, including, but not limited to, transfer of personnel with their consent and without prejudice to their position and ratings.

(b) POWERS.—With respect to this Act, the Administrator is authorized to—

(1) enter into, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this Act;

(2) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U.S.C. 665(b));

(3) purchase, lease, or otherwise acquire, own, hold, improve, use, or deal in and with any property (real, personal, or mixed, tangible or intangible), or interest in property, wherever situated; and sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of property and assets;

(4) procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for qualified experts; and

(5) establish such rules, regulations, and procedures as are necessary to carry out the provisions of this Act.

(c) *AUDIT.*—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipients of contracts, grants, or other forms of assistance that are pertinent to its activities under this Act for the purpose of audit or to determine if a proposed activity is in the public interest.

(d) *INVENTIONS AND DISCOVERIES.*—All property rights with respect to inventions and discoveries, which are made in the course of or under contract with any government agency pursuant to this Act, shall be subject to the basic policies set forth in the President's Statement of Government Patent Policy issued August 23, 1971, or such revisions of that statement of policy as may subsequently be promulgated and published in the Federal Register.

(e) *COORDINATION.*—To the extent practicable, the Administrator shall utilize existing programs, data, information, and facilities already available in other Federal government departments and agencies and, where appropriate, existing research organizations, centers, and universities. The Administrator shall provide liaison at an appropriate organizational level to assure coordination of his activities with State and local government agencies, departments, bureaus, or offices concerned with any matter related to programs of fire prevention and control and with private and other Federal organizations and offices so concerned.

ASSISTANCE TO CONSUMER PRODUCT SAFETY COMMISSION

SEC. 22. Upon request, the Administrator shall assist the Consumer Product Safety Commission in the development of fire safety standards or codes for consumer products, as defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.).

CONFORMING AMENDMENTS

SEC. 23. Section 12, of the Act of February 14, 1903, as amended (15 U.S.C. 1511), is amended to read as follows:

"BUREAUS IN DEPARTMENT

"*SEC. 12.* The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall be under the jurisdiction and subject to the control of the Secretary of Commerce:

"(a) National Oceanic and Atmospheric Administration;

"(b) United States Travel Service;

"(c) Maritime Administration;

"(d) National Bureau of Standards;

"(e) Patent Office;

"(f) Bureau of the Census;

"(g) National Fire Prevention and Control Administration; and

"(h) such other bureaus or other organizational units as the Secretary of Commerce may from time to time establish in accordance with law."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to reduce losses of life and property through better fire prevention and control, and for other purposes."

And the House agree to the same.

WARREN G. MAGNUSON,
JOHN O. PASTORE,
FRANK E. MOSS,
TED STEVENS,
J. GLENN BEALL, JR.

Managers on the Part of the Senate.

OLIN E. TEAGUE,
JOHN W. DAVIS,
JAMES W. SYMINGTON,
CHARLES A. MOSHER,
ALPHONZO BELL,

Managers on the Part of the House.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1769) to reduce the burden on interstate commerce caused by avoidable fires and fire losses, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text for the Senate bill, and the Senate disagreed to the House amendments. The House amendment amended the Senate title of the bill.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill. The committee of conference also recommends that the Senate recede from its disagreement to the amendment of the House to the title of the Senate bill, with an amendment which is a substitute for both the title of the Senate bill and the House amendment to the title of the Senate bill. The following statement explains the resolution of differences between the Senate bill and the House amendment thereto:

STRUCTURE OF THE NEW FIRE PROGRAM

Both the Senate bill and the House amendment established a comprehensive fire prevention and control program to be located primarily in the Department of Commerce. Both programs included, but were not limited to, a fire education program, a national fire academy, a fire research and development program and a national data gathering program.

The Senate bill created the new position of Assistant Secretary of Commerce for Fire Prevention and Control. The Assistant Secretary would have been responsible for carrying out the provisions of the Act under the direction of the Secretary. The Assistant Secretary would have been appointed by the President, by and with the advice and consent of the Senate and would have received compensation at a rate prescribed by law for Assistant Secretaries of Commerce (currently a level IV position).

Title I of the House amendment established in the Department of Commerce a National Bureau of Fire Safety which was to be headed by a Presidentially appointed Director. The Fire Bureau would have undertaken programs of technology development, training and education, data collection and analysis, and public education. Title II of the House amendment established a Fire Research Center in the Department of Commerce which was intended to carry on the

fire program of the National Bureau of Standards. Specifically, it would have conducted basic and applied research on the phenomenon of fire. The Director of the Fire Bureau would have received compensation at a level V and would have implemented his duties under the general direction of the Secretary of Commerce.

The Conference Substitute includes a compromise position between the Senate bill and the House amendment. The committee of conference recognized the importance of a separate and distinct fire program within the Department of Commerce while at the same time utilizing the expertise and resources of the National Bureau of Standards for implementing the fire research program. As a result, Section 5 of the Conference Substitute would establish, within the Department of Commerce, an agency which shall be known as the National Fire Prevention and Control Administration. The new Administration is modeled after the existing National Oceanic and Atmospheric Administration. The committee of conference agreed to propose a separate administration with an Administrator, who would report directly to the Secretary of Commerce to insure that the fire prevention and control program would be a highly visible program. In addition, the Administrator would be responsible only to the Secretary.

The conferees, after carefully considering the merits of the organizational arrangements in the two bills, unanimously agree that it would reduce the effectiveness of the program if it were to be located under the auspices of the Assistant Secretary for Science and Technology. Accordingly, the committee of conference has agreed that a new Fire Administration to implement all aspects of the fire program, with the exception of the research program, should be established. The research program, the conferees concluded, should be implemented by the National Bureau of Standards and Section 18 of the Conference Substitute amends the act of March 3, 1901 to reflect this intent.

The new Fire Administration shall be headed by an Administrator appointed by the President, by and with the advice and consent of the Senate. He shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates. The Conference Substitute also establishes the position of Deputy Administrator. The Deputy Administrator shall be appointed by the President by and with the advice and consent of the Senate and he shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates. The Deputy Administrator shall perform such functions as the Administrator shall assign or delegate and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator.

While the Conference Substitute structurally separates the research activities from the rest of the Fire Prevention and Control Program, the conferees intend that the Secretary of Commerce shall coordinate the two so that they are complementary. In view of the fact that the Administrator is to report directly to and be responsible to the Secretary of Commerce, the Secretary will be in a good position to coordinate research priorities for the research program with the Administrator.

PUBLIC EDUCATION PROGRAM

Both the Senate bill and the House amendment stressed the importance of a comprehensive fire education program.

The Senate bill would have authorized the Secretary to take all steps necessary to educate the public and to overcome public indifference as to fire safety and fire prevention.

The House amendment would have required the Director to undertake, in collaboration with existing public and private organizations, a continuing and extensive program of public education in fire prevention and fire safety which would have included specialized information aimed at those particularly vulnerable to fire hazards. In addition, the education program would have included research into new methods of public education in fire prevention.

The committee of conference agrees on the importance of public education as a part of the effort to reduce fire losses. Section 6 of the Conference Substitute requires the Administrator to take all steps necessary and practicable to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to publications, audio-visual presentations, and demonstrations. The public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, and shall also include sponsorship and encouragement of research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

The Senate bill would establish a National Academy for Fire Prevention and Control, while the House amendment provided for the establishment of a United States Fire Academy.

The committee of conference agreed that a central training facility for the nation's fire fighting forces is of the highest priority if the effort to reduce the losses from fires is to succeed, and accordingly section 7 establishes a National Academy for Fire Prevention and Control. In arriving at this conclusion, and in reconciling the provisions contained in the two bills regarding the specific functions of the Academy, the committee of conference carefully considered the several objectives which the Academy is established to serve. The committee of conference wishes to emphasize that it is not the intent that the National Academy for Fire Prevention and Control become a large, degree granting institution on the model of the service academies, the Coast Guard Academy, or the Merchant Marine Academy. Rather, the Fire Academy is modeled on the highly successful F.B.I. Academy, and on a number of national fire academies abroad. The intent of the conferees is that the National Fire Academy, by establishing a small, but excellent campus with a first class staff and facilities, will serve as a focal point for the professional training of fire officers.

Conduct of Short Courses and Conferences.—The House amendment gave the Fire Academy Superintendent authority to conduct short courses, seminars, workshops, conferences, and similar activities in

all parts of the United States. The Senate bill contained general authority for the Academy to implement similar programs.

The committee of conference agreed to include the House provision in the Conference Substitute.

Fire Prevention Practices.—The House amendment included a provision requiring the fire program to encourage the inclusion of fire prevention technology and practices in the education and professional practice of architects, builders, city planners and owners engaged in design and planning affected by fire safety problems. The Senate bill did not contain similar provisions.

The committee of conference agreed to include the House provision in the Conference Substitute.

Assistance to Fire Training Programs.—The House amendment authorized the Fire Academy to assist and support existing education and training programs conducted by State and local fire units, and by private institutions. The Senate bill authorized the Fire Academy to provide three special forms of assistance to existing fire training programs: educational materials such as model curricula, correspondence courses, and model promotion examinations.

The committee of conference agreed to include authority for such assistance, but with certain limitations. The authority for financial assistance would be authorized for all types of state, local, and private institutions, but would be limited to four percent of the total amount authorized for the program of the Fire Administration.

Academy Site and Construction Costs.—The Senate bill provided that the Department of Commerce must obtain the approval of the Committees of jurisdiction in the House and the Senate before funds exceeding \$100,000 are expended for planning or construction. The House bill contained no corresponding provision, but provided that the Secretary of Commerce shall appoint a Site Selection Board to advise him on the selection of a site for the Academy. The Board shall observe certain criteria including the possible use of a facility declared surplus by the Federal Government.

The committee of conference agreed to include a limitation on the facility construction costs in the amount of \$9,000,000 embodying the intent of the Senate bill and the site selection provision from the House amendment.

Student Financial Assistance.—The House amendment provided that the Academy would be authorized to give financial assistance to students engaged in a number of different fire training and education activities. Such financial assistance would be provided to students attending the Fire Academy and to students attending Fire Engineering Programs at colleges and universities. It also included provisions for loans to individuals attending college undergraduate fire research or engineering programs. The Senate bill did not include provisions for direct financial assistance to students.

The committee of conference agreed to include the provisions of the House amendment which would authorize partial financial support for students attending the Academy and for students attending non-degree training programs at junior colleges, colleges, and universities. The loan program for undergraduate and graduate students is also included in the Conference Substitute.

Placement Service.—The Senate bill provided that the Academy would operate a placement assistance program for the fire services. The House amendment contained no comparable provision.

The committee of conference agreed to include this provision in the Conference Substitute.

Board of Visitors.—The Senate bill provided for a Board of Advisors for the Fire Academy, to be selected by the Secretary, but the size of the Board was not specified. The House amendment provided for the establishment of a Board of Visitors to the Fire Academy, made up of eight members selected by the Secretary.

The committee of conference agreed to include a Board of Visitors composed of eight members selected by the Secretary of Commerce in the Conference Substitute.

Accreditation.—The House amendment included provisions for the establishment by the Academy of a Committee on Fire Training and Education. The purpose of this Committee would be to inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs on a nationwide basis. This Committee would complete its report and submit its recommendations within 1 year of its appointment. The Senate bill did not include provisions for such a Committee.

The committee of conference agreed to include this section from the House amendment after changing the life of the Committee from 1 to 2 years.

Admissions.—The House amendment included a section providing that admission to the Academy shall be open to members of the fire-fighting, rescue, and civil defense forces of the Nation, and that adequate representation of all geographic regions of the nation shall be included in the student body. The Senate bill did not include a comparable provision.

The committee of conference agreed to include the section on admissions from the House bill in the Conference Substitute.

Continuing Study of Educational Needs.—The House amendment included a section providing that the Fire Academy shall conduct a continuing study of the needs and content of the education and training programs both at the Academy and elsewhere. The studies would be coordinated with the Civil Defense Staff College. The Senate bill did not include a comparable section.

The committee of conference agreed to omit this provision from the Conference Substitute.

TECHNOLOGY PROGRAM

The Senate bill included provisions for a program of development, testing, and evaluation of equipment for the use of the Nation's fire services. The House amendment included similar provisions aimed at the same goal of making available to the Nation's fire, rescue, and civil defense services improved equipment for fire suppression, detection, and prevention.

The committee of conference agreed to include the fire technology program as section 8 of the Conference Substitute. The provision in the House bill providing for research on productivity measurement related to the fire services, and the provisions specifying the types of fire technology to be developed were incorporated into this section of the Conference Substitute.

NATIONAL FIRE DATA CENTER

Both the Senate bill and the House amendment provided for the operation of a comprehensive, integrated National Fire Data Information System. The language in each bill describing the type of data to be collected was identical. Both bills would have encouraged without compelling uniform reporting of fire data by local departments, utilization of existing data gathering activities, and the wide dissemination of the data collected.

The Senate bill authorized the Secretary of Commerce to establish a data center or information bank on all aspects of fire prevention and control. The Secretary was mandated to "insure dissemination to the maximum possible extent of fire data collected and developed under this section." He was also authorized to make "full use of existing data, data gathering and analysis organizations. . . ."

The House amendment authorized the Director of the National Bureau of Fire Safety to operate an integrated comprehensive national program of collecting, analyzing, and publishing fire data. Three kinds of data and information were to be collected under the comprehensive system: statistical, practical, and technical.

The Conference Substitute adopts the language of the Senate bill and the House amendment which were identical, describing the nature of the information to be gathered and analyzed. Under section 9 of the Conference Substitute, the Administrator of the National Fire Prevention and Control Administration shall operate directly, or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The Data Center is designed to fulfill five needs: (1) provide an accurate nationwide analysis of the fire problem; (2) identify major problem areas; (3) assist in setting priorities; (4) determine possible solutions to problems; and monitor the progress of programs to reduce fire losses.

The Conference Substitute also adopts much of the House language describing how the program of the Data Center is to be carried out. Specifically, the Administrator is authorized to develop standardized data reporting methods, encourage and assist State, local, and other agencies, public and private, in developing and reporting information and make full use of existing data gathering and analysis organizations, both public and private. Additionally, the Conference Substitute adopts the House language which requires the Administrator to insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center. The Administrator is also directed to make such data, information and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLANS

The Senate bill authorized and directed the Secretary of Commerce to establish master plan demonstration projects. Specifically, the Senate bill included an authorization of appropriations (\$10 million total) for grants to at least five, but not more than eight States to prepare a master plan for fire prevention and control in their area.

The master plan concept is designed to insure that each local fire jurisdiction sets goals and priorities for the fire services to meet the changing needs of the community. The master plan should seek to allocate resources for the maximum payoff in fire protection, and it should provide for data systems for continual monitoring for cost effectiveness.

The Senate bill outlined criteria for eligibility for master plan grants. It also established a procedure for obtaining a grant and declared that the Federal share may not exceed 80 percent of the total cost of the master plan demonstration project approved. Of the Federal funds, 50 percent shall go to planning and 50 percent to implementation of the plan. It further set forth the basic ingredients in an acceptable state master plan which is financially assisted under the act, such as the following: survey of existing systems; needs; plan for meeting the need; and estimated cost of problems in implementation of the plan. Three and one half years after enactment of the act, the Secretary was to have reported to Congress his evaluation of the master plan demonstration project program and shall have advised the Congress whether master plan grants should be authorized in order that master plans can be developed in all the States. Under the Senate bill, no more than 20 percent of the funds appropriated under the master plan program may be spent in any one State.

The House amendment contained no similar provision.

Section 10 of the Conference Substitute provides that the establishment of master plans for fire prevention and control are the responsibility of the States and the political subdivisions thereof. However, the language also recognizes the importance of the master plan concept by authorizing the Administrator to encourage and assist the States through the use of his powers under the Act in the development of master plans.

The Conference Substitute further requires the Secretary, four years after the date of enactment of the Act, to submit to Congress a report on the establishment and effectiveness of master plans for fire prevention and control. The report shall include, but is not limited to (1) a summary of the extent and quality of master planning activities; (2) a summary and evaluation of master plans that have been prepared by States and political subdivisions thereof; (3) an evaluation of the best approach to the development and implementation of master plans; (4) an assessment of the costs and benefits of master plans; (5) a recommendation to Congress on whether federal financial assistance should be authorized in order that master plans can be developed in all States; and (6) a model master plan or plans suitable for State and local implementation. The report should be designated to provide Congress with guidance on what future action the federal government should pursue in the area of master planning.

Finally, section 10 contains a definition of a "master plan."

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

The House amendment included a section providing that a fire department or fire district may be reimbursed for the direct losses and direct costs it incurs in fighting fires on Federal property. Claims for such reimbursement would be made to the Federal agency provided

REVIEW OF CODES

The Senate bill authorized the Secretary of Commerce to review, evaluate, and suggest improvements in State and local fire prevention building codes, fire services, and any relevant Federal and private codes, regulations, and fire services. In evaluating such a code or codes, the Secretary was to consider the human impact of all code requirements, standards, and provisions in terms of comfort and habitability for residents or employees as well as the fire prevention and control value or potential of each such requirement, standard, and provision. The Secretary was required to annually submit to Congress a summary of such reviews, evaluations, and suggestions.

The House amendment contained no similar provision.

Section 11 of the Conference Substitute adopts the Senate provision with one minor change. While the Senate provision would have required the Secretary to report to Congress annually on his review, evaluation, and suggestions for improvements in codes, the Conference Substitute requires such review, evaluation, and suggestion to be included in the Secretary's annual report to Congress, required pursuant to section 16 of the Conference Substitute.

FIRE SAFETY EFFECTIVENESS STATEMENTS

The Senate bill authorized the Secretary of Commerce to encourage owners and managers of residential multiple unit, commercial, and industrial, and transportation structures to prepare and submit to him for evaluation and certification a Fire Safety Effectiveness Statement, pursuant to standards, forms, rules, and regulations to be developed and issued by the Secretary. Any person who submitted such a statement and received certification, was entitled to attach the following statement to any contract of sale or lease or any advertisement or notice which pertains to the structure as to which such statement has been submitted: "A Fire Safety Effectiveness Statement has been prepared regarding this structure and this structure has been certified as meeting the requirements of the United States Department of Commerce."

The House amendment contained no similar provision.

Section 13 of the Conference Substitute adopts the Senate provision with modifications. in the bill and would be reduced by an amount equal to any payments in lieu of taxes made for fire protection services to the local government. The Senate bill did not contain a corresponding provision.

The committee of conference agreed to include this provision with certain minor changes affecting the administrative aspects of the submission, evaluation, and payments of such claims. These changes give the Administrator of the Fire Administration the responsibility for evaluating and making determinations on claims, give the Secretary of the Treasury the responsibility for paying claims in amounts not to exceed the sum determined by the Administrator, and provides that the adjudication of any disputes arising under any such claim shall be under the jurisdiction of the United States Court of Claims.

The committee of conference agreed to include the provision encouraging owners of buildings to prepare Fire Safety Effectiveness Statements. However, it deletes the procedure of submitting the Fire Safety Effectiveness Statement to the Secretary of Commerce for his evaluation and certification. While this deletion no longer requires the Secretary to evaluate and certify a Fire Safety Effectiveness Statement, it is not intended to preclude him from doing so if he determines that such a procedure is desirable. In addition, the Conference Substitute deletes the provision allowing for a Fire Safety Effectiveness Statement to be included in contracts of sale, leases, advertisements or notices pertaining to the structure. Once again, the Secretary is not precluded from administratively establishing a similar procedure.

ANNUAL CONFERENCE

The Senate bill authorized the Secretary to organize or participate in organizing an annual conference of fire prevention and control. In addition, he was authorized to pay in whole or in part the expenses of participants and all of the Nation's fire services were eligible to send representatives to each such conference.

The House amendment contained no similar provision.

Section 14 of the Conference Substitute adopts the Senate provision.

PUBLIC SAFETY AWARDS

The Senate bill established two classes of honorary awards for recognition of outstanding and distinguished service by public safety officers. These two classes of awards were the President's Award for Outstanding Public Safety Service and the Secretary's Award for Distinguished Public Safety Service. The program was designed to recognize achievement by outstanding firefighters and law enforcement officers, and was to be administered jointly by the Secretary of Commerce and the Attorney General. The Secretary and the Attorney General were to select candidates for the President's Award and the Secretary's Award and submit them to the President for decision and awarding of the conferred distinctions. Not more than 12 President's Awards were to be conferred each year, but there was no limit on the number of Secretary's Awards.

The House amendment contained no similar provision.

Section 15 of the Conference Substitute adopts the Senate provision and also provides for similar awards to be made to civil defense officers. The Secretary of Defense as well as the Secretary of Commerce and the Attorney General are to jointly administer the program of public safety awards.

ANNUAL REPORT

The Senate bill provided for the submission of an annual report to the Congress. The House amendment contained no similar provision.

The Committee of Conference agreed to the inclusion of this provision as section 16 with minor changes to conform with the Conference Substitute.

