

106TH CONGRESS }
 1st Session } HOUSE OF REPRESENTATIVES {
 } REPORT
 } 106-133

FIRE ADMINISTRATION AUTHORIZATION ACT OF 1999

MAY 10, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SENSENBRENNER, from the Committee on Science,
submitted the following

REPORT

[To accompany H.R. 1550]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, to whom was referred the bill (H.R. 1550) to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fire Administration Authorization Act of 1999".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 17 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 17. Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

"(1) \$30,554,000 for fiscal year 1999;

"(2) \$46,130,000 for fiscal year 2000, of which \$2,200,000 shall be used for research activities, and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which \$6,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel; and

"(3) \$49,500,000 for fiscal year 2001, of which \$3,000,000 shall be used for research activities, and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which \$8,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel.

None of the funds authorized by paragraph (3) may be obligated unless the Administrator has certified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with the strategic plan transmitted under section 3 of the Fire Administration Authorization Act of 1999."

SEC. 3. STRATEGIC PLAN.

(a) REQUIREMENT.—Not later than April 30, 2000, the Administrator of the United States Fire Administration shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 5-year strategic plan of program activities for the United States Fire Administration.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a comprehensive mission statement covering the major functions and operations of the United States Fire Administration in the areas of training, research, data collection and analysis, and public education;

(2) general goals and objectives, including those related to outcomes, for the major functions and operations of the United States Fire Administration;

(3) a description of how the goals and objectives identified under paragraph (2) are to be achieved, including operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;

(4) an identification of the fire-related activities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies, and a discussion of how those activities can be coordinated with and contribute to the achievement of the goals and objectives identified under paragraph (2);

(5) a description of objective, quantifiable performance goals needed to define the level of performance achieved by program activities in training, research, data collection and analysis, and public education, and how these performance goals relate to the general goals and objectives in the strategic plan;

(6) an identification of key factors external to the United States Fire Administration and beyond its control that could affect significantly the achievement of the general goals and objectives;

(7) a description of program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations;

(8) a plan for the timely distribution of information and educational materials to State and local firefighting services, including volunteer, career, and combination services throughout the United States;

(9) a description of how the strategic plan prepared under this section will be incorporated into the strategic plan and the performance plans and reports of the Federal Emergency Management Agency; and

(10)(A) a description of the current and planned use of the Internet for the delivery of training courses by the National Fire Academy, including a listing of the types of courses and whether they provide real time interaction between instructor and students, and including the number of students enrolled, and the geographic distribution of students, for the most recent fiscal year;

(B) an assessment of the availability and actual use by the National Fire Academy of Federal facilities suitable for distance education applications, including facilities with teleconferencing capabilities; and

(C) an assessment of the benefits and problems associated with delivery of instructional courses using the Internet, including limitations due to network bandwidth at training sites, the availability of suitable course materials, and the effectiveness of such courses in terms of student performance.

SEC. 4. RESEARCH AGENDA.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the United States Fire Administration, in consultation with the Director of the Federal Emergency Management Agency, the Director of the National Institute of Standards and Technology, representatives of trade associations, State and local firefighting services, and other appropriate entities, shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the United States Fire Administration's research agenda and including a plan for implementing that agenda.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) identify research priorities;

(2) describe how the proposed research agenda will be coordinated and integrated with the programs and capabilities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies;

(3) identify potential roles of academic and other research institutions in achieving the research agenda;

(4) provide cost estimates, anticipated personnel needs, and a schedule for completing the various elements of the research agenda;

(5) describe ways to leverage resources through partnerships, cooperative agreements, and other means; and

(6) discuss how the proposed research agenda will enhance training, improve State and local firefighting services, impact standards and codes, increase firefighter and public safety, and advance firefighting techniques.

(c) USE IN PREPARING STRATEGIC PLAN.—The research agenda prepared under this section shall be used in the preparation of the strategic plan required by section 3.