FIRE RESEARCH CENTER

The Senate bill included provisions for the conduct of a program of basic and applied research aimed at developing an understanding of the fundamental processes underlying all aspects of fire. The research program would have been placed under the Assistant Secretary for Fire Prevention and Control rather than in a Fire Research Center in the National Bureau of Standards.

The House amendment provided for the establishment of a Fire Research Center to perform basic and applied research related to fire. The Fire Research Center would have been established by amending the organic act of the National Bureau of Standards to include this Fire Research Center in the Bureau. The research work of the Fire Research Center would include research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention and control of fires.

The committee of conference concluded that the continuation of the existing fire research program at the National Bureau of Standards would best serve the intent of the legislation. By basing the expanded fire research program on the existing staff and facilities, the research program will be able to take full advantage of the expertise and capabilities built up over the years. The committee of conference therefore included, as section 18 in the Conference Substitute, the provisions of the House amendment which establishes the Fire Research Center in the National Bureau of Standards by amending the organic act of the National Bureau of Standards.

VICTIMS OF FIRE

Both the Senate bill and the House amendment included identical provisions for the establishment of an expanded program of research on burns, the treatment of burn injuries, and the rehabilitation of the victims of fire within the National Institutes of Health. However, the Senate bill included authorization for appropriations for this program in the amounts of \$7,500,000 for fiscal year 1974, \$10,000,000 for fiscal year 1975, and \$10,000,000 for fiscal year 1976, totaling \$27,000,000 while no funds were authorized for this program in the House amendment.

The committee of conference agreed to include, as section 19, the Victims of Fire provision in the Conference Substitute, and to authorize funding for 2 rather than 3 years. The authorized funding included in the bill is in the amount of \$5,000,000 for fiscal year 1975, and in the amount of \$8,000,000 for fiscal year 1976.

The House conferees note that in the House of Representatives jurisdiction over the National Institutes of Health is not within the purview of the Committee on Science and Astronautics, and that agreement to restore these funds was reached only in view of the importance attached by the committee of conference to the burn research and treatment program, and with the understanding that in the House of Representatives the appropriate legislative Committee will further review and authorize this program.

PUBLIC ACCESS TO INFORMATION

The Senate bill provided that any information received by the Program for Fire Prevention and Control shall be made available to the public upon identifiable request and at reasonable cost, subject to limited exceptions.

The House amendment contained no similar provision.

Section 20 of the Conference Substitute includes a provision similar in intent to the Senate provision but with minor style alterations. The provision makes clear that this section is in addition to, and not in lieu of, the provisions of the Freedom of Information Act.

CIVIL DEFENSE

The Senate bill included no provisions specifically stating that the civil defense activities and personnel throughout the United States would be eligible to participate in the fire prevention and control activities provided for in the bill. The House amendment provided that the civil defense activities and personnel would be eligible to participate in the activities contemplated under the amendment.

The committee of conference agreed to include in the Conference Substitute those specific provisions from the House amendment which include civil defense activities most directly related to fire prevention and control activities. The Conference Substitute authorizes civil defense personnel to be admitted to the Fire Academy (section 7); the Fire Technology program to include civil defense related technology for use in fire prevention and control (section 8); and civil defense personnel to be eligible for the Public Safety Awards (section 15).

FIRE PROTECTION ASSISTANCE

The Senate bill amended the National Housing Act's section on mortgage insurance assistance by providing that the Secretary of Housing and Urban Development may guarantee loans made to nursing homes and intermediate care facilities to pay for fire safety equipment which is needed to bring the facility into compliance with the latest "Life Safety Code".

The House amendment contained no similar provision.

The Senate provision was deleted in the Conference Substitute because this section has been enacted into law as Public Law 93-204.

STUDIES

The Senate bill authorized and directed the Comptroller General of the United States to study the financing of the Nation's fire services to determine whether moneys available through State and local taxation and Federal-State revenue sharing is adequate. In addition, the bill authorized and directed the Secretary to prepare a comprehensive study of the organization and operation of the Nation's fire services.

The House amendment contained no similar provision.

The Conference Substitute deletes both studies. While the conferees believe both are important, the Administrator, under his general powers to implement the Fire Prevention and Control Program, is already authorized to conduct such studies if he deems it appropriate.

AUTHORIZATION

In the Senate bill, funding was authorized for 3 years in the total amount of \$127,500,000. For fiscal year 1975, \$25,000,000 was authorized for the Fire Program, and \$7,500,000 for the Victims of Fires activities. For fiscal year 1976, \$30,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. For fiscal year 1977, \$35,000,000 was authorized for the Fire Program, and \$10,000,000 for the Victims of Fires activities. In addition, \$10,000,000 was authorized for Master Plan Demonstration Projects.

In the House amendment the authorization was for 1 year. It provided, for fiscal year 1975, \$2,000,000 for the Fire Bureau, and \$3,500,000 for the Fire Research Center. No funds were authorized for the Victims of Fire (burn treatment) activities or for the Master Plan Demonstration Projects. Thus the House amendment authorized a total of \$5,500,000 for fiscal year 1975.

The committee of conference agreed to authorize funding for 2 years in the total amount of \$45,500,000. For fiscal year 1975, \$10,000,000, would be authorized for the Fire Administration (section 17), \$3,500,000 for the Fire Research Center (section 18), and \$5,000,000 for the Victims of Fire activities (section 19), for a total of \$18,500,000. For fiscal year 1976, \$15,000,000 would be authorized for the Fire Administration (section 17), \$4,000,000 for the Fire Research Center (section 18), and \$8,000,000 for the Victims of Fire Activities (section 19), for a total of \$27,000,000.

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Managers on the Part of the Senate.

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ALPHONZO BELL,

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FEDERAL FIRE PREVENTION AND
CONTROL ACT

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE

ON

S. 1769

A BILL TO ESTABLISH A UNITED STATES FIRE ADMINISTRATION AND A NATIONAL FIRE ACADEMY IN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, TO ASSIST STATE AND LOCAL GOVERNMENTS IN REDUCING THE INCIDENCE OF DEATH, PERSONAL INJURY, AND PROPERTY DAMAGE FROM FIRE, TO INCREASE THE EFFECTIVENESS AND COORDINATION OF FIRE PREVENTION AND CONTROL AGENCIES AT ALL LEVELS OF GOVERNMENT, AND FOR OTHER PURPOSES



OCTOBER 18, 1973.—Ordered to be printed

Filed, under authority of the order of the Senate of October 12, 1973

U.S. GOVERNMENT PRINTING OFFICE

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(III)

FEDERAL FIRE PREVENTION AND CONTROL ACT

OCTOBER 18, 1973.—Ordered to be printed
Filed under authority of the order of the Senate of October 12, 1973

Mr. MAGNUSON, from the Committee on Commerce,
submitted the following

REPORT

[To accompany S. 1769]

The Committee on Commerce, to which was referred the bill (S. 1769), to establish a United States Fire Administration and a National Fire Academy in the Department of Housing and Urban Development, to assist State and local governments in reducing the incidence of death, personal injury, and property damage from fire, to increase the effectiveness and coordination of fire prevention and control agencies at all levels of government, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill as amended do pass.

PURPOSE AND DESCRIPTION

It is the intent of this bill to reduce the unacceptably high rate of death, injury, and property loss from fires in the United States through the establishment by the Secretary of Commerce of a coordinated Program for Fire Prevention and Control, under the administration of a new Assistant Secretary of Commerce for Fire Prevention and Control. The purpose of this Program will be to reinforce and support the fire prevention and control activities of State and local governments and volunteer fire companies through a research and development program; an annual conference of professionals in fire prevention, fire control, and treatment of burn injuries; the establishment of a National FIREPAC Academy, a national data center, a technical assistance program for State, local, and private fire services, a master-plans demonstration project, citizens' participation programs, and relevant studies.

The bill also authorizes and directs the Secretary of Health, Education, and Welfare to establish a research program on burn injuries

and rehabilitation of fire victims in the National Institutes of Health; establishes a program of awards for meritorious service by firefighters and other public safety officers, to be administered jointly by the Secretary of Commerce and the Attorney General; and authorizes the Secretary of Housing and Urban Development to make loan guarantees toward the installation of fire safety equipment in skilled nursing facilities and intermediate care facilities.

The bill directs the Secretary of Commerce to establish a national Program for Fire Prevention and Control (FIREPAC Program), to be headed by a new and additional Assistant Secretary of Commerce.

As part of the Program, the Secretary is authorized to establish a National FIREPAC Academy. The Committee envisions that the FIREPAC Academy would offer the Nation's professional and volunteer firefighters the same quality training and teaching in advanced techniques and skills that the F.B.I. Academy has for so many years offered the Nation's law enforcement officers. If properly constituted, the Academy can serve not only as a national center for the education and training of the fire services, but also as a catalyst for modernization of firefighting prevention and control techniques.

In addition to training officers at the Academy's location, the Academy is authorized to develop "model curricula, training programs, and other educational materials" that can be used at State and local fire academies and training centers. The Academy may also conduct a program of correspondence courses and develop for appropriate officials "model questions suitable for use in conducting entrance and promotional examinations for fire service personnel." No specific location for the Academy is designated in S. 1769 and before funds are appropriated for planning or construction, the Secretary must receive approval of the Senate Commerce Committee and House Interstate and Foreign Commerce Committee. Further, the Secretary is directed to "utilize existing . . . facilities already available in other Federal Government departments and agencies, and, where appropriate, existing private research organizations, centers and universities." When the Academy is established, the Secretary is directed to select professionals to serve on a Board of Overseers for the Academy. Each Overseer shall individually inspect and report his evaluation of the Academy's activities each year to the Secretary.

At the Academy, the Secretary shall maintain a placement office and promotion-opportunities program. This would be run in cooperation with local fire services that are willing to permit firefighters in other localities, cities, and States to compete with local fire officers for ranking positions in their departments, in return for making their officers eligible to take competition examinations for ranking positions in fire services in other localities, cities, and States.

Another part of the FIREPAC Program will be fire research and development activities. The National Commission on Fire Prevention and Control (hereafter referred to as the "Commission") declared in its Final Report that:

Important areas of research are being neglected. The state-of-the-art in firefighting, in treatment of burn and smoke victims, in protecting the built environment from combustion

hazards, points to the need for a major expansion of research and development in these areas. Progress in most of these areas is hindered by a lack of fundamental understanding of the behavior of fire and its combustion products. (p. xi)

Medical research, aimed at making more burn centers, burn units, and burn programs available for research, treatment, and rehabilitation of fire victims will be conducted separately by the Secretary of Health, Education, and Welfare through the National Institutes of Health. Fire prevention and control research and development activities will be conducted by the Secretary of Commerce through the Program.

The Secretary of Commerce is also authorized to organize or participate in organizing an annual conference on fire prevention and control and to subsidize the costs of such conferences. Fire services, including volunteer as well as paid services, shall be eligible to send representatives to each conference "to discuss, exchange ideas, and participate in educational programs on new techniques in fire prevention and control."

Another component of the Federal Program which is specifically authorized in S. 1769 is the establishment and maintenance of a National Data Center. The data center will collect information on causes of all types of fires, extinguishment and control methods, methods of fire prevention (e.g. fire-safety education programs, inspection practices, construction requirements), approaches of other nations to fire prevention and control, and any other information and data which the Secretary of Commerce determines may be "useful and applicable". The data bank information is to disseminated "to the maximum possible extent."

FIREPAC may also operate a program of assistance to the Nation's fire services to aid them in various technical ways designed to improve and strengthen fire prevention and control programs and the existing governmental private fire services.

There is an authorization of appropriations (\$10 million total) for a particular kind of assistance—grants to at least 5 but not more than 8 States to prepare a master plan for fire prevention and control in their area.

The basis for the master plan demonstration project provisions of this legislation can be found in the Commission's Final Report. The Commission proposed that each local fire jurisdiction in the Nation develop a master plan for fire protection. The Commission indicated that the master plan "should set goals and priorities for the fire services, designed to meet the changing needs of the community. It should seek to allocate resources for the maximum payoff in fire protection, and it should provide for a data system for continual monitoring of cost-effectiveness." The Commission's recommended procedure for the development of master plans is reproduced in Appendix I to this Report.

The Secretary of Commerce is to exercise great care in selecting the master plan demonstration project grantees (the Secretary may take up to 18 months after the date of enactment to make the awards, thus giving all interested States ample time to prepare a preliminary plan or prospectus for its master plan). The bill itemizes eligibility cri-



teria for these grants, criteria which are designed to ensure that each final plan will be sufficiently different from the others to enable the Secretary to make recommendations to Congress on the best and most practicable approach to the planning and implementation of those plans. Each such master plan shall include (1) a survey of the fire service resources and programs and the effectiveness of the fire and building codes in effect; (2) an analysis of fire prevention and control needs in the State (both short-term and long-term); (3) a plan to meet those needs; and (4) an estimate of the costs of implementing the plan and a summary of problems anticipated in implementation. One-half of the amount of the grant is to be expended on implementation. After the plans are completed, the Secretary is to report to Congress and recommend whether, on the basis of his evaluation of the program, "Federal financial assistance should be authorized in order that master plans can be developed in all States."

The Program for FIREPAC will not succeed in dramatically lowering the Nation's fire losses unless and until private citizens become far more concerned than they are now about fire safety and fire protection. The Commission opened its Final Report with the following observation: "The striking aspect of the Nation's fire problem is the indifference with which Americans confront the subject." The Secretary is granted the tools in S. 1769 to change both the attitude and the degree of public sophistication about fire problems (i.e. "authorized to take all steps necessary to educate the public and to overcome public indifference as to fire safety and fire prevention"). The Committee hopes that these efforts will be successful.

The Secretary is also specifically authorized to encourage property owners of major structures to prepare Fire Safety Effectiveness Statements in accordance with standards that he will develop and to review, evaluate, and suggest improvements in State, local, and model fire prevention and building codes. The Committee wishes to emphasize that the filing of a Fire Safety Effectiveness Statement is not required of a property owner by the provisions of S. 1769. However, through private incentives, it is hoped that such statements will result in more "fire safe" structures. For example, a property owner who has filed an acceptable Fire Safety Effectiveness Statement may be able to command a higher rental fee. Alternatively, fire underwriters may see it to be in their best interest to offer premium reductions to those property owners who have filed such a Statement.

With respect to his role in reviewing, evaluating and suggesting improvements in State, local, and model fire prevention and building codes, the Secretary should refer to the Commission's critique of such codes in Chapter 11 of the Final Report. The Commission concluded that many jurisdictions in the United States do not even have in force an adequate building code and fire prevention code. Although the issuance of codes is clearly within the domain of the local government, the Secretary can and should provide technical assistance to such local governments in the development and upgrading of codes. In evaluating a building or fire code, the Secretary shall consider not only the flame-resistant characteristics mandated by the code, but also whether the resulting structure is habitable and liveable for residents or em-

ployees. (For example, an all-concrete structure with steel doors and all-metal furniture may be virtually fireproof, but such a structure may not be appropriate for a nursing home for the old and infirm). The gain in fire protectiveness should not be offset by a corresponding decrease in habitability.

The Secretary shall also assist the Consumer Product Safety Commission in developing fire safety standards for consumer products.

Two specific studies are directed under S. 1769: First, the Comptroller General of the United States would undertake a study to ascertain whether existing sources of financing for fire prevention and control services are adequate to meet the Nation's needs. The issue which he would specifically explore is whether revenue sharing provides sufficient funds to the States and municipalities for fire prevention and control activities or should Congress authorize a major grant-in-aid program. Second, the Secretary of Commerce would prepare a comprehensive study of the organization and operation of the Nation's fire services. That report would include an analysis and exploration of rates of pay; retirement benefits; working conditions; training requirements; entrance and promotional systems, standards requirements and opportunities; number of hours spent on active service; employment opportunities for women and members of minority groups; the impact on individual firefighters of coordinating and combining local fire services into regional, metropolitan, or statewide fire services; risk of injury or death during active service; and recommendations for improvements.

The Secretary of Commerce, acting through the Assistant Secretary of Commerce for Fire Prevention and Control, is granted general enabling authority to the extent necessary to coordinate all of the resources of the Federal Government in the effort contemplated by the bill to establish a constructive, visible, and successful national Program for FIREPAC.

S. 1769 also establishes a means for recognizing and showing appreciation for the valor and meritorious service of outstanding individual firefighters (as well as individual law enforcement officers). The Secretary of Commerce, together with the Attorney General of the United States, shall regularly recommend to the President of the United States individuals who should be considered for the "President's Award for Distinguished Public Safety Service" (a maximum of 12 per year will be awarded) and for the "Secretary's Award" (for which there is no limit). The President's Award shall be awarded and presented to officers selected "for extraordinary valor in the line of duty or for exceptional contribution to the field of public safety."

The bill also would amend section 232 of the National Housing Act (12 U.S.C. U.S.C. 1715w) to extend the loan guarantee program for skilled nursing facilities and intermediate care facilities to include guaranteeing the repayment of funds borrowed "to provide for the purchase and installation of fire safety equipment". The 1972 amendments to the Social Security Act (Public Law 92-603) require skilled nursing facilities to meet the 1967 Life Safety Code of the National Fire Protection Association or such higher standards as the State may adopt in order to qualify for medicare payments. The Secretary of Health, Education, and Welfare has administratively extended

this requirement for intermediate care facilities. This amendment would assist such nursing facilities to comply with the requirements of the law.

BACKGROUND AND NEED

Fire is a major national problem. During the next hour there is a statistical likelihood that more than 300 destructive fires will rage somewhere in the Nation. . . . Annually, fire claims nearly 12,000 lives in the United States. . . . The scars and terrifying memories live on with the 300,000 Americans who are injured by fire every year. Of these, nearly 50,000 lie in hospitals for a period ranging from 6 weeks to 2 years. Many of them must return, over and over again, for plastic and reconstructive surgery. Many never resume normal lives. The price of destructive fire in the United States amounts, by conservative estimate, to at least \$11.4 billion a year. . . . Appallingly, the richest and most technologically advanced nation in the world leads all the major industrialized countries in per capita deaths and property loss from fire. . . . Among those paying most heavily for this poor record are the Nation's firefighters. . . . In 1971, the injury rate for firefighters was 39.6 per 100 men—far higher than that of any other profession. . . . (Final Report, pp. 1-2)

The foregoing findings by the National Commission on Fire Prevention and Control form the background to this legislation. For too long, too many citizens have assumed incorrectly that the United States has no fire problem, or that if it did that it was being as well controlled by local fire departments and fire companies as was technically possible.

The Committee has found this not to be the case. The Committee on Commerce, concerned that the Nation might be lagging badly in fire prevention and control knowledge and methods, reported in the 90th Congress a bill which became the "Fire Research and Safety Act of 1968" (Public Law 90-259; 82 Stat. 34). This Act directed the Secretary of Commerce to establish (in the National Bureau of Standards) a fire research and safety program, the first such general program ever conducted by the Federal Government. Title II of this Act established the National Commission on Fire Prevention and Control. The Commission was directed to "undertake a comprehensive study and investigation to determine practicable and effective measures for reducing the destructive effects of fire throughout the country".

The Commission was duly organized and on May 4, 1973 submitted its Final Report to the President and the Congress. The Report, which is entitled "America Burning", is a comprehensive study that does recommend practicable and effective measures for reducing America's fire losses.

Hearings were held on S. 1769 by the full committee on September 24 and 26, 1973. S. 1769, as reported, responds to this documented need for Federal involvement in what is, for so many, an unnecessary human tragedy, a tragedy that not only burdens interstate commerce with billions of dollars of total annual property loss but which also scars and kills thousands each year.

The Commission found that these losses were not necessary:

This Commission believes that a reduction of 50 percent in deaths, injuries, and property losses is quite possible within the next generation. This can be attained by a declining balance reduction of 5 percent per year. . . . This 5 percent drop per year in fire losses over the next 5 years could accomplish: A total savings of 8,000 lives; A total reduction of injuries by 210,000; Property losses saved totally \$1.9 billion; Hospital and medical costs lowered by \$85 million. (Final Report, p. 8)

The Commission vigorously concluded that "fire prevention and control should remain primarily local responsibilities." (Final Report, p. x) But, it also found that "It is indisputable that the Federal Government must at *some* cost help the Nation attack the fire problem if any significant reduction in fire losses is to be achieved." (p. 8).

The Commission developed 90 careful recommendations for dealing with America's fire problem. They are reprinted in the Appendix to this document. Although S. 1769, as reported, does not incorporate all of these recommendations, the bill provides in section 4 that:

In carrying out such responsibilities, the Assistant Secretary of Commerce for Fire Prevention and Control shall consult, be guided by, and implement, so far as practicable, the recommendations of the National Commission on Fire Prevention and Control, to the extent not inconsistent with this Act.

Testimony at public hearings on the bill was in accord with and reinforced the basic findings and recommendations of the Commission regarding the necessity for comprehensive Federal Government involvement. Although the Commission recommended that the coordinating entity be a "United States Fire Administration" to be established in the Department of Housing and Urban Development (HUD), the Committee concluded on the basis of Agency Comments and hearing testimony that the Department of Commerce was a more appropriate location. The Department of Commerce already has an ongoing fire research and safety program in its National Bureau of Standards. In addition, fire is not just an "urban" problem and to have established the program in HUD may have confined its scope too narrowly. Finally, the recommended "Administration" seemed too inflexible an administrative mechanism and potentially too restrictive of the powers of the Secretary.

SECTION-BY-SECTION ANALYSIS

(1) Section 1. (Short Title)

The short title of this Act is the "Federal Fire Prevention and Control Act".

(2) Section 2. (Declaration of Policy)

In subsection (a) (Findings), the Congress finds that fire constitutes a major burden affecting interstate commerce, involving hundreds of thousands of persons injured and billions of dollars of property destroyed each year. The Congress further finds that the Commission

concluded that the problem is exacerbated by the lack of adequate research into fire and fire-related problems, the inadequacy of facilities and resources to train firefighters in fire prevention and control techniques, the shortage of reliable data and information, the insufficient attention paid to fire safety by building owners and to fire prevention by many local fire departments, and the limited number of places that have properly staffed and equipped medical centers for burn injuries. The Congress further finds that "the unacceptably high death, injury, and property losses from fires can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of State and local governments."

In subsection (b) (Purposes), the Congress declares the purposes of this Act to be establish the office of Assistant Secretary of Commerce for Fire Prevention and Control, to direct the Secretary of Commerce to establish a national Program for Fire Prevention and Control and to authorize him to start and operate programs and activities to reduce America's fire problem, to direct the National Institutes of Health to conduct burn injury research, and to authorize fire protection assistance.

(3) *Section 3. (Definitions)*

"Academy" means the National FIREPAC Academy authorized to be established under section 6 of the Act. (§(1)).

"Fire service" means any entity established by any government or volunteer organization "for the purpose of preventing or controlling fires or loss and damage from fire". (§(2)).

"Local" means or pertains to any political subdivision within a State, including a special purpose district. The term "State" is also defined. (§(3) and §(6)).

"Program" is defined to mean the Program for Fire Prevention and Control which is established by this Act in the Department of Commerce (sec. 5), to be headed by a new Assistant Secretary of Commerce for Fire Prevention and Control (sec. 4). (§(4)).

"Secretary" in this Act refers to the Secretary of Commerce. (§(5)).

(4) *Section 4. (Assistant Secretary of Commerce for Fire Prevention and Control)*

This section amends chapter 40 (Department of Commerce) of title 15 of the United States Code (15 U.S.C. 1501-1527) (since title 15 has not been enacted as law, the amendment is actually in the form of an addition to one of the statutes establishing an office in Department of Commerce) to create a new position for an Assistant Secretary for Fire Prevention and Control. It is this Assistant Secretary who will be responsible for carrying out the provisions of this Act under the direction of the Secretary. In selecting the Assistant Secretary for Fire Prevention and Control, the President should consult with fire service organizations, including the National Fire Protection Association, the International Association of Fire Fighters, and the International Association of Fire Chiefs, or their successors.

(5) *Section 5. (Fire Prevention and Control Program)*

In subsection (a) (Establishment), the Secretary is directed to establish a national Program for FIREPAC. The Program is to consist of all existing fire-related programs in the Department of Com-

merce plus all the programs or activities authorized or mandated under this Act.

Subsection (b) (Content) incorporates by reference the various programs and activities authorized or mandated in this Act for inclusion in the Program. (Each is discussed in the analysis of the section in which it is authorized, defined, and described.)

(6) *Section 6. (FIREPAC Academy)*

In subsection (a) (Authorization), the Secretary is authorized to establish a National Academy for Fire Prevention and Control and he is authorized to establish standards, hire faculty, and set criteria for degrees and certificates.

Subsection (b) (Purposes) states the goals of the FIREPAC Academy: training of fire service personnel so as "to advance their ability to prevent and control fires"; developing and making available without charge educational materials for use by other educational institutions (such as municipal and State fire academies); setting up correspondence courses for fire service personnel; preparing model questions for examinations given to firefighters seeking promotion and candidates seeking entrance into a fire service; and conducting other educational programs that may reduce the Nation's fire problem.

In subsection (c) (Board of Overseers), the Secretary is directed, upon the establishment of the FIREPAC Academy, to select Overseers to inspect and make recommendations to him with respect to the Academy. The members of the Board of Overseers, who shall be established according to a procedure to be established by the Secretary, are to be "professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management". The Committee believes that this expertise should be of great assistance in guiding the developing and evolving Academy.

Subsection (d) directs the Secretary to maintain at the Academy a program to assist firefighters to find jobs and access to promotional opportunities in fire services.

In subsection (e) (Construction Approval), certain prerequisites are set forth which must precede any expenditure in excess of \$100,000 for the planning or construction of facilities for the Academy. To spend a larger sum the Secretary must prepare a prospectus of the proposed facility and the Senate Commerce Committee and the House Interstate and Foreign Commerce Committee must by resolution in substantially the same form approve the planning or construction.

(7) *Section 7. (Fire Research and Development Program)*

The Secretary is authorized to conduct broad-ranging research into fire-related questions or to contract with laboratories, universities, research centers, or individual experts for such research. The research and development program may include "basic and applied fire research"; research involving victims of fire, the performance of firefighters, and to develop better protective equipment for fire service personnel on active service; research into operations and systems management for fire services; and demonstrations, testing, or investigating in support of any of the foregoing.

This section should be read with the related section 15(c) of the bill which provides that the Secretary shall utilize existing facilities, including those in universities, in implementing the FIRE-PAC Program. In pursuing the research functions authorized by this Act, and consistent with this utilization provision, the Secretary shall use to the maximum extent practicable existing research capabilities. The Flammability Research Center of the University of Utah, for example, has developed a sophisticated program in the area of physiological and toxicological aspect of smoke and toxic gases produced during the combustion of polymeric materials. In addition, the University of Michigan has perhaps the country's foremost burn research and treatment center. Other institutions such as the Stanford Research Institute, the Ames Research Center, and Harvard University also have pursued impressive amounts of research in the fire prevention and control field.

(8) *Section 8. (Annual Conference)*

FIREPAC may organize or participate in organizing an annual conference, including payment in whole or in part of the expenses of participants. The purpose of the conferences will be to bring together representatives of all of the Nation's fire services to "talk shop" and engage in a mutually beneficial exchange of ideas and programs.

(9) *Section 9. (National Data Center)*

The Secretary is authorized to establish a data center or information bank on all aspects of fire prevention and control. He shall "insure dissemination to the maximum possible extent of fire data collected and developed under this section". The Secretary also is authorized to "make full use of existing data, data gathering and analysis organizations . . ." (e.g. the NEISS system operated by the Consumer Product Safety Commission.

(10) *Section 10. (Fire Services Assistance Program)*

Another Program activity would involve direct technical assistance to local fire departments. These activities relate to upgrading and improved training for officers of the fire services; equipment and techniques testing and demonstration; and measurement and evaluation "on a cost-benefit basis" of "the effectiveness of the programs and activities of each fire service".

(11) *Section 11. (Master Plan Demonstration Projects)*

Subsection (a) (General) directs the Secretary to establish a limited number master plan demonstration projects (5-8), discussed earlier in the Description of the bill. Subsection (b) (Eligibility for Grants) sets forth criteria of eligibility for such grants. Subsection (c) (Procedure) establishes procedure for obtaining a grant and declares that the Federal share may not exceed 80 per cent of the total cost of the master plan demonstration project approved. Of the Federal funds, 50 per cent shall go to planning and 50 per cent to implementation of the plan. Subsection (d) (Master Plan) sets forth the basic ingredients in an acceptable State master plan which is financially assisted under this section such as the following: survey of existing systems; needs; plan for meeting the needs; and estimated cost of and problems in implementation of the plan. Three and one-half years after

the enactment of this Act, the Secretary shall report to Congress his evaluation of the master plan demonstration project program and shall advise the Congress whether master-plan grants should be authorized in order that master plans can be developed in all of the States. In subsection (e) (Authorization), \$10,000,000 is authorized for these demonstration projects, no more than 20% of which may be spent in any one State.

(12) *Section 12. (Citizen Participation)*

In subsection (a) (General), the Secretary is "authorized to take all steps necessary" to alert Americans to the fire problem and ways of meeting it. The "steps" include, but are not limited to, audio-visual presentations, publications, and demonstrations.

In subsection (b) (Fire Safety Effectiveness Statements), the Secretary is authorized to encourage owners and managers of multiple-unit residential, commercial and industrial, and transportation structures to prepare and submit to him for certification "Fire Safety Effectiveness Statements" with respect to their structures. The incentive to prepare such a statement for certification, in accordance with standards, forms, rules, and regulations to be developed by the Secretary, is that the owner or manager can include the fact of submission and certification in his advertising.

Subsection (c) (Review) authorizes the Secretary to review the adequacy of fire-prevention and building codes and fire services and evaluate and suggest improvements in them. A summary of such evaluations shall be submitted to the Congress each year.

This subsection imposes a heavy and difficult responsibility on the Secretary of Commerce and Federal FIREPAC officials. It is the intent of the Committee that while the nation's fire problem is to be reduced, the full operational responsibility for firefighting remain with State and local governments and volunteer organizations. It has been argued in other problem areas that these two goals are mutually exclusive and contradictory. The Committee disagrees so long as a healthy but independent relationship evolves between Federal FIREPAC officials and State and local fire services. The key to that relationship is the Secretary's power "to study, evaluate, and suggest improvements in State and local . . . fire services, and any relevant Federal or private . . . fire services." As the inspector general or coordinator of the fire services, with discretion to report annually to the President and Congress, FIREPAC can exert a substantial positive influence.

In subsection (d) (Assistance), the Secretary is directed to assist the Consumer Product Safety Commission in the development of flammability and related standards or codes for consumer products. This section does not empower the Product Safety Commission to set federal standards for mobile homes.

Subsection (e) (Public Access to Information) provides that any information received by the Program for Fire Prevention and Control shall be made available to the public upon identifiable request and at reasonable cost, subject to limited exceptions.

(13) *Section 13. (Studies)*

Subsection (a) (Fiscal Study) directs the Comptroller General of the United States to study the financing of the Nation's fire services with a view to determining whether State and local taxation and Fed-

eral-State revenue sharing provide sufficient revenues to adequately "meet the Nation's need to minimize human and property losses from fire" or whether some kind of Federal grant-in-aid program to local fire department is necessary. The study shall be completed and the results reported to the Congress not more than 3 years after the enactment of this Act.

Subsection (b) (Firefighter Study) directs the Secretary of Commerce to prepare a comprehensive study on the Nation's firefighters, including their pay and retirement benefits, working conditions, job opportunities, risk of injury or death, the impact of metropolitanization of fire services on individual firefighters, and the employment opportunities in the fire services for women and members of minority groups, together with recommendations for improvements. This study shall be completed and the results reported to the Congress not more than 2 years after the enactment of this Act, and thereafter shall be updated as part of the Secretary's annual report.

(14) *Section 14. (Annual Report)*

The Secretary is directed to submit a comprehensive report on the FIREPAC Program to the Congress each year.

(15) *Section 15. (Administrative Provisions)*

General powers are granted to the Secretary to ensure that all other agencies and departments of the Federal Government will assist FIREPAC in its vital life-saving efforts, that he will have the necessary tools for flexible management and operations, and to ensure that FIREPAC coordinates through appropriate liaison with relevant Federal, State, local, and private agencies and offices.

(16) *Section 16. (Presidential Awards)*

A program to recognize achievement by outstanding firefighters and law enforcement officers is established, to be administered jointly by the Secretary of Commerce and the Attorney General. They will select candidates for the President's Award and the Secretary's Award and submit them to the President for decision and awarding of the distinctions. Not more than 12 President's Awards may be conferred each year, but there is no limit on the number of Secretary's Awards.

(17) *Section 17. (Authorization for Appropriations)*

The Act authorizes to be appropriated not to exceed \$25 million, \$30 million, and \$35 million for FIREPAC (including the Presidential Awards) for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976 (not including the \$10 million special authorization under section 11 for master plan demonstration projects).

(18) *Section 18. (Conforming Amendments)*

Technical amendments are made in other provisions to reflect the establishment of FIREPAC as a new bureau in the Department of Commerce, the increase in the number of Assistant Secretaries of Commerce, and the fact that the fire research and safety provisions of the 1968 Act are now redundant and can be repealed.

(19) *Section 19. (Victims of Fire)*

This section establishes, outside the FIREPAC Program, in the National Institutes of Health, a medical research and assistance program for the human victims of fire. It will be administered by the

Secretary of Health, Education, and Welfare and there is a separate authorization of appropriations for this HEW program (not to exceed \$7.5 million for fiscal 1974, \$10 million for fiscal 1975, and \$10 million for fiscal 1976).

(20) *Section 20. (Fire Protection Assistance)*

This section would amend the National Housing Act's section on mortgage insurance assistance by providing that the Secretary of Housing and Urban Development may guarantee loans made to nursing homes and intermediate care facilities to pay for fire safety equipment which is needed to bring the facility into compliance with the latest "Life Safety Code" (as modified in accordance with evaluation by FIREPAC).

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

CHAPTER 552 OF THE ACT OF FEBRUARY 14, 1903, AS AMENDED
(15 U.S.C. 1511)

"BUREAUS IN DEPARTMENT

["The following named offices, bureaus, divisions, and branches of the public service, and all that pertains to the same, shall be under the jurisdiction and supervision of the Department of Commerce:

- ["1. The Bureau of Foreign and Domestic Commerce.
- ["2. The Bureau of Public Roads.
- ["3. The Civil Aeronautics Authority.
- ["4. The Bureau of the Census.
- ["5. The Coast and Geodetic Survey.
- ["6. The Federal Maritime Board.
- ["7. The Inland Waterways Corporation.
- ["8. The Maritime Administration.
- ["9. The National Bureau of Standards.
- ["10. The Patent Office.
- ["11. The Weather Bureau.]

"The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall be under the jurisdiction and subject to the control of the Secretary of Commerce:

- "(a) *National Oceanic and Atmospheric Administration;*
- "(b) *United States Travel Service;*
- "(c) *Maritime Administration;*
- "(d) *National Bureau of Standards;*
- "(e) *Patent Office;*
- "(f) *Bureau of the Census;*
- "(g) *Program for Fire Prevention and Control; and*
- "(h) *such other bureaus or other organizational units as the Secretary may from time to time establish in accordance with law."*

PARAGRAPH 12 OF SECTION 5315 OF TITLE V, UNITED STATES CODE
(5 U.S.C. 5315(12))

“§ 5315. POSITIONS AT LEVEL IV.

“* * *

“(12) Assistant Secretaries of Commerce [(6)] (7). * * *”

FIRE RESEARCH AND SAFETY ACT OF 1968

(82 Stat. 34; 15 U.S.C. 278f, 278g)

["TITLE I—FIRE RESEARCH AND SAFETY PROGRAM

["DECLARATION OF POLICY

["SEC. 101. The Congress finds that a comprehensive fire research and safety program is needed in this country to provide more effective measures of protection against the hazards of death, injury, and damage to property. The Congress finds that it is desirable and necessary for the Federal Government, in carrying out the provisions of this title, to cooperate with and assist public and private agencies. The Congress declares that the purpose of this title is to amend the Act of March 3, 1901, as amended, to provide a national fire research and safety program including the gathering of comprehensive fire data; a comprehensive fire research program; fire safety education and training programs; and demonstrations of new approaches and improvements in fire prevention and control, and reduction of death, personal injury, and property damage. Additionally, it is the sense of Congress that the Secretary should establish a fire research and safety center for administering this title and carrying out its purposes, including appropriate fire safety liaison and coordination.

["AUTHORIZATION OF PROGRAM

["SEC. 102. The Act entitled “An Act to establish the National Bureau of Standards”, approved March 3, 1901, as amended (15 U.S.C. 271–278e), is further amended by adding the following sections:

["SEC. 16. The Secretary of Commerce (hereinafter referred to as the ‘Secretary’) is authorized to—

["(a) Conduct directly or through contracts or grants—

["(1) investigations of fires to determine their causes, frequency of occurrence, severity, and other pertinent factors;

["(2) research into the causes and nature of fires, and the development of improved methods and techniques for fire prevention, fire control, and reduction of death, personal injury, and property damage;

["(3) educational programs to—

["(A) inform the public of fire hazards and fire safety techniques, and

["(B) encourage avoidance of such hazards and use of such techniques;

["(4) fire information reference services, including the collection, analysis, and dissemination of data, research results, and other information, derived from this program or from other sources and related to fire protection, fire control, and reduction of death, personal injury, and property damage;

["(5) educational and training programs to improve, among other things—

["(A) the efficiency, operation, and organization of fire services, and

["(B) the capability of controlling unusual fire-related hazards and fire disasters; and

["(6) projects demonstrating—

["(A) improved or experimental programs of fire prevention, fire control, and reduction of death, personal injury, and property damage,

["(B) application of fire safety principles in construction, or

["(C) improvement of the efficiency, operation, or organization of the fire services.

["(b) Support by contracts or grants the development, for use by educational and other nonprofit institutions, of—

["(1) fire safety and fire protection engineering or science curriculums; and

["(2) fire safety courses, seminars, or other instructional materials and aids for the above curriculums or other appropriate curriculums or courses of instruction.

["Sec. 17. With respect to the functions authorized by section 16 of this Act—

["(a) Grants may be made only to States and local governments, other non-Federal public agencies, and nonprofit institutions. Such a grant may be up to 100 per centum of the total cost of the project for which such grant is made. The Secretary shall require, whenever feasible, as a condition of approval of a grant, that the recipient contribute money, facilities, or services to carry out the purpose for which the grant is sought. For the purposes of this section, ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa, and the Trust Territory of the Pacific Islands; and ‘public agencies’ includes combinations or groups of States or local governments.

["(b) The Secretary may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any such functions, and, as necessary or appropriate, delegate any of his powers under this section or section 16 of this Act with respect to any part thereof, and authorize the redelegation of such powers.

["(c) The Secretary may perform such functions without regard to section 3648 of the Revised Statutes (31 U.S.C. 529).

["(d) The Secretary is authorized to request any Federal department or agency to supply such statistics, data, program reports, and other materials as he deems necessary to carry out such functions. Each such department or agency is authorized to cooperate with the Secretary and, to the extent permitted by law, to furnish such materials

to the Secretary. The Secretary and the heads of other departments and agencies engaged in administering programs related to fire safety shall, to the maximum extent practicable, cooperate and consult in order to insure fully coordinated efforts.

["(e) The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate to the administration of such functions or this section, including rules and regulations which—

["(1) provide that a grantee will from time to time, but not less often than annually, submit a report evaluating accomplishments of activities funded under section 16, and

["(2) provide for fiscal control, sound accounting procedures, and periodic reports to the Secretary regarding the application of funds paid under section 16.”

["NONINTERFERENCE WITH EXISTING FEDERAL PROGRAMS

["SEC. 103. Nothing contained in this title shall be deemed to repeal, supersede, or diminish existing authority or responsibility of any agency or instrumentality of the Federal Government.

“AUTHORIZATION OF APPROPRIATIONS

["SEC. 104. There are authorized to be appropriated, for the purposes of this Act, \$5,000,000 for the period ending June 30, 1970.”]

ESTIMATED COSTS

It is not possible to state with precision the cost of S. 1769. Pursuant to section 252 of the Legislative Reorganization Act of 1970, the Committee estimates that the cost of this Act, for which appropriations are authorized, will be as follows:

Fiscal Year ending June 30, 1974—\$25,000,000, for the operation of the Program for Fire Prevention and Control: \$7,500,000, for research on burns, treatment of burn injuries, and rehabilitation of victims of fire; and \$100,000, for the Master Plan Demonstration Projects.

Fiscal Year ending June 30, 1975—\$30,000,000, for the operation of the Program for Fire Prevention and Control; \$10,000,000, for burn injury research, and \$3,000,000, for the Master Plan Demonstration projects.

Fiscal Year ending June 30, 1976—\$35,000,000, for the operation of the Program for Fire Prevention and Control; \$10,000,000, for burn injury research; and \$6,900,000, for the Master Plan Demonstration Projects.

The Committee knows of no other cost estimate by any Federal agency.

APPENDIX I

RECOMMENDATION OF THE NATIONAL COMMISSION OF FIRE PREVENTION AND CONTROL ON THE PROCEDURE FOR DEVISING A MASTER PLAN FOR FIRE PROTECTION

The following can serve as guidelines to fire department administrators for developing and presenting a master plan for fire protection:

Phase I

1. Identify the fire protection problems of the jurisdiction.
2. Identify the best combination of public resources and built-in protection required to manage the fire problem, within acceptable limits:
 - (a) Specify current capabilities and future needs of public resources;
 - (b) Specify current capabilities and future requirements for built-in protection.
3. Develop alternative methods that will result in trade-offs between benefits and risks.
4. Establish a system of goals, programs, and cost estimates to implement the plan:
 - (a) The process of developing department goals and programs should include maximum possible participation of fire department personnel, of all ranks;
 - (b) The system should provide goals and objectives for all divisions, supportive of the overall goals of the department;
 - (c) Management development programs should strive to develop increased acceptance of authority and responsibility by all fire officers, as they strive to accomplish established objectives and programs.