SEC. 5. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

"SEC. 33. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

"The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess Federal fire, emergency, hazardous material, or other equipment or property that may be useful to State and local fire and emergency services."

SEC. 6. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

"SEC. 34. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

"The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services."

SEC. 7. MISCELLANEOUS REPEALS.

The Federal Fire Prevention and Control Act of 1974 is amended—

- (1) by repealing section 10(b) and redesignating subsection (c) of that section as subsection (b);
- (2) by repealing section 23;
- (3) in section 24—

- (A) by striking "(a) The" and inserting "The"; and
- (B) by repealing subsection (b);
- (4) by repealing section 26; and
- (5) by repealing section 27.

SEC. 8. NEED FOR ADDITIONAL TRAINING IN COUNTERTERRORISM.

(a) IN GENERAL.—The Administrator of the United States Fire Administration shall conduct an assessment of the need for additional capabilities for Federal counterterrorism training of emergency response personnel.

(b) CONTENTS OF ASSESSMENT.—The assessment conducted under this section shall include—

- (1) a review of the counterterrorism training programs offered by the United States Fire Administration and other Federal agencies;
- (2) an estimate of the number and types of emergency response personnel that have, during the period between January 1, 1994, and June 1, 1999, sought training described in paragraph (1), but have been unable to receive that training as a result of the oversubscription of the training capabilities; and
- (3) a recommendation on the need to provide additional Federal counterterrorism training centers, including—
 - (A) an analysis of existing Federal facilities that could be used as counterterrorism training facilities; and
 - (B) a cost-benefit analysis of the establishment of counterterrorism training facilities in regions where many applicants for such training reside.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prepare and submit to the Congress a report on the results of the assessment conducted under this section.

SEC. 9. NATIONAL FIRE ACADEMY CURRICULUM REVIEW.

(a) IN GENERAL.—The Administrator of the United States Fire Administration, in consultation with the Board of Visitors and representatives of trade and professional associations, State and local firefighting services, and other appropriate entities, shall conduct a review of the courses of instruction available at the National Fire Academy to ensure that they are up-to-date and complement, not duplicate, courses of instruction offered elsewhere. Not later than 180 days after the date of enactment of this Act, the Administrator shall prepare and submit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

- (b) CONTENTS OF REPORT.—The report required by subsection (a) shall—
- (1) examine and assess the courses of instruction offered by the National Fire Academy;
 - (2) identify redundant and out-of-date courses of instruction;
 - (3) examine the current and future impact of information technology on National Fire Academy curricula, methods of instruction, and delivery of services; and
 - (4) make recommendations for updating the curriculum, methods of instruction, and delivery of services by the National Fire Academy considering current and future needs, State-based curricula, advances in information technologies, and other relevant factors.

SEC. 10. INTERNET AVAILABILITY OF INFORMATION.

The Administrator of the United States Fire Administration shall make available through the Internet home page of the United States Fire Administration the abstracts relating to all research grants and awards made with funds authorized by the amendments made by this Act. Nothing in this section shall be construed to require or permit the release of any information prohibited by law or regulation from being released to the public.

SEC. 11. REPEAL OF EXCEPTION TO FIRE SAFETY REQUIREMENT.

(a) REPEAL.—Section 4 of Public Law 103–195 (107 Stat. 2298) is hereby repealed.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect 1 year after the date of the enactment of this section.

II. PURPOSE OF THE BILL

The purpose of H.R. 1550 is to authorize appropriations for Fiscal Years 2000 and 2001 for the United States Fire Administration (USFA) under the Federal Fire Prevention and Control Act of 1974.

The bill authorizes appropriations of \$95.63 million over Fiscal Years 2000 and 2001.

III. BACKGROUND AND NEED FOR LEGISLATION

USFA, which includes the National Fire Academy (NFA), is a directorate within the Federal Emergency Management Agency (FEMA). The goal of the agency is to reduce the loss of life and property due to fire. To achieve this goal, USFA supports activities in four areas: training, data collection and analysis, research, and public education.