Phase II

1. Develop, with the other government agencies, a definition of their roles in the fire protection process.
2. Present the proposed municipal fire protection system to the city administration for review.
3. Present the proposed system for adoption as the fire protection element of the jurisdiction's general plan. The standard process for development of a general plan provides the fire department administrator an opportunity to inform the community leaders of the fire protection goals and system and to obtain their support.

Phase III

In considering the fire protection element the governing body of the jurisdiction will have to pay special attention to:

1. Short- and long-range goals,
2. Long-range staffing and capital improvement plans,
3. The code revisions required to provide fire loss management.

Phase IV

The fire loss management system must be reviewed and updated as budget allocations, capital improvement plans, and code revisions occur. Continuing review of results should concentrate on these areas:

1. Did fires remain within estimated limits? Should limits be changed?
2. Did losses prove to be acceptable?
3. Could resources be decreased or should they be increased?

APPENDIX II

RECOMMENDATIONS OF THE NATIONAL COMMISSION ON FIRE
PREVENTION AND CONTROL

1. . . . the Commission recommends that Congress establish a U.S. Fire Administration to provide a national focus for the Nation's fire problem and to promote a comprehensive program with adequate funding to reduce life and property loss from fire.

2. . . . the Commission recommends that a national fire data system be established to provide a continuing review and analysis of the entire fire problem.

3. The Commission recommends that Congress enact legislation to make possible the attainment of 25 burn units and centers and 90 burn programs within the next 10 years.

4. The Commission recommends that Congress, in providing for new burn treatment facilities, make adequate provision for the training and continuing support of the specialists to staff these facilities. Provision should also be made for special training of those who provide emergency care for burn victims in general hospitals.

5. The Commission recommends that the National Institutes of Health greatly augment their sponsorship of research on burns and burn treatment.

6. The Commission recommends that the National Institutes of Health administer and support a systematic program of research concerning smoke inhalation injuries.

7. The Commission recommends that local government make fire prevention at least equal to suppression in the planning of fire department priorities.

8. The Commission recommends that communities train and utilize women for fire service duties.

9. The Commission recommends that laws which hamper cooperative arrangements among local fire jurisdictions be changed to remove the restrictions.

10. The Commission recommends that every local fire jurisdiction prepare a master plan designed to meet the community's present and future needs in fire protection, to serve as a basis for program budgeting, and to identify and implement the optimum cost-benefit solutions in fire protection.

11. . . . the Commission recommends that Federal grants for equipment and training be available only to those fire jurisdictions that operate from a federally approved master plan for fire protection.

12. The Commission recommends that the proposed U.S. Fire Administration act as a coordinator of studies of fire protection methods

and assist local jurisdictions in adapting findings to their fire protection planning.

13. The Commission recommends that the proposed U. S. Fire Administration provide grants to local fire jurisdictions for developing master plans for fire protection. Further, the proposed U.S. Fire Administration should provide technical advice and qualified personnel to local fire jurisdictions to help them develop master plans.

14. . . . the Commission recommends that the proposed U.S. Fire Administration sponsor research in the following areas: productivity measure of fire departments, job analyses, firefighter injuries, and fire prevention efforts.

15. . . . the Commission urges the Federal research agencies, such as the National Science Foundation and the National Bureau of Standards, to sponsor research appropriate to their respective missions within the areas of productivity of fire departments, causes of firefighter injuries, effectiveness of fire prevention efforts, and the skills required to perform various fire department functions.

16. The Commission recommends that the Nation's fire departments recognize advanced and specialized education and hire or promote persons with experience at levels commensurate with their skills.

17. The Commission recommends a program of Federal financial assistance to local fire services to upgrade their training.

18. In the administering of Federal funds for training or other assistance to local fire departments, the Commission recommends that eligibility be limited to those departments that have adopted an effective, affirmative action program related to the employment and promotion of members of minority groups.

19. The Commission recommends that fire departments, lacking emergency ambulance, paramedical, and rescue services consider providing them, especially if they are located in communities where these services are not adequately provided by other agencies.

20. . . . the Commission recommends the establishment of a National Fire Academy to provide specialized training in areas important to the fire services and to assist State and local jurisdictions in their training programs.

21. The Commission recommends that the proposed National Fire Academy assume the role of developing, gathering, and disseminating, to State and local arson investigators, information on arson incidents and on advanced methods of arson investigations.

22. The Commission recommends that the National Fire Academy be organized as a division of the proposed U.S. Fire Administration, which would assume responsibility for deciding details of the Academy's structure and administration.

23. The Commission recommends that the full cost of operating the proposed National Fire Academy and subsidizing the attendance of fire service members be borne by the Federal Government.

24. The Commission urges the National Science Foundation, in its Experimental Research and Development Incentives Program, and the National Bureau of Standards, in its Experimental Technology Incentives Program, to give high priority to the needs of the fire services.

25. The Commission recommends that the proposed U.S. Fire Administration review current practices in terminology, symbols, and equipment descriptions, and seek to introduce standardization where it is lacking.

26. The Commission urges rapid implementation of a program to improve breathing apparatus systems and expansion of the program's scope where appropriate.

27. The Commission recommends that the proposed U.S. Fire Administration undertake a continuing study of equipment needs of the fire services, monitor research and development in progress, encourage needed research and development, disseminate results, and provide grants to fire departments for equipment procurement to stimulate innovation in equipment design.

28. . . . the Commission urges the Joint Council of National Fire Service Organizations to sponsor a study to identify shortcomings of firefighting equipment and the kinds of research, development, or technology transfer that can overcome the deficiencies.

29. The Commission recommends that research in the basic processes of ignition and combustion be strongly increased to provide a foundation for developing improved test methods.

30. This Commission recommends that the new Consumer Product Safety Commission give a high priority to the combustion hazards of materials in their end use.

31. . . . the Commission recommends that the present fuel load study sponsored by the General Services Administration and conducted by the National Bureau of Standards be expanded to update the technical study of occupancy fire loads.

32. The Commission recommends that flammability standards for fabrics be given high priority by the Consumer Product Safety Commission.

33. The Commission recommends that all States adopt the Model State Fireworks Law of the National Fire Protection Association, thus prohibiting all fireworks except those for public displays.

34. The Commission recommends that the Department of Commerce be funded to provide grants for studies of combustion dynamics and the means of its control.

35. The Commission recommends that the National Bureau of Standards and the National Institutes of Health cooperatively devise and implement a set of research objectives designed to provide combustion standards for materials to protect human life.

36. The Commission urges the National Bureau of Standards to assess current progress in fire research and define the areas in need of additional investigation. Further, the Bureau should recommend a program for translating research results into a systematic body of engineering principles and, ultimately, into guidelines useful to code writers and building designers.

37. The Commission recommends that the National Bureau of Standards, in cooperation with the National Fire Protection Association and other appropriate organizations, support research to develop guidelines for a systems approach to fire safety in all types of buildings.

38. . . . the Commission recommends that, in all construction involving Federal money, awarding of those funds be contingent upon the approval of a fire safety systems analysis and a fire safety effectiveness statement.

39. This Commission urges the Consumer Product Safety Commission to give high priority to matches, cigarettes, heating appliances, and other consumer products that are significant sources of burn injuries, particularly products for which industry standards fail to give adequate protection.

40. The Commission recommends to schools giving degrees in architecture and engineering that they include in their curricula at least one course in fire safety. Further, we urge the American Institute of Architects, professional engineering societies, and State registration boards to implement this recommendation.

41. The Commission urges the Society of Fire Protection Engineers to draft model courses for architects and engineers in the field of fire protection engineering.

42. The Commission recommends that the proposed National Fire Academy develop short courses to educate practicing designers in the basics of fire safety design.

43. The Commission recommends that all local governmental units in the United States have in force an adequate building code and fire prevention code or adopt whichever they lack.

44. The Commission recommends that local governments provide the competent personnel, training programs for inspectors, and coordination among the various departments involved to enforce effectively the local building and fire prevention codes. Representatives from the fire department should participate in reviewing the fire safety aspects of plans for new building construction and alterations to old buildings.

45. The Commission recommends that, as the model code of the International Conference of Building Officials has already done, all model codes specify at least a single-station early-warning detector oriented to protect sleeping areas in every dwelling unit. Further, the model codes should specify automatic fire extinguishing systems and early-warning detectors for high-rise buildings and for low-rise buildings in which many people congregate.

46. The Commission recommends that the National Transportation Safety Board expand its efforts in issuance of reports on transportation accidents so that the information can be used to improve transportation fire safety.

47. The Commission recommends that the Department of Transportation work with interested parties to develop a marking system, to be adopted nationwide, for the purpose of identifying transportation hazards.

48. The Commission recommends that the proposed National Fire Academy disseminate to every fire jurisdiction appropriate educational materials on the problems of transporting hazardous materials.

49. The Commission recommends the extension of the Chem-Trec system to provide ready access by all fire departments and to include hazard control tactics.

50. . . . the Commission recommends that the Department of the Treasury establish adequate fire regulations, suitably enforced, for the

transportation, storage, and transfer of hazardous materials in international commerce.

51. The Commission recommends that the Department of Transportation set mandatory standards that will provide fire safety in private automobiles.

52. The Commission recommends that airport authorities review their firefighting capabilities and, where necessary, formulate appropriate capital improvement budgets to meet current recommended aircraft rescue and firefighting practices.

53. The Commission recommends that the Department of Transportation undertake a detailed review of the Coast Guard's responsibilities, authority, and standards relating to marine fire safety.

54. The Commission recommends that the railroads begin a concerted effort to reduce rail-caused fires along the Nation's rail system.

55. . . . the Commission recommends that the Urban Mass Transportation Administration require explicit fire safety plans as a condition for all grants for rapid transit systems.

56. . . . the Commission recommends that rural dwellers and others living at a distance from fire departments install early-warning detectors and alarms to protect sleeping areas.

57. The Commission recommends that U.S. Department of Agriculture assistance to [community fire protection facilities] projects be contingent upon an approved master plan for fire protection for local fire jurisdictions.

58. . . . the Commission recommends that the proposed U.S. Fire Administration join with the Forest Service, U.S.D.A., in exploring means to make fire safety education for forest and grassland protection more effective.

59. The Commission recommends that the Council of State Governments undertake to develop model State laws relating to fire protection in forests and grasslands.

60. The Commission urges interested citizens and conservation groups to examine fire laws and their enforcement in their respective States and to press for strict compliance.

61. The Commission recommends that the Forest Service, U.S.D.A., develop the methodology to make possible nationwide forecasting of fuel buildup as a guide to priorities in wildland management.

62. The Commission supports the development of a National Fire Weather Service in the National Oceanic and Atmospheric Administration and urges its acceleration.

63. The Commission recommends that the Department of Health, Education, and Welfare include in accreditation standards fire safety education in the schools throughout the school year. Only schools presenting an effective fire safety education program should be eligible for any Federal financial assistance.

64. The Commission recommends that the proposed U.S. Fire Administration sponsor fire safety education courses for educators to provide a teaching cadre for fire safety education.

65. The Commission recommends to the States the inclusion of fire safety education in programs educating future teachers and the requirement of knowledge of fire safety as a prerequisite for teaching certification.

66. The Commission recommends that the proposed U.S. Fire Administration develop a program, with adequate funding, to assist, augment, and evaluate existing public and private fire safety education efforts.

67. . . . the Commission recommends that the proposed U.S. Fire Administration, in conjunction with the Advertising Council and the National Fire Protection Association, sponsor an all-media campaign of public service advertising designed to promote public awareness of fire safety.

68. The Commission recommends that the proposed U.S. Fire Administration develop packets of educational materials appropriate to each occupational category that has special needs or opportunities in promoting fire safety.

69. The Commission supports the Operation EDITH (Exit Drills In The Home) plan and recommends its acceptance and implementation both individually and community-wide.

70. The Commission recommends that annual home inspections be undertaken by every fire department in the Nation. Further, Federal financial assistance to fire jurisdictions should be contingent upon their implementation of effective home fire inspection programs.

71. The Commission urges Americans to protect themselves and their families by installing approved early-warning fire detectors and alarms in their homes.

72. . . . the Commission recommends that the insurance industry develop incentives for policyholders to install approved early-warning fire detectors in their residences.

73. The Commission urges Congress to consider amending the Internal Revenue Code to permit reasonable deductions from income tax for the cost of installing approved detection and alarm systems in homes.

74. . . . the Commission recommends that the proposed U.S. Fire Administration monitor the progress of research and development on early-warning detection systems in both industry and government and provide additional support for research and development where it is needed.

75. The Commission recommends that the proposed U.S. Fire Administration support the development of the necessary technology for improved automatic extinguishing systems that would find ready acceptance by Americans in all kinds of dwelling units.

76. The Commission recommends that the National Fire Protection Association and the American National Standards Institute jointly review the Standard for Mobile Homes and seek to strengthen it, particularly in such areas as interior finish materials and fire detection.

77. The Commission recommends that all political jurisdictions require compliance with the NFPA/ANSI standard for mobile homes together with additional requirements for early-warning fire detectors and improved fire resistance of materials.

78. The Commission recommends that State and local jurisdictions adopt the NFPA Standard on Mobile Home Parks as a minimum mode of protection for the residents of these parks.

79. The Commission strongly endorses the provisions of the Life Safety Code which require specific construction features, exit facili-

ties, and fire detection systems in child day care centers and recommends that they be adopted and enforced immediately by all the States as a minimum requirement for licensing of such facilities.

80. The Commission recommends that early-warning detectors and total automatic sprinkler protection or other suitable automatic extinguishing systems be required in all facilities for the care and housing of the elderly.

81. The Commission recommends to Federal agencies and the States that they establish mechanisms for annual review and rapid upgrading of their fire safety requirements for facilities for the aged and infirm, to a level no less stringent than the current NFPA Life Safety Code.

82. The Commission recommends that the special needs of the physically handicapped and elderly in institutions, special housing, and public buildings be incorporated into all fire safety standards and codes.

83. The Commission recommends that the States provide for periodic inspection of facilities for the aged and infirm, either by the State's fire marshal's office or by local fire departments, and also require approval of plans for new facilities and inspection by a designated authority during and after construction.

84. The Commission recommends that the National Bureau of Standards develop standards for the flammability of fabric materials commonly used in nursing homes with a view to providing the highest level of fire resistance compatible with the state-of-the-art and reasonable costs.

85. The Commission recommends that political subdivisions regulate the location of nursing homes and housing for the elderly and require that fire alarm systems be tied directly and automatically to the local fire department.

86. The Commission recommends that the Federal Government retain and strengthen its programs of fire research for which no non-governmental alternatives exist.

87. . . . the Commission recommends that the Federal budget for research connected with fire be increased by \$26 million.

88. . . . the Commission recommends that associations of material and product manufacturers encourage their member companies to sponsor research directed toward improving the fire safety of the built environment.

89. . . . the Commission recommends that the proposed U.S. fire Fire Administration be located in the Department of Housing and Urban Development.

90. The Commission recommends that Federal assistance in support of State and local fire service programs be limited to those jurisdictions complying with the National Fire Data System reporting requirements.

TEXT OF S. 1769, AS REPORTED

A BILL To establish a United States Fire Administration and a National Fire Academy in the Department of Housing and Urban Development, to assist State and local governments in reducing the incidence of death, personal injury, and property damage from fire, to increase the effectiveness and coordination of fire prevention and control agencies at all levels of government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Fire Prevention and Control Act".

DECLARATION OF POLICY

SEC. 2. (a) FINDINGS.—The Congress finds and declares that—

(1) The National Commission on Fire Prevention and Control, established pursuant to Public Law 90-259, has made an exhaustive and comprehensive examination of the Nation's fire problem, has made detailed findings as to the extent of this problem in terms of human suffering and loss of life and property, and has made ninety thoughtful recommendations. The National Commission concluded that while fire prevention and control is and should remain a State and local responsibility, "the Federal Government must . . . help . . . if any significant reduction in fire losses is to be achieved."

(2) The United States today has the highest per capita rate of death and property loss from fire of all the major industrialized nations in the world (57.1 deaths per million versus only 29.7 deaths per million for the industrialized nation with the next to the worst record).

(3) Fire constitutes a major burden affecting interstate commerce. Fire kills twelve thousand and scars and injures three hundred thousand Americans each year, including fifty thousand individuals who must be hospitalized for periods lasting from six weeks to two years. Almost \$3,000,000,000 worth of property is destroyed by fire annually, and the total economic cost of destructive fire has been conservatively estimated by the National Commission to be \$11,400,000,000 per year. Firefighting is the Nation's most hazardous profession, with a death rate 15 per centum higher than that of the next most dangerous occupation.

(4) The National Commission concluded that the fire problem is exacerbated by—

(A) "the indifference with which Americans confront the subject";

(B) the Nation's failure to undertake significant amounts of scientific research and development into fire and fire-related problems;

(C) the inadequate facilities and resources available to train firefighters in fire prevention and control techniques;

(D) the scarcity of reliable data and information;

(E) the fact that designers and purchasers of building and products generally give only minimal attention to fire safety ("many communities are without adequate building and fire prevention codes");

(F) the fact that many local fire departments appear concerned only with fire suppression and rescuing victims rather than with being at least equally concerned with fire prevention, inspection, and code-enforcement programs ("about 95 cents of every dollar spent on the fire services is used to extinguish fires; only about 5 cents is spent on efforts . . . to prevent fires from starting"); and

(G) the limited number of places in the United States that

have burn centers which are properly equipped and staffed to save lives and rehabilitate the victims of fires.

(5) The unacceptably high death, injury, and property losses from fires can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of State and local governments.

(b) **PURPOSES.**—Therefore it is declared to be the purposes of Congress in this Act to—

(1) establish the office of Assistant Secretary of Commerce for Fire Prevention and Control;

(2) direct the Secretary of Commerce to establish a national Program for Fire Prevention and Control (FIREPAC) and to authorize him to initiate, support, and maintain programs and activities to reduce the Nation's fire problem;

(3) direct the National Institutes of Health to conduct an intensified program of research into the treatment of burn injuries and the rehabilitation of victims of fires; and

(4) authorize fire protection assistance.

DEFINITIONS

SEC. 3. As used in this Act—

(1) "Academy" means the National Academy for Fire Prevention and Control (FIREPAC Academy), authorized under section 6 of this Act.

(2) "Fire service" means a department, bureau, commission, board, or other agency established by a Federal, State, or local government or by a volunteer organization for the purpose of preventing or controlling fires or loss and damage from fire.

(3) "Local" means of or pertaining to any city, county, special purpose district, or other political subdivision of a State.

(4) "Program" means the Program for Fire Prevention and Control, established pursuant to section 5 of this Act.

(5) "Secretary" means the Secretary of Commerce.

(6) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, the Trust Territory of the Pacific Islands, or any other territory or possession of the United States.

ASSISTANT SECRETARY OF COMMERCE FOR FIRE PREVENTION AND CONTROL

SEC. 4. Section 42(a) of the Act of October 21, 1970 (84 Stat. 1038; 15 U.S.C. 1507a) is amended by adding at the end thereof the following new subsection:

"ASSISTANT SECRETARY FOR FIRE PREVENTION AND CONTROL

"There shall be in the Department of Commerce, in addition to the Assistant Secretaries now provided by law, one additional Assistant Secretary of Commerce who shall be known as the Assistant Secretary of Commerce for Fire Prevention and Control. This Assistant Secretary shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretary of Commerce for Fire Prevention and Control shall receive compensation at the rate pre-

scribed by law for Assistant Secretaries of Commerce, shall be responsible for carrying out the provisions of the Federal Fire Prevention and Control Act under the direction of the Secretary of Commerce, and shall perform such other duties as the Secretary of Commerce shall prescribe. In carrying out such responsibilities, the Assistant Secretary of Commerce for Fire Prevention and Control shall consult, be guided by, and implement, so far as practicable, the recommendations of the National Commission on Fire Prevention and Control, to the extent not inconsistent with this Act."

FIRE PREVENTION AND CONTROL PROGRAM

SEC. 5. (a) **ESTABLISHMENT.**—The Secretary is authorized and directed to establish a national Program for Fire Prevention and Control (FIREPAC). The Program shall consist of all relevant programs and activities heretofore established in the Department of Commerce together with all programs and activities authorized or mandated to be established under this Act. The Program shall be administered, under the direction of the Secretary, by the Assistant Secretary of Commerce for Fire Prevention and Control.