The formation of the USFA in 1974 was prompted by the seminal 1973 report, *America Burning*, of the National Commission on Fire Prevention and Control created by the Fire Research and Safety Act of 1968 (P.L. 90-259). The Commission's report recommended the establishment of a federal agency that would support State and local fire services and recommended the Department of Housing and Urban Development as the appropriate department to house the new agency.

In 1974, Congress responded to the *America Burning* report by declaring a federal role in fire prevention. In 1974, it passed the Federal Fire Prevention and Control Act of 1974 (P.L. 93-498), which created the National Fire Prevention and Control Administration and placed it in the Department of Commerce.

In 1978, Congress changed the name of the agency to the United States Fire Administration (P.L. 95-422), and in 1979, President Jimmy Carter moved USFA to newly-created FEMA as part of Reorganization Plan No. 3. The National Fire Academy also was opened in 1979 and began offering training and courses of instruction at its Emmitsburg Maryland campus.

Since its passage, the Federal Fire Prevention and Control Act of 1974 has been amended many times. In 1990, the Hotel and Motel Fire Safety Act (P.L. 101-391) required the States to submit to USFA lists of public accommodations that meet federal safety guidelines, and the Firefighters' Safety Study Act (P.L. 101-446) directed USFA to develop and distribute data on hazardous-materials identification, response, and incidents. The Fire Administration Authorization Act of 1992 (P.L. 102-522) restricted the use of federal funds for building, leasing, or buying housing not equipped with sprinklers systems and smoke detectors. The Arson Prevention Act of 1994 (P.L. 103-254) directed USFA to award grants to States for arson research, prevention, and control.

The current authorization for USFA is the United States Fire Administration Authorization Act for Fiscal Years 1998 and 1999 (P.L. 105-108), signed into law on November 20, 1997. It authorizes \$29.664 million for Fiscal Year 1998 and \$30.554 million for Fiscal Year 1999 for the activities of USFA.

IV. SUMMARY OF HEARINGS

The Subcommittee on Basic Research of the Committee on Science held a hearing on March 23, 1999 to hear testimony on the Administration's Fiscal Year 2000 budget request for USFA and to examine issues related to a two-year authorization for the agency. Appearing as witnesses before the Subcommittee were: The Honor-

able James Lee Witt, Director, FEMA, Dr. Karen Brown, Deputy Director, National Institute of Standards and Technology (NIST), on behalf of The Honorable Raymond Kammer, Director, Mr. Stephen Austin, Chair, Blue Ribbon Panel and External Affairs Representative, International Association of Arson Investigators, Inc.; Chief Luther Fincher, First Vice President, International Association of Fire Chiefs; Dr. John R. Hall, Assistant Vice President, Fire Analysis and Research, National Fire Protection Association; and Mr. Salvador Morales, Member, Blue Ribbon Panel and Driver Engineer, Dallas Fire Department.

Director Witt opened his testimony by discussing the recommendations made by the Blue Ribbon Panel. He then reviewed FEMA's blueprint for change within the Fire Administration, including increased funding requests for the data collection system, public education materials, and firefighter training activities. He added that FEMA and USFA will be working with national fire organizations on prevention and protection efforts and will recommit America Burning so the current state of fire dangers in the Nation can be determined. He closed his testimony by acknowledging challenges facing the agency, such as reaching those most vulnerable to fire losses.

Deputy Director Brown, provided a review of NIST's responsibilities under the Fire Prevention and Control Act. These include serving as the nation's leading fire research laboratory and having responsibility for national fire safety policy and programs. She explained that NIST's strategy for meeting these obligations has been both to identify the most common situations that result in fire death and develop intervention strategies and technologies and to conduct fundamental fire research and develop fire safety materials, products, systems and facilities. These activities, along with cooperative efforts with other federal agencies, private sector organizations, and the fire services have led to: decreased fire death rates; new practices, standards, code provisions; and new technologies, such as residential smoke detectors. She concluded her testimony by emphasizing the recommendation of the Blue Ribbon Panel report that called for increasing fire research.