(b) **CONTENT.**—The Program may consist of—

(1) the FIREPAC Academy, authorized to be established by the Secretary under section 6 of this Act;

(2) research and development programs, pursuant to section 7 of this Act;

(3) an annual conference of professionals in fire prevention, fire control, and treatment of burn injuries, pursuant to section 8 of this Act;

(4) a national data center on fire prevention and control, pursuant to section 9 of this Act;

(5) a fire services assistance program, pursuant to section 10 of this Act;

(6) State demonstration projects, pursuant to section 11 of this Act;

(7) citizens' participation programs, pursuant to section 12 of this Act;

(8) relevant studies, as directed by section 13 of this Act;

(9) an annual report, as directed by section 14 of this Act;

(10) an awards program, as directed by section 16 of this Act; and

(11) such other programs and activities as in the judgment of the Secretary are likely to reduce the Nation's losses from fires.

FIREPAC ACADEMY

SEC. 6. (a) **AUTHORIZATION.**—The Secretary is authorized to establish a National Academy for Fire Prevention and Control (FIREPAC Academy). The Secretary is authorized, pursuant to this section, to develop and revise curricula, standards of admission and performance, and criteria for the awarding of degrees and certificates. He is further authorized to appoint a Director, faculty members, and consultants for the Academy without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and, with respect to temporary and intermittent services, to make

appointments to the same extent as is authorized by section 3109 of title 5, United States Code.

(b) **PURPOSES.**—The Academy is authorized to conduct appropriate educational and research programs to—

(1) train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires;

(2) develop model curricula, training programs, and other educational materials suitable for use at other educational institutions, and to make such materials available without charge;

(3) develop and administer a program of correspondence courses to advance the knowledge and skills of fire service personnel;

(4) develop and distribute to appropriate officials model questions suitable for use in conducting entrance and promotional examinations for fire service personnel; and

(5) reduce the Nation's fire problem.

(c) **BOARD OF OVERSEERS.**—Upon establishment of the Academy, the Secretary shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Overseers for the Academy. Pursuant to such procedure, the Secretary shall select the members of the Board of Overseers. Each member of such Board shall each year independently inspect and evaluate the Academy and report his findings and recommendations to the Secretary. The Board of Overseers shall meet from time to time and shall advise the Secretary on all questions pertinent to the Academy.

(d) **PLACEMENT SERVICE.**—The Secretary shall maintain at the Academy a placement and promotion-opportunities program for firefighters in cooperation with fire services.

(e) **CONSTRUCTION APPROVAL.**—(1) No appropriation shall be made for the planning or construction of facilities for the Academy involving an expenditure in excess of \$100,000 if such planning or construction has not been approved by resolutions adopted in substantially the same form by the Committee on Interstate and Foreign Commerce of the House of Representatives and by the Committee on Commerce of the Senate. For the purpose of securing consideration of such approval, the Secretary shall transmit to Congress a prospectus of the proposed facility including (but not limited to)—

(A) a brief description of the facility to be planned or constructed;

(B) the location of the facility, and an estimate of the maximum cost of the facility;

(C) a statement of those agencies, private and public, which will use such facility, together with the contribution to be made by each such agency toward the cost of such facility; and

(D) a statement of justification of the need for such facility.

(2) The estimated maximum cost of any facility approved under this subsection as set forth in the prospectus may be increased by the amount equal to the percentage increase, if any, as determined by the

Secretary, in construction costs, from the date of transmittal of such prospectus to Congress, but in no event shall the increase authorized by this paragraph exceed 10 per centum of such estimated maximum cost.

FIRE RESEARCH AND DEVELOPMENT PROGRAM

SEC. 7. The Secretary is authorized to conduct directly or through contracts—

(a) a program of basic and applied fire research for the purpose of arriving at an understanding of the fundamental processes underlying all aspects of fire. Such program shall include scientific investigations of—

(1) the physics and chemistry of combustion processes;

(2) the dynamics of flame ignition, flame spread, and flame extinguishment;

(3) the composition of combustion products developed by various sources and under various environmental conditions;

(4) the early stages of fires in buildings and other structures, structural subsystems, and structural components and all other types of fires, including, but not limited to forest fires, fires underground, oil blowout fires, and waterborne fires with the aim of improving early detection capability;

(5) the behavior of fires involving all types of buildings and other structures and their contents, (including mobile homes and highrise buildings, construction materials, floor and wall coverings, coatings, furnishings, and other combustible materials); and all other types of fires (including forest fires, fires underground, oil blowout fires, and waterborne fires);

(6) the unique aspects of fire hazards arising from the transportation and use in industrial and professional practices of combustible gases, fluids, and materials;

(7) development of design concepts for providing increased fire safety consistent with habitability, comfort, and human impact, in buildings and other structures; and

(8) such other aspects of the fire process as are deemed useful for pursuing the objectives of the fire research program;

(b) research into the biological, physiological, and psychological factors affecting human victims of fire and the performance of individual members of fire services and research to develop clothing and protective equipment to reduce the risk of injury to firefighters;

(c) studies of the operations and management aspects of fire services, including operations research, management economics, cost effectiveness studies, and such other techniques as are found applicable and useful. Such studies shall include, but not be limited to, the allocation of resources, the manner of responding to alarms, the operation of citywide and regional fire dispatch centers, and the effectiveness, frequency, and methods of building inspections; and

(d) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

ANNUAL CONFERENCE

SEC. 8. The Secretary is authorized to organize or participate in organizing an annual conference on fire prevention and control. He may pay in whole or in part the costs of such conference and the expenses of some or all of the participants. All the Nation's fire services shall be eligible to send representatives to each such conference to discuss, exchange ideas, and participate in educational programs on new techniques in fire prevention and control. Such conferences shall be open to the public.

NATIONAL DATA CENTER

SEC. 9. The Secretary is authorized to—

(a) operate directly or through contracts an integrated comprehensive fire data program based on the collection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The program shall be designed to provide an accurate national picture of the fire problem, identify major problem areas, assist in setting priorities, determine possible solutions to problems, and monitor progress of programs to reduce fire losses. To carry out these functions, the program shall include—

(1) information on the frequency, causes, spread, and extinguishment of fires;

(2) information on the number of injuries and deaths resulting from fires, including the maximum available information on the specific causes and nature of such injuries and deaths, and information on property losses;

(3) information on the occupational hazards of firemen including the causes of death and injury to firemen arising directly and indirectly from fire-fighting activities;

(4) information on all types of fire prevention activities including inspection practices;

(5) technical information related to building construction, fire properties of materials, and other similar information;

(6) information on fire prevention and control laws, systems, methods, techniques, and administrative structures used in foreign nations;

(7) information on the causes, behavior, and best method of control of other types of fires, including, but not limited, to forest fires, fires underground, oil blowout fires, and waterborne fires; and

(8) such other information and data as is judged useful and applicable;

(b) develop standardized data reporting methods and to encourage and assist State, local, and other agencies, public and private, in developing and reporting fire-related information;

(c) make full use of existing data, data gathering and analysis organizations, both public and private; and

(d) insure dissemination to the maximum possible extent of fire data collected and developed under this section.

FIRE SERVICES ASSISTANCE PROGRAM

SEC. 10. The Secretary is authorized to assist the Nation's fire services, directly or through grants, contracts, or other forms of assistance, to—

(a) advance the professional development of fire service personnel;

(b) assist in conducting or supplementing, at the request of a fire service, local and regional programs for the training of fire personnel;

(c) develop model fire training and educational programs, curricula, and information materials;

(d) develop new or improved approaches, techniques, systems, equipment, and devices to improve fire prevention and control;

(e) conduct such development, testing, and demonstration projects as are deemed necessary to introduce new technology standards, operating methods, command techniques, and management systems into use in the fire services;

(f) provide, establish, and support specialized and advanced education and training programs and facilities for fire service personnel;

(g) measure and evaluate, on a cost-benefit basis, the effectiveness of the programs and activities of each fire service and the predictable consequences on the applicable local fire services of coordination or combination, in whole or in part, in a regional, metropolitan, or State-wide fire service; and

(h) sponsor and encourage research into approaches, techniques, systems, and equipment to improve and strengthen fire prevention and control in the rural and remote areas of the Nation.

MASTER PLAN DEMONSTRATION PROJECTS

SEC. 11. (a) GENERAL.—The Secretary is authorized and directed to establish master plan demonstration projects which shall commence not later than eighteen months after the date of enactment of this Act. Not less than five nor more than eight demonstration projects may be assisted by the Secretary under this section. Any demonstration project under this section shall be conducted by, or under the supervision of, a State in accordance with the application of the State submitted under subsection (c) of this section. Whenever any such State includes a Standard Metropolitan Statistical Area, as defined by the Bureau of the Census, the geographical boundaries of which include two or more States, then such State shall include the entire such Standard Metropolitan Statistical Area in its master plan demonstration project.

(b) ELIGIBILITY FOR GRANTS.—The Secretary is authorized to establish criteria of eligibility for awarding master plan demonstration project grants. In awarding such project grants, the Secretary shall select projects which are unique in terms of—

(1) The characteristics of the State, including, but not limiting to, density and distribution of population; ratio of volunteer versus paid fire services; geographic location, topography and climate; per capita rate of death and property loss from fire;

size and characteristics of political subdivisions of the State; and socio-economic composition; and

(2) The approach to development and implementation of the master plan which is proposed to be developed with Federal assistance under this section. Such approaches may include central planning by a State agency, regionalized planning within a State coordinated by a State agency, or local planning supplemented and coordinated by a State agency.

(c) **PROCEDURE FOR AWARDING GRANTS.**—A grant under this section may be obtained upon an application by a State at such time, in such manner, and containing such information as the Secretary shall require. Upon the approval of any such application, the Secretary may make a grant to the State to pay each fiscal year an amount not in excess of 80 per centum of the total cost of such project. Not more than 50 per centum of the amount of each grant shall be allocated to the planning and development of the master plan and the remainder to partial or total implementation. Payments under this subsection may be made in advance, in installments, or by way of reimbursement.

(d) **MASTER PLAN.**—(1) Each demonstration project established pursuant to this section shall result in the planning and implementation of a comprehensive master plan for fire protection for each State funded thereunder. Each such master plan shall contain:

(A) a survey of the resources and personnel of existing fire services and an analysis of fire and building codes effectiveness in the State;

(B) an analysis of short- and long-term fire prevention and control needs in the State;

(C) a plan to meet the fire prevention and control needs of the State; and

(D) an estimate of costs and a realistic plan for financing implementation of the plan and operation on a continuing basis, and a summary of problems that are anticipated in implementing such plan.

(2) Forty-two months after the date of enactment of this Act, the Secretary shall submit to Congress a summary and evaluation of the master plans prepared pursuant to this section. Such report shall also assess the costs and benefits of the master plan program and recommend to Congress whether Federal financial assistance should be authorized in order that master plans can be developed in all States.

(e) **AUTHORIZATION FOR APPROPRIATION.**—There is authorized to be appropriated to carry out the provisions of this section \$10,000,000. Not more than 20 per centum of the amount appropriated under this section for any fiscal year may be granted for projects in any one State.

CITIZEN PARTICIPATION

SEC. 12. (a) GENERAL.—The Secretary is authorized to take all steps necessary to educate the public and to overcome public indifference as to fire safety and fire prevention. Such steps may include, but are not limited to, publications, audio-visual presentations, and demonstrations.

(b) **FIRE SAFETY EFFECTIVENESS STATEMENTS.**—The Secretary is authorized to encourage owners and managers of residential multiple-

unit, commercial, industrial, and transportation structures to prepare and submit to him for evaluation and certification a Fire Safety Effectiveness Statement pursuant to standards, forms, rules, and regulations to be developed and issued by the Secretary. A copy of such statement and evaluation shall be submitted to the applicable local fire service and, in the case of transportation structures, to the Secretary of Transportation. Any person who submits such a statement and receives certification may attach the following statement to any contract of sale or lease or any advertisement or notice which pertains to the structure as to which statement has been submitted: "A Fire Safety Effectiveness Statement has been prepared regarding this structure and this structure has been certified as meeting the requirements of the United States Department of Commerce."

(c) **REVIEW.**—The Secretary is authorized to review, evaluate, and suggest improvements in State and local fire prevention and building codes, fire services, and any relevant Federal or private codes, regulations, and fire services. He shall annually submit to Congress a summary of such reviews, evaluations, and suggestion. In evaluating such a code or codes, the Secretary shall consider the human impact of all code requirements, standards, and provisions in terms of comfort and habitability for residents or employees as well as the fire prevention and control value or potential of each such requirement, standard, and provision.

(d) **ASSISTANCE.**—The Secretary shall assist the Consumer Product Safety Commission in the development of fire safety standards or codes for consumer products, as defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.).

(e) **PUBLIC ACCESS TO INFORMATION.**—(1) Copies of any document, report, statement, or information received or sent by the Program for Fire Prevention and Control shall be made available to the public upon identifiable request, and at reasonable cost, unless such information may not be publicly released pursuant to paragraph (2) of this subsection. Nothing contained in this subsection shall be deemed to require the release of any information described by subsection (b) of section 552 of title 5, United States Code, or which is otherwise protected by law from disclosure to the public.

(2) The Secretary shall not disclose information obtained by him under this Act which concerns or relates to a trade secret referred to in section 1905 of title 18, United States Code, except that such information may be disclosed—

(A) upon request, to other Federal Government departments and agencies for official use;

(B) upon request, to any committee of Congress having jurisdiction over the subject matter to which the information relates;

(C) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceedings; and

(D) to the public in order to protect health and safety after notice and opportunity for comment in writing or for discussion in closed session within fifteen days by the party to which the information pertains (if the delay resulting from such notice and opportunity for comment would not be detrimental to health and safety).

STUDIES

SEC. 13. (a) **FISCAL STUDY.**—The Comptroller General of the United States is authorized and directed to study the financing of the Nation's fire services and to report to the Congress on whether the moneys available to the various fire services through State and local taxation and Federal-State revenue sharing is adequate to meet the Nation's need to minimize human and property losses from fire, or whether the Congress should authorize a grant-in-aid program to prevent and reduce fire losses. The results of such study shall be reported to the Congress not more than three years after the date on enactment of this Act and shall not be subject to prior review, clearance, or approval by any other officer or agency of the United States.

(b) **FIREFIGHTER STUDY.**—The Secretary is authorized and directed to prepare a comprehensive study of the organization and operation of the Nation's fire services as they affect individual firefighters, including, but not limited to, rates of pay; retirement benefits; working conditions; training requirements; entrance and promotional systems, standards, requirements, and opportunities; number of hours spent on active service; employment opportunities for women and members of minority groups; the impact on individual firefighters of coordinating and combining local fire services into regional, metropolitan, or state-wide fire services; risk of injury or death during active service; and recommendations for improvements. The results of such study shall be reported to the Congress not more than two years after the date of enactment of this Act; thereafter, such results shall be updated as part of the annual report of the Secretary required by section 14 of this Act.

ANNUAL REPORT

SEC. 14. The Secretary shall report to the Congress and the President not later than June 30 of the year following the date of enactment of this Act and each year thereafter on all activities of the Program for Fire Prevention and Control and all measures taken to implement and carry out this Act undertaken during the preceding calendar year. Such report shall include, but is not limited to—

(a) a thorough appraisal, including statistical analysis, estimates, and long-term projections of the human and economic losses due to fire;

(b) a survey and summary, in such detail as is deemed advisable, of the research undertaken or sponsored pursuant to this Act;

(c) a summary of the activities of the National Academy for Fire Prevention and Control, for the preceding twelve months, including, but not limited to—

(1) an explanation of the curriculum of study;

(2) a description of the standards of admission and performance;

(3) the criteria for the awarding of degrees and certificates; and

(4) a statistical compilation of the number of students attending the Academy and receiving degrees or certificates;

(d) a summary of the activities undertaken to assist to the Nation's fire services, pursuant to section 10 of this Act;

(e) a summary of the citizens' participation programs undertaken during the preceding twelve months;

(f) an analysis of the extent of participation by owners of residential multiple-unit, commercial, industrial, and transportation structures in preparing and submitting a Fire Safety Effectiveness Statement pursuant to section 11 of this Act;

(g) a summary of outstanding problems confronting the administration of this Act, in order of priority;

(h) such recommendations for additional legislation as are deemed necessary to carry out the declaration of policy of this Act; and

(i) all other information required to be submitted to Congress pursuant to other provisions of this Act.

ADMINISTRATIVE PROVISIONS

SEC. 15. (a) **ASSISTANCE.**—Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and directed to furnish to the Secretary, upon written request, on a reimbursable basis or otherwise, such assistance as the Secretary deems necessary to carry out his functions and duties pursuant to this Act including, but not limited to, transfer of personnel with their consent and without prejudice to their position and rating.

(b) **POWERS.**—With respect to this Act, the Secretary is authorized to—

(1) enter into, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), such contracts, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this Act;

(2) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U.S.C. 665(b));

(3) purchase, lease, or otherwise acquire, own, hold, improve, use, or deal in and with any property (real, personal, or mixed, tangible or intangible) or interest in property, wherever situated; and to sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of property and assets;

(4) procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for qualified experts; and

(5) establish such rules, regulations, and procedures as are necessary to carry out the provisions of this Act.

(c) **COORDINATION.**—To the extent possible and consistent with the declaration of policy of this Act, the Secretary shall utilize existing programs, data, information, and facilities already available in other Federal Government departments and agencies, and, where appropriate, existing private research organizations, centers, and universities, existing private research organizations, centers, and univer-

sities. The Secretary shall provide liaison at an appropriate organization level to assure coordination of its activities with State and local government agencies, departments, bureaus, or offices concerned with any matter related to the Program for Fire Prevention and Control and with private and other Federal organizations and offices so concerned.

PUBLIC SAFETY AWARDS

SEC. 16. (a) ESTABLISHMENT.—There are established two classes of honoring awards for the recognition of outstanding and distinguished service by public safety officers—

(1) the President's Award For Outstanding Public Safety Service ("President's Award"); and

(2) the Secretary's Award For Distinguished Public Safety Service ("Secretary's Award")

(b) DESCRIPTION.—(1) The President's Award shall be presented by the President of the United States to public safety officers for extraordinary valor in the line of duty or for outstanding contribution to the field of public safety.

(2) The Secretary's Award shall be presented by the Secretary or by the Attorney General to public safety officers for distinguished service in the field of public safety.

(c) SELECTION.—The Secretary and the Attorney General shall advise and assist the President in the selection of individuals to whom the President's Award shall be tendered. In performing this function, the Secretary and the Attorney General shall seek and review recommendations submitted to them by Federal, State, county, and local government officials. The Secretary and the Attorney General shall transmit to the President the names of those individuals determined by them to merit the award, together with the reasons therefor. Recipients of the President's Award shall be selected by the President.

(d) LIMITATION.—(1) There shall not be awarded in any one calendar year in excess of twelve President's Awards.

(2) There shall be no limit on the number of the Secretary's Awards presented.

(e) AWARD.—(1) Each President's Award shall consist of—

(A) a medal suitably inscribed, bearing such devices and emblems, and struck from such material as the Secretary of the Treasury, after consultation with the Secretary and the Attorney General, deems appropriate. The Secretary of the Treasury shall cause the medal to be struck and furnished to the President; and

(B) an appropriate citation.

(2) Each Secretary's Award shall consist of an appropriate citation.

(f) REGULATIONS.—The Secretary and the Attorney General are authorized and directed to issue jointly such regulations as may be necessary to carry out this section.

(g) DEFINITIONS.—As used in this section, the term "public safety officer" means a person serving a public agency, with or without compensation, as—

(1) a firefighter; or

(2) a law enforcement officer, including a corrections or a court officer.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 17. There are hereby authorized to be appropriated to carry out the foregoing provisions of this Act, except section 11 of this Act, such sums as are necessary, not to exceed \$25,000,000 for the fiscal year ending June 30, 1974, \$30,000,000 for the fiscal year ending June 30, 1975, and \$35,000,000 for the fiscal year ending June 30, 1976.

CONFORMING AMENDMENTS

SEC. 18. (a) Chapter 552 of the Act of February 14, 1903, as amended (15 U.S.C. 1511) is amended to read as follows:

"BUREAUS IN DEPARTMENT

"The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall be under the jurisdiction and subject to the control of the Secretary of Commerce:

"(a) National Oceanic and Atmospheric Administration;

"(b) United States Travel Service;

"(c) Maritime Administration;

"(d) National Bureau of Standards;

"(e) Patent Office;

"(f) Bureau of the Census;

"(g) Program for Fire Prevention and Control; and

"(h) such other bureaus or other organizational units as the Secretary of Commerce may from time to time establish in accordance with law.

(b) Paragraph 12 of section 5315 of title 5, United States Code, is amended by striking out "(6)" and inserting in lieu thereof "(7)".

(c) Title I of the Fire Research and Safety Act of 1968 (Act of March 1, 1968, 82 Stat. 34; 15 U.S.C. 278 f, g) is repealed.

VICTIMS OF FIRE

SEC. 19. The Secretary of Health, Education, and Welfare is authorized and directed to establish, within the National Institutes of Health and in cooperation with the Secretary, an expanded program of research on burns, treatment of burn injuries, and rehabilitation of victims of fires. The National Institutes of Health shall—

(a) sponsor and encourage the establishment throughout the Nation of twenty-five additional burn centers, which shall comprise separate hospital facilities providing specialized burn treatment and including research and teaching programs, and, twenty-five additional burn units, which shall comprise specialized facilities in general hospitals used only for burn victims;

(b) provide training and continuing support of specialists to staff the new burn centers and burn units;

(c) sponsor and encourage the establishment in general hospitals of ninety burn programs, which comprise staff of burn injury specialists;

(d) provide special training in emergency care for burn victims;
 (e) augment sponsorship of research on burns and burn treatment;

(f) administer and support a systematic program of research concerning smoke inhalation injuries; and

(g) sponsor and support other research and training programs in the treatment and rehabilitation of burn injury victims.

For purposes of this section, there are authorized to be appropriated not to exceed \$7,500,000 for the fiscal year ending June 30, 1974, \$10,000,000 for the fiscal year ending June 30, 1975, and \$10,000,000 for the fiscal year ending June 30, 1976.

FIRE PROTECTION ASSISTANCE

SEC. 20. Section 232 of the National Housing Act (12 U.S.C. 1715w) is amended by adding at the end thereof the following new subsection:

“(i) (1) The Secretary is authorized upon such terms and conditions as he may prescribe to make commitments to insure loans made by financial institutions to skilled nursing facilities and intermediate care facilities to provide for the purchase and installation of fire safety equipment necessary for compliance with the latest edition of the Life Safety Code of the National Fire Protection Association, as modified in accordance with evaluation by the Secretary of Commerce under the Federal Fire Prevention and Control Act or which are recognized by the Secretary of Health, Education, and Welfare as conditions of participation for providers of services under title XVIII and title XIX of the Social Security Act, as modified in accordance with evaluations by the Secretary of Commerce under such Act.

“(2) To be eligible for insurance under this subsection a loan shall—

“(A) have a principal amount not to exceed \$50,000;

“(B) bear interest at a rate not to exceed the rate prescribed by the Secretary;

“(C) have a maturity satisfactory to the Secretary, but not to exceed twelve years from the beginning of the amortization of the loan or three-quarters of the remaining economic life of the structure in which the equipment is to be installed, whichever is less; and

“(D) comply with other such terms, conditions, and restrictions as the Secretary, in consultation with the Secretary of Commerce, may prescribe.

“(3) The provisions of paragraphs (5), (6), (7), (9), and (10) of section 220(h) shall be applicable to loans insured under this subsection, except that all references to ‘home improvement loans’ shall be construed to refer to loans under this subsection.

“(4) The provisions of subsections (c), (d), and (h) of section 2 shall apply to loans insured under this subsection, and for the purpose of this subsection references in such subsections to ‘this section’ or ‘this title’ shall be construed to refer to this subsection.”

AGENCY COMMENTS

COMPTROLLER GENERAL OF THE UNITED STATES,
 Washington, D.C., August 24, 1973.

B-160998

HON. WARREN G. MAGNUSON,
 Chairman, Committee on Commerce,
 U.S. Senate.

DEAR MR. CHAIRMAN: Your letter of May 31, 1973, requests our comments on S. 1769, 93d Congress which, if enacted, would be cited as the “Fire Prevention and Control Act of 1973.”

Section 102 specifies five general areas of fire prevention and control over which the United States Fire Administration would have responsibility. In carrying out these responsibilities the Administration would be authorized to deal with and provide assistance to States and units of local government. The Committee may wish to consider authorizing similar assistance to the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, the Virgin Islands, American Samoa, and the trust territory of the Pacific Islands.

Section 505 provides that part A grants to State fire agencies shall not exceed 90 percent of the expenses for the establishment and the operation of the agencies. The bill is silent, however, as to whether there would be an expenditure ceiling on the Federal funds to be made available to units of local government under authority of section 504(c). The Committee may wish to consider placing a limitation on the total amount of Federal funds that may be paid to local governments.

Section 507(d) would limit the portion of a fire prevention and control grant which may be spent on compensation of personnel. However, the compensation of personnel engaged in certain programs including “other short-term programs” would be excluded from this limitation. The Committee may wish to define “short-term programs.”

Section 509(7) states that a State fire agency’s master plan must demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under part B after a reasonable period of Federal assistance. We suggest that the Committee consider defining the term “reasonable period.”

Section 511 provides that grants may be made to a local unit of general government under part A and part B; it further provides that no grant thereunder (under section 511) shall be for an amount in excess of 90 percent of the project or program cost. However, section 507(c) would limit the amount of *any* grant under part B to only 75 percent of program or project cost. We suggest that the Committee eliminate this possible inconsistency by clarifying its intent with respect to the limitations on use of part B grant funds.

Section 716 would authorize the Administration to conduct evaluation studies of the programs and activities assisted under the act. Section 720 would require the Administration, on or before September 30, 1974, and each year thereafter, to report to the President and the Congress on activities during the preceding year, such reports to include recommendations as to which research, education, training, and

other programs at the Federal, State, and local levels are deserving of continued or increased support, encouragement, and assistance from the public and private entities concerned.

The bill's requirements for making and reporting on program evaluations are rather general. We suggest that the Committee consider adding language essentially as follows to the end of section 720.

"Copies of such reports shall be sent to the Chairmen of the Senate and House Committees on Appropriations and Commerce and the reports also shall—

"(1) contain the Administration's statement of specific and detailed objectives for the program or programs assisted under the provisions of this Act, and relate these objectives to those in the Act.

"(2) include statements of the Administration's conclusions as to the effectiveness of the program or programs in meeting the stated objectives, measured through the end of the preceding fiscal year,

"(3) make recommendations with respect to any changes or additional legislative action deemed necessary or desirable in carrying out the program or programs,

"(4) contain a listing identifying the principal analyses and studies supporting the major conclusions and recommendations, and

"(5) contain the agency's annual evaluation plan for the program or programs through the next fiscal year."

Section 722(b) would provide the Fire Administration and the General Accounting Office with access to and authority to audit the records of recipients of assistance under the act that were pertinent to the grants received. We have developed standard language which we recommend for inclusion in most all Federal assistance programs. We therefore suggest that section 722(b) be revised to read substantially as follows:

"(b) The Administration and the Comptroller General of the United States, or any of their duly authorized representatives, shall, until the expiration of 3 years after completion of the project or undertaking referred to in this Act, have access for the purpose of audit and examination to any books, documents, papers and records of such recipients which in the opinion of the Administration or the Comptroller General may be related or pertinent to the grants, contracts, subcontracts, subgrants, loans, or other arrangements referred to in this Act."

Enclosed are suggested editorial and technical changes to the bill.

Sincerely yours,

PAUL G. DEMBLING,

For the Comptroller General of the United States.

Enclosure.

EDITORIAL AND TECHNICAL CHANGES TO S. 1760, 93D CONGRESS

On page 11, line 23 and page 42, line 15, the words "per diem in lieu of subsistence" should be changed to "a per diem allowance."

On page 22, line 21, the word "section" should probably be changed to "part."

On page 23, line 17, the word "title" should probably be changed to "part" because the grants involved would be made to agencies having approved master plans for fire protection and planning grants authorized under part A would be for the purpose of encouraging development and adoption of such master plans.

THE GENERAL COUNSEL OF THE TREASURY,
Washington, D.C., August 29, 1973.

HON. WARREN G. MAGNUSON,
*Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on S. 1769, "To establish a United States Fire Administration and a National Fire Academy in the Department of Housing and Urban Development, to assist State and local governments in reducing the incident of death, personal injury, and property damage from fire, to increase the effectiveness and coordination of fire prevention and control agencies at all levels of government, and for other purposes."

The bill would establish a United States Fire Administration within the Department of Housing and Urban Development to administer the provisions of the bill and carry out an effective national fire safety overview responsibility. The United States Fire Administration would be authorized to make grants to the States for the establishment and operation of State fire prevention and control planning agencies and for State master plans for fire protection, and for fire prevention and control purposes.

The Administration supports the objects of S. 1769 and is therefore developing specific proposals for new expanded or redirected Federal programs to deal with the Nation's fire problem. The Department of Commerce is working with other agencies, the Office of Management and Budget, and the Domestic Council in developing the proposal which they now hope to submit to Congress by early October or November.

The categorical grants authorized by S. 1769 would not appear to be consistent with the purposes of the Administration's revenue sharing program. Moreover, the bill would provide broad authority for the Federal Insurance Administration in cooperation with the proposed United States Fire Administration to conduct a program to provide low-cost insured loans to homeowners and businessmen for the purpose of installing in their premises appropriate types of fire protection equipment. The language in the bill authorizing the insured loan program is not consistent with overall Administration policy with respect to Federal credit programs.

In addition, the Administration believes that the Department of Commerce should have principal responsibility for the Federal fire program. In the Fire Research and Safety Act of 1968, Congress gave the Secretary of Commerce the principal Federal responsibility for fire research, data collection and analysis, education and training, and public information. We see no reason to recommend a change in that Congressional decision by transferring principal responsibility from Commerce to the Department of Housing and Urban Development.

In view of the foregoing, the Department is opposed to the bill.

The Department has been advised by the Office of Management and Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,

EDWARD C. SCHMULTS,
General Counsel.

THE GENERAL COUNSEL OF THE TREASURY,
Washington, D.C., February 27, 1973.

HON. JOHN SPARKMAN,
*Chairman, Committee on Banking, Housing, and Urban Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on S. 186, "To provide for the awarding of a Medal of Honor for Firemen."

The proposed legislation would create the Medal of Honor for Firemen which would be awarded by the President each year to one fireman from each State nominated by the Governor of the State. It would further provide that the Secretary of the Treasury shall cause the medal to be struck and furnished to the President and that the medals bear the inscription, "Salvere Servi", and such devices and emblems and be of such material as may be determined by the Secretary.

The Department has no comment to make on the merits of the proposed legislation. We would use the facilities of the Bureau of the Mint to produce the medals. It should be pointed out that the bill would exclude consideration of firemen from the District of Columbia and the possessions of the United States as recipients of the medals.

The Department has been advised by the Office of Management and Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,

SAMUEL R. PIERCE, JR.,
General Counsel.

U.S. DEPARTMENT OF COMMERCE,
THE ASSISTANT SECRETARY
FOR SCIENCE AND TECHNOLOGY,
Washington, D.C., October 5, 1973.

HON. WARREN G. MAGNUSON,
*Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.*

DEAR MR. MAGNUSON: On September 24, 1973, I testified before the Committee on Commerce concerning proposed fire legislation and the overall Department of Commerce capabilities in the fire safety area. At that time I advised that the Administration would be submitting "proposals for new, expanded or redirected Federal programs" for fire safety.

I am pleased to advise you that the Secretary of Commerce has sent to the Speaker of the House of Representatives and President of the Senate the proposed legislation entitled the "Fire Safety and Education Act of 1973." (Tab A)

The Statement of Purpose and Need sets forth the urgent need for reducing fire's tragic toll in America. Each year 12,000 people are killed and tens of thousands of persons are scarred physically and emotionally. Additionally, over eleven billion dollars of our resources are wasted by destructive fires. Further, the firefighting profession is the principal hazardous occupation in the United States in terms of severity of injuries and frequency of deaths.

The proposed legislation would establish in the Department of Commerce authority to develop and carry out a comprehensive national fire program which would focus on the three key fire safety functions: (1) a training and educational program, including a public awareness effort; (2) a national system of fire data and information; and (3) a research and development program.

The training and education program will provide supplemental training and education for fire service personnel and other fire specialists. Among other things it will provide specialized and advanced training courses for senior instructors in state and local training programs, training materials, and new types of courses at the management and command level. The program would also include an effort to make the public more aware of fire hazards.

The fire data program will develop more accurate and more detailed data on fire losses and their causes. It will be designed to provide an accurate national picture of the fire problem to assist in providing the basis for the setting of priorities and to monitor progress of programs to reduce fire losses.

The Federal research and development program will reduce fire losses by providing the technical base for better fire extinguishment, the safer use of materials, improved building design, and more efficient detection, suppression, and control systems.

In order to hasten the achievement of the purpose of the proposed legislation and avoid duplication of effort, the Secretary of Commerce is directed to coordinate and review existing Federal fire programs; identify and make recommendations concerning competing, overlapping or duplicative Federal programs; encourage Federal interagency transfer of fire technology; and encourage existing and future fire development programs in the state and local government, academic, and private industry sectors.

In order to assist the Secretary in carrying out his functions under the proposed legislation there is established a Fire Safety Advisory Council. The Council will be composed of fifteen members selected from Federal, state, and local governmental agencies, fire services and fire industries, and the general public. Members representing the general public could be representatives of fire protection engineers, insurance organizations, building designers, code officials, and private industry.

We plan to carry out the functions set out in the proposed legislation by establishing a National Bureau of Fire Safety (NBFS).

The Director of the NBFS will hold a Level V position in the Executive Schedule and will report directly to the Assistant Secretary for Science and Technology (as does the National Bureau of Standards, whose Director also holds a Level V position).

The NBFS will be the focus of United States fire safety efforts.

Organizationally the NBFS will be composed of:

1. A National Fire Academy System;
2. A Fire Research and Development Office; and
3. A National Fire Data Information System.

NATIONAL FIRE ACADEMY SYSTEM

A National Fire Academy System will be established within the NBFS to support a three level training and education program. This program will be designed to bolster local and state basic training programs by providing training aids such as programmed learning textbooks; sponsor specialized education and officer training courses at established educational facilities; and establish an Academy in which to conduct courses in management and command for senior officers and other highly advanced and specialized courses. These programs will be operated in close conjunction with all elements of the fire services. Members of the fire services and other professionals undergoing training may receive grants for travel, lodging, and subsistence expenses.

FIRE RESEARCH AND DEVELOPMENT OFFICE

A Fire Research and Development Office will also be established within the NBFS. The purpose of the office will be to intensify the research and development efforts in order to make the U.S. environment more fire-safe by funding appropriate research and development fire programs. It will focus on fire prevention and containment, fire services technology, automatic fire detection and loss control, research on fire characteristics and human factors related to the development of fire safety systems. We propose, in order to avoid duplication of effort to transfer the National Science Foundation fire research program to the NBFS. In addition, we would use the National Bureau of Standards' fire research capabilities to develop new fire standards.

NATIONAL FIRE DATA INFORMATION SYSTEM

We also intend to establish, as an integral part of the NBFS a National Fire Data and Information System. The system would be directed towards the collection, analysis and dissemination of fire accident data and the collection, cataloging and abstraction of technical information about fire. It would be designed to provide detailed statistical data and serve as a nationwide source of technical information about fire losses.

The organizational structure set out above will enable us to coordinate the three primary functions of the NBFS through a systems management approach. Such an approach will assure that these functions, which are inseparable, will be coordinated so as to obtain maximum effectiveness in reducing fire loss.

Moreover, the Secretary of Commerce under section 7 of our proposed legislation would be able to coordinate and review existing and future Federal interagency research and development programs, fire data programs, and fire training and education programs. Thus, the

NBFS would interact significantly with the fire programs of other agencies, such as HUD, HEW, GSA, NSF, NASA, and DOD.

In summary, the Department of Commerce is ready and eager to manage the activities set forth in the proposed legislation. We believe that the establishment of a National Bureau of Fire Safety reporting directly to the Assistant Secretary will drastically reduce our present extensive and tragic annual loss of 12,000 American lives each year.

We strongly believe that implementation of the program we have described will help us achieve this much desired goal.

Sincerely,

BETSY ANCKER-JOHNSON, Ph. D.

Enclosure.

A BILL To provide for fire accident data collection, analysis and dissemination, to assist state and local governments in reducing the incidence of death, personal injury, and property damage from fire, to increase the effectiveness and encourage fire prevention and control at all levels of government, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fire Safety and Education Act of 1973".

FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds that—

- (1) destructive fires result in an unacceptable number of deaths, injuries, and property losses in the United States;
- (2) the state-of-the-art in firefighting and in protecting persons and property from combustion hazards, requires additional research and development in the area of fire safety;
- (3) there is a need for professional training and education primarily oriented toward improving the effectiveness of fire departments, developing leadership for fire prevention and reducing firefighter injuries;
- (4) there is a need for a national fire data collection, analysis and dissemination system to establish priorities for research and action; and
- (5) the Federal Government's role in fire research and development, information collection and dissemination, and education must be further strengthened in order that the effectiveness of the Nation's dedicated firefighting forces may be increased.

(b) The purposes of this Act are—

- (1) to protect the public against unreasonable risks of death, injury, and property loss associated with fire accidents;
- (2) to provide training and education beyond the basic training received by firefighters, including public awareness efforts;
- (3) to establish a centralized program of research and development for fire safety; and
- (4) to establish an integrated and comprehensive fire data system.

FUNCTIONS OF THE SECRETARY

SEC. 3. The Secretary of Commerce (hereinafter referred to as the "Secretary") is authorized to undertake the following functions:

- (1) to develop and carry out a comprehensive national fire research and development program designed to determine the causes and nature of fires, their frequency of occurrence, and other pertinent factors, and develop more effective measures of protection against the hazards of death, injury and damage to property resulting from fire;
- (2) to develop and carry out educational and training programs in fire safety, including public awareness efforts; and
- (3) to develop and carry out a comprehensive fire data and information program.

FIRE RESEARCH AND DEVELOPMENT PROGRAM

SEC. 4. The Secretary is authorized to conduct directly or through contracts—

(a) a program of basic and applied fire research for the purpose of arriving at an understanding of the fundamental processes underlying all aspects of fire. Such program shall include scientific investigations of—

- (1) the physics and chemistry of combustion processes;
- (2) the dynamics of flame ignition, flame spread, and flame extinguishment;
- (3) the composition of combustion products developed by various sources and under various environmental conditions;
- (4) the early stages of fires of buildings, building subsystems, and building components with the aim of improving early detection capability;
- (5) the behavior of fires involving all types of buildings and their contents, including mobile homes and high-rise buildings, construction materials, floor and wall coverings, coatings, furnishings, and other combustible materials;
- (6) the unique aspects of fire hazards arising from the transportation and use in industrial and professional practices of combustible gases, fluids, and materials;
- (7) development of design concepts for providing increased fire safety in buildings; and
- (8) such other aspects of the fire process as are deemed useful for pursuing the objective of the fire research program.

(b) research into the biological, physiological, and psychological factors affecting the human victims of fire and the performance of the individual members of fire protection forces.

(c) studies of the operations and management aspects of fire departments and services using quantitative techniques, including operations research, management economics, cost effectiveness studies, and such other techniques as are found applicable and useful. Such studies shall include, but not be limited to, the allocation of resources, the manner of responding to alarms, the operation of city-wide and regional fire dispatch centers, and the effectiveness, frequency, and methods of building inspections.

(d) Operation tests, demonstration projects, and fire investigations are hereby authorized to be performed in the conduct and support of activities set forth in this section.

FIRE DATA PROGRAM

SEC. 5. The Secretary is authorized to—

(a) operate directly or through contracts an integrated comprehensive fire data program based on the collection, analysis, publication, and dissemination of fire information related to the prevention, occurrence, control and results of fires of all types. The program shall be designed to provide an accurate national picture of the fire problem, identify major problem areas and assist in setting priorities, determine possible solutions to problems, and monitor progress of programs to reduce fire losses. To carry out these functions, the program shall include—

- (1) information on the frequency, causes, spread, and extinguishment of fires;
- (2) information on the number of injuries and deaths resulting from fires including the maximum available information on the specific causes and nature of such injuries and deaths, and information on property losses;
- (3) information on the occupational hazards of firemen including the causes of death and injury to firemen arising directly and indirectly from firefighting activities;
- (4) information on all types of fire prevention activities including inspection practices;
- (5) technical information related to building construction, fire properties of materials, and other similar information; and
- (6) such other information and data as is judged useful and applicable.

(b) In the conduct of the comprehensive fire data and information program the Secretary is authorized to develop standardized data reporting methods and to encourage and assist State, local, and other agencies, public and private, in developing and reporting information.

(c) In the conduct of the comprehensive fire data and information program the Secretary is authorized to make full use of existing data gathering and analysis organizations, both public and private.

(d) The Secretary shall insure dissemination of such fire data to the maximum extent.

PROFESSIONAL FIRE TRAINING AND EDUCATION PROGRAM

SEC. 6. (a) The Secretary is authorized to establish and conduct either directly or through contracts or grants as provided by Section 11 a professional fire training and education program to—

- (1) advance the professional development of fire service personnel;
- (2) assist in conducting or supplementing, at the request of a State or unit of local government, local and regional programs for the training of fire personnel;
- (3) develop model fire training and educational programs, curricula, and information materials;

(4) develop new or improved approaches, techniques, systems, equipment, and devices to improve fire prevention and control;

(5) conduct such development, testing, and demonstration projects as are deemed necessary to introduce new technology standards, operating methods, command techniques, and management systems into use in the fire services; and

(6) provide, establish, and support specialized and advanced education and training programs and facilities for fire service personnel.

(b) Any central facility established by the Secretary to conduct the fire training and education program authorized by this section shall be located on a site in or near the District of Columbia.