Mr. Austin opened his testimony by reviewing the recommendations of the Blue Ribbon Panel report. He explained that the Panel does not want the USFA to assume added responsibilities, but to improve upon current responsibilities and that funding increases are necessary if USFA is to fulfill its responsibilities. Mr. Austin pointed to the benefits of residential smoke detectors and sprinkler systems as justification for continued investment in research, and he stressed the importance of improving the fire data collection is necessary to developing strategies for fire protection and public safety education. Finally, he noted that a lack of resources is inhibiting the National Fire Academy from reaching its capability.

Chief Fincher began his statement by relaying to the Subcommittee the support of the Fire Service Leadership Summit participants for the recommendations of the Blue Ribbon Panel and the Administration's Fiscal Year 2000 budget request. He highlighted four areas of particular importance: (1) organizational structure; (2) management and leadership; (3) data collection, particularly the National Fire Incident Reporting System (NFIRS);

and (4) the research and development. He stated that organizational structure and management and leadership issues must be resolved before other problems can be addressed.

Dr. Hall spoke about the importance of NFIRS as the core of the Nations' fire data system. He testified that continuous underfunding has inhibited NFIRS from fully being successful. He also spoke of the benefits of fire research, especially that done at NIST, in developing fire protection technology. He suggested that the USFA partner with other fire researchers through long-term partnerships in order to increase the volume of fire research conducted. Finally, he recommended that the USFA leverage resources by partnering with national organizations in fire safety and prevention efforts.

Mr. Morales discussed some of the recommendations of the Blue Ribbon Panel. Specifically, he advocated increasing funding for educational materials to be used in conjunction with federal, State, and local organizations and set a goal reducing the risk of loss of life and property from fire-related hazards by 5 percent by the year 2000. Further, he reiterated the Panel's support for upgrading the NFIRS system and for increasing investment in fire research, arson research and prevention, and anti-terrorism training.

V. COMMITTEE ACTIONS

As summarized above, the Subcommittee on Basic Research of the Committee on Science heard testimony relevant to USFA at a hearing held on March 23, 1999.

On April 26, 1999, Mr. Nick Smith (MI), Chairman of the Subcommittee on Basic Research, joined by Ms. Johnson of (TX), Ranking Minority Member of the Subcommittee on Basic Research, introduced H.R. 1550, the Fire Administration Authorization Act of 1999, a bill to authorize appropriations for USFA for Fiscal Years 2000 and 2001.

The Full Science Committee met to consider H.R. 1550 on Thursday, April 29, 1999, and entertained the following amendments and report language.

Amendment 1.—At the suggestion of the Chairman, Mr. Udall (CO) offered Amendment 1 and Amendment 6 en bloc. The en bloc amendment (1) increased the authorizations in Fiscal Years 2000 and 2001 by \$1.0 million and \$2.0 million, respectively and earmarked these increases for anti-terrorism training; and (2) required an assessment of federal counter-terrorism training for emergency responders. The en bloc amendment was adopted by voice vote.

Amendment 2.—Mrs. Biggert (IL) offered an amendment to set aside from the sums authorized for each of Fiscal Year 2000 and 2001 \$250,000 for outsourcing data analysis. The amendment was adopted by voice vote.

Amendment 3.—Mr. Weldon (PA) offered an amendment to require USFA to include in its strategic plan a plan for the timely distribution of information and education materials for State and local fire services. The amendment was adopted by voice vote.

Amendment 4.—Mr. Larson (CT) offered an amendment to require USFA to include in its strategic plan an assessment of the delivery of course of instruction using the Internet. The amendment was adopted by voice vote.

Amendment 5.—Mr. Lucas (OK) offered an amendment to require USFA to perform a review of the curriculum offered through NFA. The amendment was adopted by voice vote.