COORDINATION OF FIRE PROGRAMS

SEC. 7. The Secretary shall, so as to hasten the achievement of the purposes of this Act and to avoid duplication of effort:

(a) coordinate and review existing and future Federal interagency research and development programs, fire data programs, and fire training and education programs;

(b) identify competing, overlapping, duplicative or inefficient programs, and make recommendations to appropriate agency officials and to the Director of the Office of Management and Budget concerning the scope and funding of fire programs;

(c) encourage Federal interagency transfer of fire technology; and

(d) encourage existing and future fire development programs in the State and local government and in the academic and private industry sectors.

PUBLIC AWARENESS EFFORTS

SEC. 8. The Secretary is authorized directly or by contract in cooperation and coordination with interested government agencies, fire services and industries, and appropriate fire service organizations, to carry out a program to educate the public as to fire safety.

FIRE SAFETY ADVISORY COUNCIL

SEC. 9. (a) The Secretary shall establish a Fire Safety Advisory Council which he may consult before taking any action under this Act. The Council shall be appointed by the Secretary and shall be composed of fifteen members. The Council shall be constituted as follows:

(1) five members shall be selected from governmental agencies, other than fire services or fire industries, including Federal, State, and local governments;

(2) five members shall be selected from the fire services and fire industries;

(3) five members shall be selected who shall be broadly representative of the general public.

(b) The Council shall meet at the call of the Secretary, but not less than two times during each calendar year. All proceedings of the Council shall be public, and a record of each proceeding shall be available for public inspection.

(c) Members of the Council who are not officers or employees of the United States shall, while attending meetings or conferences of the Council or while otherwise engaged in the business of the Council, be entitled to receive compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule, including travel time; and while away from their homes on regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code. Payments under this subsection shall not render members of the Council officers or employees of the United States for any purpose.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Appropriations to carry out the provisions of this Act may remain available for obligation and expenditure for such period or periods as may be specified in the Acts making such appropriations.

(b) Within the limits of funds which are appropriated to carry out this Act, the Secretary is authorized to undertake such construction of buildings, grounds, and other facilities occupied or used in performance of the functions and activities authorized by this Act as are necessary for the proper and efficient conduct of those functions and activities: *Provided*, That no improvement shall be made nor shall any building be constructed under this authority at a cost in excess of \$100,000 unless specific provision is made therefor in the appropriation concerned.

SEC. 11. The Secretary may perform the functions authorized by the Act either directly or through contracts. Grants may be made by the Secretary only to State and local governments, other non-Federal public agencies, and nonprofit institutions for travel, lodging, and subsistence to perform the functions authorized by section 6. Any grant made in the performance of such functions may be in an amount up to 100 per centum of the total cost of the activities for which such grant is made.

a. Each recipient of moneys under such a grant or contract awarded pursuant to this section shall keep such records and make such reports as the Secretary may prescribe, including information on the total cost of the approved program and the portion of the cost which is supplied by other sources. In the case of moneys received in advance of performance, such records and reports shall identify the unearned balance of advances on hand, the liabilities and obligations outstanding under such grant or contract, and the application of the funds received.

b. The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipient that are pertinent to its activities under this Act for the purpose of audit or to determine whether a proposed activity is in the public interest.

SEC. 12. Payments under this Act to foster fire safety may be made in installments, and in advance or by way of reimbursement, as may

be determined by the Secretary, and may be used to pay the transportation and subsistence expenses of persons attending conferences or other assemblages notwithstanding the provisions of the Joint Resolution entitled, "Joint Resolution to prohibit expenditure of any moneys for housing, feeding, or transporting conventions or meetings."

SEC. 13. The Secretary is authorized to establish such positions as are necessary to carry out the provisions of this Act and may fix the rate of pay of one position at a level not in excess of Level V of the Executive Schedule.

SEC. 14. Title I of the Fire Research and Safety Act of 1968 (Act of March 1, 1968, 82 Stat. 34; 15 U.S.C. 278f and g), is hereby repealed.

STATEMENT OF PURPOSE AND NEED

America's fire losses each year are indeed formidable. Every day some 170 Americans are killed or left permanently disfigured by fire. Every minute there is a fire in an American home. Most fires can be prevented and our citizens safeguarded from unnecessary death, injury and damage to their property.

Recognizing that fire's tragic toll in America must be reduced, the Fire Research and Safety Act of 1968 was enacted by the Congress. Pursuant to that Act the Secretary of Commerce was authorized to conduct a general fire research and safety program and the National Commission on Fire Prevention and Control was established to recommend a Federal fire program.

After two years of intensive hearings and investigations, the Commission, on May 4, 1973, transmitted its report "America Burning" to the President. They found that 12,000 people are killed and tens of thousands of persons are scarred physically and emotionally by fire each year. Additionally, over eleven billion dollars of our resources are wasted by destructive fires. America's loss of life rates are 2½ times greater than those of the United Kingdom and six times greater than those of Japan. Accordingly, the Commission's Report recommended increased efforts by the Federal Government to reduce fire losses. The Commission's Report explained that the Federal role should supplement existing state efforts for the sake of a more coherent effort to reduce the Nation's fire losses. They recommended that an entity be created in the Federal Government which could view the fire problem in its entirety, which would direct attention to aspects of the fire problem that have been neglected, and which would serve as the conduit for the inter-governmental cooperation that is needed to combat the Nation's fire problem.

The Commission's Report identified three key fire safety functions to be undertaken by the Federal Government. These are: (1) a training and education program, including a public awareness effort; (2) a national system of fire data and information; and (3) a research and development program.

The proposed act would establish in the Department of Commerce authority to develop and carry out a comprehensive national fire program which would focus on these three key functions.

The Commission's Report pointed out that the fire services and the public need better training and education. Training for firefighters

and officers has not been uniform in quality, with effective participation in some areas, and little support in other areas. Better training would improve the effectiveness of fire departments and reduce firefighter injuries.

The educational and training program envisioned by the bill will supplement existing local programs. Among other things, it would provide for specialized and advanced training courses for instructors and other participants in state and local training programs. There will be courses concerning the special hazards of firefighting, prevention programs, inspection programs, public education, and fire safety information programs.

In addition, Americans must be educated about fire safety. Public awareness is integral to reducing fire losses. A public awareness effort will be undertaken to muster a nationwide campaign to make people knowledgeable about fire safety.

The Commission's Report also emphasized that because of the largely local nature of the Nation's fire safety activities, the important area of research and development was being neglected. An objective long-range approach to research and development is clearly needed where the issue of fire safety arises. The bill would provide for appropriate research and development, to reduce fire losses in our Nation.

Finally, the Commission's Report declared a need for a comprehensive national fire data system which will help establish priorities for research and action. Such a system must, of course, encompass fire incident reports, however, to be effective it should also include in its data base significant results of research and development, such as toxicity data on smoke and gas and flammability of materials. Medical and insurance data should also be incorporated. The bill would include authority to operate an integrated comprehensive fire data program based on collection, analysis, and dissemination of fire information related to the prevention, occurrence, control and results of fires of all types. It will serve as a data reservoir from which those concerned with fire problems can obtain information regarding such matters as the direct and contributing causes of fire, the potential hazard of various materials or practices, and the ways in which the victims of fire are affected. With better identification of fire problems, better understanding of fire incidents, and better analysis of hazards, such as toxic gas and smoke, more effective programs and priorities could be established and appropriate decisions could be reached to help reduce the ever present danger of fires.

The three functions, a training and education program, including a public awareness effort, a national system of fire data and information, and a research and development program, are interdependent and effective coordination requires a system management approach.

To hasten the achievement of the development of this comprehensive national fire program and to avoid duplication of effort, the Secretary is also directed to coordinate and review existing and future Federal fire programs; identify and make recommendations concerning duplicative, competing and inefficient Federal programs; encourage Federal interagency transfer of the fire technology; and encourage existing and future fire development programs in the State and local government and private sectors.

In developing a national fire plan, the bill would establish a Fire Safety Advisory Council composed of 15 members from government agencies, fire services and fire industries, and the general public. Members representing the general public could be representatives of equipment manufacturers, fire protection engineers, insurance organizations, building designers, and the general public. The main function of the Council would be to assist the Secretary in carrying out his functions and responsibilities.

The bill also makes provision for the establishment of such positions as are necessary to carry out its provisions, with one position at a level not in excess of Level V of the Executive Schedule.

The bill would authorize the appropriation of such sums as may be necessary to carry out its provisions. The appropriations would be available for obligation and expenditure for such periods as specified in the Act making such appropriations.





Ninety-third Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-first day of January, one thousand nine hundred and seventy-four

An Act

To reduce losses of life and property, through better fire prevention and control, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Fire Prevention and Control Act of 1974".

FINDINGS

SEC. 2. The Congress finds that—

(1) The National Commission on Fire Prevention and Control, established pursuant to Public Law 90-259, has made an exhaustive and comprehensive examination of the Nation's fire problem, has made detailed findings as to the extent of this problem in terms of human suffering and loss of life and property, and has made ninety thoughtful recommendations.

(2) The United States today has the highest per capita rate of death and property loss from fire of all the major industrialized nations in the world.

(3) Fire is an undue burden affecting all Americans, and fire also constitutes a public health and safety problem of great dimensions. Fire kills 12,000 and scars and injures 300,000 Americans each year, including 50,000 individuals who require extended hospitalization. Almost \$3 billion worth of property is destroyed annually by fire, and the total economic cost of destructive fire in the United States is estimated conservatively to be \$11,000,000,000 per year. Firefighting is the Nation's most hazardous profession.

(4) Such losses of life and property from fire are unacceptable to the Congress.

(5) While fire prevention and control is and should remain a State and local responsibility, the Federal Government must help if a significant reduction in fire losses is to be achieved.

(6) The fire service and the civil defense program in each locality would both benefit from closer cooperation.

(7) The Nation's fire problem is exacerbated by (A) the indifference with which some Americans confront the subject; (B) the Nation's failure to undertake enough research and development into fire and fire-related problems; (C) the scarcity of reliable data and information; (D) the fact that designers and purchasers of buildings and products generally give insufficient attention to fire safety; (E) the fact that many communities lack adequate building and fire prevention codes; and (F) the fact that local fire departments spend about 95 cents of every dollar appropriated to the fire services on efforts to extinguish fires and only about 5 cents on fire prevention.

(8) There is a need for improved professional training and education oriented toward improving the effectiveness of the fire services, including an increased emphasis on preventing fires and on reducing injuries to firefighters.

(9) A national system for the collection, analysis, and dissemination of fire data is needed to help local fire services establish research and action priorities.

(10) The number of specialized medical centers which are properly equipped and staffed for the treatment of burns and the rehabilitation of victims of fires is inadequate.

(11) The unacceptably high rates of death, injury, and property loss from fire can be reduced if the Federal Government establishes a

coordinated program to support and reinforce the fire prevention and control activities of State and local governments.

PURPOSES

SEC. 3. It is declared to be the purpose of Congress in this Act to—

- (1) reduce the Nation's losses caused by fire through better fire prevention and control;
- (2) supplement existing programs of research, training, and education, and to encourage new and improved programs and activities by State and local governments;
- (3) establish the National Fire Prevention and Control Administration and the Fire Research Center within the Department of Commerce; and
- (4) establish an intensified program of research into the treatment of burn and smoke injuries and the rehabilitation of victims of fires within the National Institutes of Health.

DEFINITIONS

SEC. 4. As used in this Act, the term—

- (1) "Academy" means the National Academy for Fire Prevention and Control;
- (2) "Administration" means the National Fire Prevention and Control Administration established pursuant to section 5 of this Act;
- (3) "Administrator" means the Administrator of the National Fire Prevention and Control Administration;
- (4) "fire service" means any organization in any State consisting of personnel, apparatus, and equipment which has as its purpose protecting property and maintaining the safety and welfare of the public from the dangers of fire, including a private fire-fighting brigade. The personnel of any such organization may be paid employees or unpaid volunteers or any combination thereof. The location of any such organization and its responsibility for extinguishment and suppression of fires may include, but need not be limited to, a Federal installation, a State, city, town, borough, parish, county, fire district, fire protection district, rural fire district, or other special district. The terms "fire prevention", "firefighting", and "firecontrol" relate to activities conducted by a fire service;
- (5) "local" means of or pertaining to any city, town, county, special purpose district, unincorporated territory, or other political subdivision of a State;
- (6) "Secretary" means the Secretary of Commerce; and
- (7) "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, the Trust Territory of the Pacific Islands and any other territory or possession of the United States.

ESTABLISHMENT OF THE NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

SEC. 5. (a) ESTABLISHMENT OF ADMINISTRATION.—There is hereby established in the Department of Commerce an agency which shall be known as the National Fire Prevention and Control Administration.

(b) ADMINISTRATOR.—There shall be at the head of the Administration the Administrator of the National Fire Prevention and Control Administration. The Administrator shall be appointed by the Presi-

dent, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for level IV of the Executive Schedule pay rates (5 U.S.C. 5315). The Administrator shall report and be responsible to the Secretary.

(c) DEPUTY ADMINISTRATOR.—There shall be in the Administration a Deputy Administrator of the National Fire Prevention and Control Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5316). The Deputy Administrator shall perform such functions as the Administrator shall from time to time assign or delegate, and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

PUBLIC EDUCATION

SEC. 6. The Administrator is authorized to take all steps necessary to educate the public and to overcome public indifference as to fire and fire prevention. Such steps may include, but are not limited to, publications, audiovisual presentations, and demonstrations. Such public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, such as the young and the elderly. The Administrator shall sponsor and encourage research, testing, and experimentation to determine the most effective means of such public education.

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

SEC. 7. (a) ESTABLISHMENT.—The Secretary shall establish, at the earliest practicable date, a National Academy for Fire Prevention and Control. The purpose of the Academy shall be to advance the professional development of fire service personnel and of other persons engaged in fire prevention and control activities.

(b) SUPERINTENDENT.—The Academy shall be headed by a Superintendent, who shall be appointed by the Secretary. In exercising the powers and authority contained in this section the Superintendent shall be subject to the direction of the Administrator.

(c) POWERS OF SUPERINTENDENT.—The Superintendent is authorized to—

(1) develop and revise curricula, standards for admission and performance, and criteria for the awarding of degrees and certifications;

(2) appoint such teaching staff and other personnel as he determines to be necessary or appropriate;

(3) conduct courses and programs of training and education, as defined in subsection (d) of this section;

(4) appoint faculty members and consultants without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and, with respect to temporary and intermittent services, to make appointments to the same extent as is authorized by section 3109 of title 5, United States Code;

(5) establish fees and other charges for attendance at, and subscription to, courses and programs offered by the Academy. Such fees may be modified or waived as determined by the Superintendent;

(6) conduct short courses, seminars, workshops, conferences, and similar education and training activities in all parts and localities of the United States;



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(7) enter into such contracts and take such other actions as may be necessary in carrying out the purposes of the Academy; and

(8) consult with officials of the fire services and other interested persons in the exercise of the foregoing powers.

(d) PROGRAM OF THE ACADEMY.—The Superintendent is authorized to—

(1) train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires, including, but not limited to—

(A) techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(B) tactics and command of firefighting for present and future fire chiefs and commanders;

(C) administration and management of fire services;

(D) tactical training in the specialized field of aircraft fire control and crash rescue;

(E) tactical training in the specialized field of fire control and rescue aboard waterborne vessels; and

(F) the training of present and future instructors in the aforementioned subjects;

(2) develop model curricula, training programs, and other educational materials suitable for use at other educational institutions, and to make such materials available without charge;

(3) develop and administer a program of correspondence courses to advance the knowledge and skills of fire service personnel;

(4) develop and distribute to appropriate officials model questions suitable for use in conducting entrance and promotional examinations for fire service personnel; and

(5) encourage the inclusion of fire prevention and detection technology and practices in the education and professional practice of architects, builders, city planners, and others engaged in design and planning affected by fire safety problems.

(e) TECHNICAL ASSISTANCE.—The Administrator is authorized, to the extent that he determines it necessary to meet the needs of the Nation, to encourage new programs and to strengthen existing programs of education and training by local fire services, units, and departments, State and local governments, and private institutions, by providing technical assistance and advice to—

(1) vocational training programs in techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(2) fire training courses and programs at junior colleges; and

(3) four-year degree programs in fire engineering at colleges and universities.

(f) ASSISTANCE.—The Administrator is authorized to provide assistance to State and local fire service training programs through grants, contracts, or otherwise. Such assistance shall not exceed 4 per centum of the amount authorized to be appropriated in each fiscal year pursuant to section 17 of this Act.

(g) SITE SELECTION.—The Academy shall be located on such site as the Secretary selects, subject to the following provisions:

(1) The Secretary is authorized to appoint a Site Selection Board consisting of the Academy Superintendent and two other members to survey the most suitable sites for the location of the Academy and to make recommendations to the Secretary.

(2) The Site Selection Board in making its recommendations and the Secretary in making his final selection, shall give consideration to the training and facility needs of the Academy, environ-

mental effects, the possibility of using a surplus Government facility, and such other factors as are deemed important and relevant. The Secretary shall make a final site selection not later than 2 years after the date of enactment of this Act.

(h) **CONSTRUCTION COSTS.**—Of the sums authorized to be appropriated for the purpose of implementing the programs of the Administration, not more than \$9,000,000 shall be available for the construction of facilities of the Academy on the site selected under subsection (g) of this section. Such sums for such construction shall remain available until expended.

(i) **EDUCATIONAL AND PROFESSIONAL ASSISTANCE.**—The Administrator is authorized to—

(1) provide stipends to students attending Academy courses and programs, in amounts up to 75 per centum of the expense of attendance, as established by the Superintendent;

(2) provide stipends to students attending courses and non-degree training programs approved by the Superintendent at universities, colleges, and junior colleges, in amounts up to 50 per centum of the cost of tuition;

(3) make or enter into contracts to make payments to institutions of higher education for loans, not to exceed \$2,500 per academic year for any individual who is enrolled on a full-time basis in an undergraduate or graduate program of fire research or engineering which is certified by the Superintendent. Loans under this paragraph shall be made on such terms and subject to such conditions as the Superintendent and each institution involved may jointly determine; and

(4) establish and maintain a placement and promotion opportunities center in cooperation with the fire services, for firefighters who wish to learn and take advantage of different or better career opportunities. Such center shall not limit such assistance to students and graduates of the Academy, but shall undertake to assist all fire service personnel.

(j) **BOARD OF VISITORS.**—Upon establishment of the Academy, the Secretary shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Visitors for the Academy. Pursuant to such procedure, the Secretary shall select eight such persons to serve as members of such Board of Visitors to serve such terms as the Secretary may prescribe. The function of such Board shall be to review annually the program of the Academy and to make comments and recommendations to the Secretary regarding the operation of the Academy and any improvements therein which such Board deems appropriate. Each member of such Board shall be reimbursed for any expenses actually incurred by him in the performance of his duties as a member of such Board.

(k) **ACCREDITATION.**—The Superintendent is authorized to establish a Committee on Fire Training and Education which shall inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs and courses, and the role which the Academy should play if such a mechanism is recommended. The Committee shall consist of the Superintendent as Chairman and eighteen other members appointed by the Administrator from among individuals and organizations possessing special knowledge and experience in the field of fire training and education or related fields. The Committee shall submit to the Administrator within two years after its appointment, a full and complete



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report of its findings and recommendations. Upon the submission of such report, the Committee shall cease to exist. Each appointed member of the Committee shall be reimbursed for expenses actually incurred in the performance of his duties as a member.

(1) **ADMISSION.**—The Superintendent is authorized to admit to the courses and programs of the Academy individuals who are members of the firefighting, rescue, and civil defense forces of the Nation and such other individuals, including candidates for membership in these forces, as he determines can benefit from attendance. Students shall be admitted from any State, with due regard to adequate representation in the student body of all geographic regions of the Nation. In selecting students, the Superintendent may seek nominations and advice from the fire services and other organizations which wish to send students to the Academy.

FIRE TECHNOLOGY

SEC. 8. (a) TECHNOLOGY DEVELOPMENT PROGRAM.—The Administrator shall conduct a continuing program of development, testing, and evaluation of equipment for use by the Nation's fire, rescue, and civil defense services, with the aim of making available improved suppression, protective, auxiliary, and warning devices incorporating the latest technology. Attention shall be given to the standardization, compatibility, and interchangeability of such equipment. Such development, testing, and evaluation activities shall include, but need not be limited to—

(1) safer, less cumbersome articles of protective clothing, including helmets, boots, and coats;

(2) breathing apparatus with the necessary duration of service, reliability, low weight, and ease of operation for practical use;

(3) safe and reliable auxiliary equipment for use in fire prevention, detection, and control, such as fire location detectors, visual and audio communications equipment, and mobile equipment;

(4) special clothing and equipment needed for forest fires, brush fires, oil and gasoline fires, aircraft fires and crash rescue, fires occurring aboard waterborne vessels, and in other special firefighting situations;

(5) fire detectors and related equipment for residential use with high sensitivity and reliability, and which are sufficiently inexpensive to purchase, install, and maintain to insure wide acceptance and use;

(6) in-place fire prevention systems of low cost and of increased reliability and effectiveness;

(7) methods of testing fire alarms and fire protection devices and systems on a non-interference basis;

(8) the development of purchase specifications, standards, and acceptance and validation test procedures for all such equipment and devices; and

(9) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

(b) **LIMITATION.**—The Administration shall not engage in the manufacture or sale of any equipment or device developed pursuant to this section, except to the extent that it deems it necessary to adequately develop, test, or evaluate such equipment or device.

(c) **MANAGEMENT STUDIES.**—(1) The Administrator is authorized to conduct, directly or through contracts or grants, studies of the operations and management aspects of fire services, utilizing quantitative techniques, such as operations research, management economics, cost effectiveness studies, and such other techniques and methods as

may be applicable and useful. Such studies shall include, but need not be limited to, the allocation of resources, the optimum location of fire stations, the optimum geographical area for an integrated fire service, the manner of responding to alarms, the operation of citywide and regional fire dispatch centers, firefighting under conditions of civil disturbance, and the effectiveness, frequency, and methods of building inspections.

(2) The Administrator is authorized to conduct, directly or through contracts or grants, research concerning the productivity and efficiency of fire service personnel, the job categories and skills required by fire services under varying conditions, the reduction of injuries to fire service personnel, the most effective fire prevention programs and activities, and techniques for accurately measuring and analyzing the foregoing.

(3) The Administrator is authorized to conduct, directly or through contracts, grants, or other forms of assistance, development, testing, and demonstration projects to the extent deemed necessary to introduce and to encourage the acceptance of new technology, standards, operating methods, command techniques, and management systems for utilization by the fire services.

(4) The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to measure and evaluate, on a cost-benefit basis, the effectiveness of the programs and activities of each fire service and the predictable consequences on the applicable local fire services of coordination or combination, in whole or in part, in a regional, metropolitan, or statewide fire service.

(d) RURAL ASSISTANCE.—The Administrator is authorized to assist the Nation's fire services, directly or through contracts, grants, or other forms of assistance, to sponsor and encourage research into approaches, techniques, systems, and equipment to improve fire prevention and control in the rural and remote areas of the Nation.

(e) COORDINATION.—In establishing and conducting programs under this section, the Administrator shall take full advantage of applicable technological developments made by other departments and agencies of the Federal Government, by State and local governments, and by business, industry, and nonprofit associations.

NATIONAL FIRE DATA CENTER

SEC. 9. (a) GENERAL.—The Administrator shall operate, directly or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The program of such Data Center shall be designed to (1) provide an accurate nationwide analysis of the fire problem, (2) identify major problem areas, (3) assist in setting priorities, (4) determine possible solutions to problems, and (5) monitor the progress of programs to reduce fire losses. To carry out these functions, the Data Center shall gather and analyze—

(1) information on the frequency, causes, spread, and extinguishment of fires;

(2) information on the number of injuries and deaths resulting from fires, including the maximum available information on the specific causes and nature of such injuries and deaths, and information on property losses;

(3) information on the occupational hazards faced by firefighters, including the causes of deaths and injuries arising, directly and indirectly, from firefighting activities;

(4) information on all types of firefighting activities, including inspection practices;

(5) technical information related to building construction, fire properties of materials, and similar information;

(6) information on fire prevention and control laws, systems, methods, techniques, and administrative structures used in foreign nations;

(7) information on the causes, behavior, and best method of control of other types of fire, including, but not limited to, forest fires, brush fires, fire underground, oil blow-out fires, and water-borne fires; and

(8) such other information and data as is deemed useful and applicable.

(b) **METHODS.**—In carrying out the program of the Data Center, the Administrator is authorized to—

(1) develop standardized data reporting methods;

(2) encourage and assist State, local, and other agencies, public and private, in developing and reporting information; and

(3) make full use of existing data gathering and analysis organizations, both public and private.

(c) **DISSEMINATION.**—The Administrator shall insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center, and shall make such data, information, and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

MASTER PLANS

SEC. 10. (a) GENERAL.—The establishment of master plans for fire prevention and control are the responsibility of the States and the political subdivisions thereof. The Administrator is authorized to encourage and assist such States and political subdivisions in such planning activities, consistent with his powers and duties under this Act.

(b) **REPORT.**—Four years after the date of enactment of this Act, the Secretary shall submit to the Congress a report on the establishment and effectiveness of master plans in the field of fire prevention and control throughout the Nation. Such report shall include, but need not be limited to—

(1) a summary of the extent and quality of master planning activities;

(2) a summary and evaluation of master plans that have been prepared by States and political subdivisions thereof. Such summary and evaluation shall consider, with respect to each such plan (A) the characteristics of the jurisdiction adopting it, including, but not limited to, density and distribution of population; ratio of volunteer versus paid fire services; geographic location, topography, and climate; per capita rate of death and property loss from fire; size and characteristics of political subdivisions of the governmental units thereof; and socio-economic composition; and (B) the approach to development and implementation of the master plans;

(3) an evaluation of the best approach to the development and implementation of master plans (e.g., central planning by a State agency, regionalized planning within a State coordinated by a State agency, or local planning supplemented and coordinated by a State agency);

(4) an assessment of the costs and benefits of master plans;

(5) a recommendation to Congress on whether Federal financial assistance should be authorized in order that master plans can be developed in all States; and

(6) a model master plan or plans suitable for State and local implementation.

(c) DEFINITION.—For the purposes of this section, a “master plan” is one which will result in the planning and implementation in the area involved of a general program of action for fire prevention and control. Such master plan is reasonably expected to include (1) a survey of the resources and personnel of existing fire services and an analysis of the effectiveness of the fire and building codes in such area; (2) an analysis of short and long term fire prevention and control needs in such area; (3) a plan to meet the fire prevention and control needs in such area; and (4) an estimate of cost and realistic plans for financing the implementation of the plan and operation on a continuing basis and a summary of problems that are anticipated in implementing such master plan.

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

SEC. 11. (a) CLAIM.—Each fire service that engages in the fighting of a fire on property which is under the jurisdiction of the United States may file a claim with the Administrator for the amount of direct expenses and direct losses incurred by such fire service as a result of fighting such fire. The claim shall include such supporting information as the Administrator may prescribe.

(b) DETERMINATION.—Upon receipt of a claim filed under subsection (a) of this section, the Administrator shall determine—

(1) what payments, if any, to the fire service or its parent jurisdiction, including taxes or payments in lieu of taxes, the United States has made for the support of fire services on the property in question;

(2) the extent to which the fire service incurred additional firefighting costs, over and above its normal operating costs, in connection with the fire which is the subject of the claim; and

(3) the amount, if any, of the additional costs referred to in paragraph (2) of this subsection which were not adequately covered by the payments referred to in paragraph (1) of this subsection.

(c) PAYMENT.—The Secretary shall forward the claim and a copy of the Administrator's determination under subsection (b) (3) of this section to the Secretary of the Treasury. The Secretary of the Treasury shall, upon receipt of the claim and determination, pay such fire service or its parent jurisdiction, from any moneys in the Treasury not otherwise appropriated but subject to reimbursement (from any appropriations which may be available or which may be made available for the purpose) by the Federal department or agency under whose jurisdiction the fire occurred, a sum no greater than the amount determined with respect to the claim under subsection (b) (3) of this section.

(d) ADJUDICATION.—In the case of a dispute arising in connection with a claim under this section, the Court of Claims of the United States shall have jurisdiction to adjudicate the claim and enter judgment accordingly.

REVIEW OF CODES

SEC. 12. The Administrator is authorized to review, evaluate, and suggest improvements in State and local fire prevention codes, building codes, and any relevant Federal or private codes and regulations. In evaluating any such code or codes, the Administrator shall consider the human impact of all code requirements, standards, or provisions



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in terms of comfort and habitability for residents or employees, as well as the fire prevention and control value or potential of each such requirement, standard, or provision.

FIRE SAFETY EFFECTIVENESS STATEMENTS

SEC. 13. The Administrator is authorized to encourage owners and managers of residential multiple-unit, commercial, industrial, and transportation structures to prepare Fire Safety Effectiveness Statements, pursuant to standards, forms, rules, and regulations to be developed and issued by the Administrator.

ANNUAL CONFERENCE

SEC. 14. The Administrator is authorized to organize, or to participate in organizing, an annual conference on fire prevention and control. He may pay, in whole or in part, the cost of such conference and the expenses of some or all of the participants. All of the Nation's fire services shall be eligible to send representatives to each such conference to discuss, exchange ideas on, and participate in educational programs on new techniques in fire prevention and control. Such conferences shall be open to the public.

PUBLIC SAFETY AWARDS

SEC. 15. (a) ESTABLISHMENT.—There are hereby established two classes of honorary awards for the recognition of outstanding and distinguished service by public safety officers—

- (1) the President's Award For Outstanding Public Safety Service ("President's Award"); and
- (2) the Secretary's Award For Distinguished Public Safety Service ("Secretary's Award").

(b) DESCRIPTION.—(1) The President's Award shall be presented by the President of the United States to public safety officers for extraordinary valor in the line of duty or for outstanding contribution to public safety.

(2) The Secretary's Award shall be presented by the Secretary, the Secretary of Defense, or by the Attorney General to public safety officers for distinguished service in the field of public safety.

(c) SELECTION.—The Secretary, the Secretary of Defense, and the Attorney General shall advise and assist the President in the selection of individuals to whom the President's Award shall be tendered and in the course of performing such duties they shall seek and review nominations for such awards which are submitted to them by Federal, State, county, and local government officials. They shall annually transmit to the President the names of those individuals determined by them to merit the award, together with the reasons therefor. Recipients of the President's Award shall be selected by the President.

(d) LIMITATION.—(1) There shall not be presented in any one calendar year in excess of twelve President's Awards.

(2) There shall be no limitation on the number of Secretary's Awards presented.

(e) AWARD.—(1) Each President's Award shall consist of—

- (A) a medal suitably inscribed, bearing such devices and emblems, and struck from such material as the Secretary of the Treasury, after consultation with the Secretary, the Secretary of Defense, and the Attorney General deems appropriate. The Secretary of the Treasury shall cause the medal to be struck and furnished to the President; and
- (B) an appropriate citation.

(2) Each Secretary's Award shall consist of an appropriate citation.

(f) REGULATIONS.—The Secretary, the Secretary of Defense, and the Attorney General are authorized and directed to issue jointly such regulations as may be necessary to carry out this section.

(g) DEFINITIONS.—As used in this section, the term "public safety officer" means a person serving a public agency, with or without compensation, as—

- (1) a firefighter;
- (2) a law enforcement officer, including a corrections or court officer; or
- (3) a civil defense officer.

ANNUAL REPORT

SEC. 16. The Secretary shall report to the Congress and the President not later than June 30 of the year following the date of enactment of this Act and each year thereafter on all activities relating to fire prevention and control, and all measures taken to implement and carry out this Act during the preceding calendar year. Such report shall include, but need not be limited to—

(a) a thorough appraisal, including statistical analysis, estimates, and long-term projections of the human and economic losses due to fire;

(b) a survey and summary, in such detail as is deemed advisable, of the research and technology program undertaken or sponsored pursuant to this Act;

(c) a summary of the activities of the Academy for the preceding 12 months, including, but not limited to—

- (1) an explanation of the curriculum of study;
- (2) a description of the standards of admission and performance;
- (3) the criteria for the awarding of degrees and certificates;

and

(4) a statistical compilation of the number of students attending the Academy and receiving degrees or certificates;

(d) a summary of the activities undertaken to assist the Nation's fire services;

(e) a summary of the public education programs undertaken;

(f) an analysis of the extent of participation in preparing and submitting Fire Safety Effectiveness Statements;

(g) a summary of outstanding problems confronting the administration of this Act, in order of priority;

(h) such recommendations for additional legislation as are deemed necessary or appropriate; and

(i) a summary of reviews, evaluations, and suggested improvements in State and local fire prevention and building codes, fire services, and any relevant Federal or private codes, regulations, and fire services.

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. There are authorized to be appropriated to carry out the foregoing provisions of this Act, except section 11 of this Act, such sums as are necessary, not to exceed \$10,000,000 for the fiscal year ending June 30, 1975, and not to exceed \$15,000,000 for the fiscal year ending June 30, 1976.

FIRE RESEARCH CENTER

SEC. 18. The Act of March 3, 1901 (15 U.S.C. 278), is amended by striking out sections 16 and 17 (as added by title I of the Fire Preven-

tion and Control Act of 1968) and by inserting in lieu thereof the following new section:

"SEC. 16. (a) There is hereby established within the Department of Commerce a Fire Research Center which shall have the mission of performing and supporting research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention and control of fires. The content and priorities of the research program shall be determined in consultation with the Administrator of the National Fire Prevention and Control Administration. In implementing this section, the Secretary is authorized to conduct, directly or through contracts or grants, a fire research program, including—

"(1) basic and applied fire research for the purpose of arriving at an understanding of the fundamental processes underlying all aspects of fire. Such research shall include scientific investigations of—

"(A) the physics and chemistry of combustion processes;

"(B) the dynamics of flame ignition, flame spread, and flame extinguishment;

"(C) the composition of combustion products developed by various sources and under various environmental conditions;

"(D) the early stages of fires in buildings and other structures, structural subsystems and structural components in all other types of fires, including, but not limited to, forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires, with the aim of improving early detection capability;

"(E) the behavior of fires involving all types of buildings and other structures and their contents (including mobile homes and highrise buildings, construction materials, floor and wall coverings, coatings, furnishings, and other combustible materials), and all other types of fires, including forest fires, brush fires, fires underground, oil blowout fires, and waterborne fires;

"(F) the unique fire hazards arising from the transportation and use, in industrial and professional practices, of combustible gases, fluids, and materials;

"(G) design concepts for providing increased fire safety consistent with habitability, comfort, and human impact in buildings and other structures; and

"(H) such other aspects of the fire process as may be deemed useful in pursuing the objectives of the fire research program;

"(2) research into the biological, physiological, and psychological factors affecting human victims of fire, and the performance of individual members of fire services, including—

"(A) the biological and physiological effects of toxic substances encountered in fires;

"(B) the trauma, cardiac conditions, and other hazards resulting from exposure to fire;

"(C) the development of simple and reliable tests for determining the cause of death from fires;

"(D) improved methods of providing first aid to victims of fires;

"(E) psychological and motivational characteristics of persons who engage in arson, and the prediction and cure of such behavior;

"(F) the conditions of stress encountered by firefighters, the effects of such stress, and the alleviation and reduction of such conditions; and

“(G) such other biological, psychological, and physiological effects of fire as have significance for purposes of control or prevention of fires; and

“(3) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.

“The Secretary shall insure that the results and advances arising from the work of the research program are disseminated broadly. He shall encourage the incorporation, to the extent applicable and practicable, of such results and advances in building codes, fire codes, and other relevant codes, test methods, fire service operations and training, and standards. The Secretary is authorized to encourage and assist in the development and adoption of uniform codes, test methods, and standards aimed at reducing fire losses and costs of fire protection.

“(b) For the purposes of this section there is authorized to be appropriated not to exceed \$3,500,000 for the fiscal year ending June 30, 1975 and not to exceed \$4,000,000 for the fiscal year ending June 30, 1976.”

VICTIMS OF FIRE

SEC. 19. (a) PROGRAM.—The Secretary of Health, Education, and Welfare shall establish, within the National Institutes of Health and in cooperation with the Secretary, an expanded program of research on burns, treatment of burn injuries, and rehabilitation of victims of fires. The National Institutes of Health shall—

(1) sponsor and encourage the establishment throughout the Nation of twenty-five additional burn centers, which shall comprise separate hospital facilities providing specialized burn treatment and including research and teaching programs, and twenty-five additional burn units, which shall comprise specialized facilities in general hospitals used only for burn victims;

(2) provide training and continuing support of specialists to staff the new burn centers and burn units;

(3) sponsor and encourage the establishment of ninety burn programs in general hospitals which comprise staffs of burn injury specialists;

(4) provide special training in emergency care for burn victims;

(5) augment sponsorship of research on burns and burn treatment;

(6) administer and support a systematic program of research concerning smoke inhalation injuries; and

(7) sponsor and support other research and training programs in the treatment and rehabilitation of burn injury victims.

(b) AUTHORIZATION OF APPROPRIATION.—For purposes of this section, there are authorized to be appropriated not to exceed \$5,000,000 for the fiscal year ending June 30, 1975 and not to exceed \$8,000,000 for the fiscal year ending June 30, 1976.

PUBLIC ACCESS TO INFORMATION

Sec. 20. Copies of any document, report, statement, or information received or sent by the Secretary or the Administrator shall be made available to the public pursuant to the provisions of section 552 of title 5, United States Code: *Provided*, That, notwithstanding the provisions of subsection (b) of such section and of section 1905 of title 18, United States Code, the Secretary may disclose information which concerns or relates to a trade secret—

(1) upon request, to other Federal Government departments and agencies for official use;



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(2) upon request, to any committee of Congress having jurisdiction over the subject matter to which the information relates;

(3) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceedings; and

(4) to the public when he determines such disclosure to be necessary in order to protect health and safety after notice and opportunity for comment in writing or for discussion in closed session within fifteen days by the party to which the information pertains (if the delay resulting from such notice and opportunity for comment would not be detrimental to health and safety).

ADMINISTRATIVE PROVISIONS

SEC. 21. (a) ASSISTANCE.—Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and directed to furnish to the Administrator, upon written request, on a reimbursable basis or otherwise, such assistance as the Administrator deems necessary to carry out his functions and duties pursuant to this Act, including, but not limited to, transfer of personnel with their consent and without prejudice to their position and ratings.

(b) POWERS.—With respect to this Act, the Administrator is authorized to—

(1) enter into, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this Act;

(2) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U.S.C. 665(b));

(3) purchase, lease, or otherwise acquire, own, hold, improve, use, or deal in and with any property (real, personal, or mixed, tangible or intangible), or interest in property, wherever situated; and sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of property and assets;

(4) procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for qualified experts; and

(5) establish such rules, regulations, and procedures as are necessary to carry out the provisions of this Act.

(c) AUDIT.—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipients of contracts, grants, or other forms of assistance that are pertinent to its activities under this Act for the purpose of audit or to determine if a proposed activity is in the public interest.

(d) INVENTIONS AND DISCOVERIES.—All property rights with respect to inventions and discoveries, which are made in the course of or under contract with any government agency pursuant to this Act, shall be subject to the basic policies set forth in the President's Statement of Government Patent Policy issued August 23, 1971, or such revisions of that statement of policy as may subsequently be promulgated and published in the Federal Register.

(e) COORDINATION.—To the extent practicable, the Administrator shall utilize existing programs, data, information, and facilities already available in other Federal Government departments and agencies and, where appropriate, existing research organizations, centers,

and universities. The Administrator shall provide liaison at an appropriate organizational level to assure coordination of his activities with State and local government agencies, departments, bureaus, or offices concerned with any matter related to programs of fire prevention and control and with private and other Federal organizations and offices so concerned.

ASSISTANCE TO CONSUMER PRODUCT SAFETY COMMISSION

SEC. 22. Upon request, the Administrator shall assist the Consumer Product Safety Commission in the development of fire safety standards or codes for consumer products, as defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.).

CONFORMING AMENDMENTS

SEC. 23. Section 12 of the Act of February 14, 1903, as amended (15 U.S.C. 1511), is amended to read as follows:

"BUREAUS IN DEPARTMENT

"SEC. 12. The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall be under the jurisdiction and subject to the control of the Secretary of Commerce:

- "(a) National Oceanic and Atmospheric Administration;
- "(b) United States Travel Service;
- "(c) Maritime Administration;
- "(d) National Bureau of Standards;
- "(e) Patent Office;
- "(f) Bureau of the Census;
- "(g) National Fire Prevention and Control Administration; and
- "(h) such other bureaus or other organizational units as the Secretary of Commerce may from time to time establish in accordance with law."

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

October 17, 1974

Dear Mr. Director:

The following bills were received at the White House on October 17th:

S.J. Res. 236 ✓	S. 2840 ✓	H.R. 7768 ✓	H.R. 14225 ✓
S.J. Res. 250 ✓	S. 3007 ✓	H.R. 7780 ✓	H.R. 14597 ✓
S.J. Res. 251 ✓	S. 3234 ✓	H.R. 11221 ✓	H.R. 15148 ✓
S. 355 ✓	S. 3473 ✓	H.R. 11251 ✓	H.R. 15427 ✓
S. 605 ✓	S. 3698 ✓	H.R. 11452 ✓	H.R. 15540 ✓
S. 628 ✓	S. 3792 ✓	H.R. 11830 ✓	H.R. 15643 ✓
S. 1411 ✓	S. 3838 ✓	H.R. 12035 ✓	H.R. 16857 ✓
S. 1412 ✓	S. 3979 ✓	H.R. 12281 ✓	H.R. 17027 ✓
S. 1769 ✓	H.R. 6624 ✓	H.R. 13561 ✓	
S. 2348 ✓	H.R. 6642 ✓	H.R. 13631 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.