Amendment 6.—Mr. Udall (CO) offered this amendment en bloc with Amendment 1, which was adopted by voice vote.

Amendment 7.—Mr. Kuykendall (CA) offered an amendment to require USFA to post on the Internet abstracts of research funded by the agency. The amendment was adopted by voice vote.

Amendment 8.—Mr. Weiner (NY) offered an amendment to repeal Section 4 of P.L. 103–195, which exempts federally-funded housing constructed in New York City from federal sprinkler requirements. The amendment was adopted by voice vote.

Amendment 9.—Ms. Johnson (TX) offered and withdrew an amendment that would have established a grant program at USFA for equipment, personnel, training, and other items and authorized \$225.0 million for this purpose.

Report Language.—Ms. Johnson (TX) offered report language highlighting the importance of research into firefighter protective equipment. The report language was adopted by voice vote.

Report Language.—Ms. Johnson (TX) offered report language urging USFA to conduct research into the socioeconomic factors that can lead to increased fire risk, including the use of security bars. The report language was adopted by voice vote.

Mr. Smith (MI) also asked the Chairman to instruct staff to incorporate report language on the review and implementation of the Blue Ribbon Panel report as USFA, which was so ordered.

With a quorum present, Ms. Johnson moved that the Committee report the bill, H.R. 1550, as amended, to the House, that the staff prepare the legislative report and make technical and conforming changes, and that the Chairman take all necessary steps to bring the bill before the House for consideration. The motion was approved by voice vote.

Mr. Sensenbrenner asked and received unanimous consent that Committee Members have two subsequent calendar days in which to submit supplemental, minority or additional views on the measure, and that, pursuant to Clause 1 of Rule XXII of the Rules of the House of Representatives, the Committee authorize the Chairman to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 1550 or a similar Senate bill.

VI. SUMMARY OF MAJOR PROVISIONS OF THE BILL

For Fiscal Year 2000, the bill authorizes \$46.13 million, \$13.863 million (43.0%) over the Fiscal Year 1999 level (see Table 1). Of this amount, \$2.2 million is set aside for research, \$250,000 for outsourcing of data analysis, and \$6.0 million for anti-terrorism training.

TABLE 1.—H.R. 1550—THE FIRE ADMINISTRATION AUTHORIZATION ACT OF 1999: FISCAL YEAR 1999 ENACTED, FISCAL YEAR 2000 REQUEST, AND FISCAL YEAR 2000 AUTHORIZATIONS
AND FISCAL YEAR 2001 AUTHORIZATIONS

Activity	FY 1999 enacted	FY 2000 request	FY 2000 authorization	FY 2000 authorization change (+ or -)			FY 2001 authorization change (+ or -)
				FY 2001 authorization enacted	FY 1999 Percent	FY 2000 request	
U.S. Fire Administration: Total	32,267	45,130	46,130	49,500	13,863	43.0	1,000
Research	650	2,150	2,200	3,000	1,550	238.5	50
Data Analysis Grants/Contracts	0	0	250	250	NA	250	NA
Anti-Terrorism Training	4,000	5,000	6,000	8,000	2,000	50.0	1,000
Other Unspecified Activities	27,617	37,980	37,680	38,250	10,063	36.4	(300)
							570
							1.5

[Dollars in thousands]

For Fiscal Year 2001, the bill authorizes \$49.5, a 7.3 percent increase over the Fiscal Year 2000 authorization. FY 2001 includes \$3.0 million for research, \$250,000 for outsourcing of data analysis, and \$8.0 million for anti-terrorism training. The Fiscal Year 2001 authorization also requires the Administrator to certify that funds obligated in Fiscal Year 2001 are consistent with the strategic plan required in Section 3 of the bill.

H.R. 1550 requires USFA to develop and submit to Congress a strategic plan. The language in this section matches closely the language on strategic plans in the Government Performance and Results Act. Additional elements of the strategic plan include coordination with NIST, DOD, and other federal agencies; a plan for disseminating information and materials to State and local fire services; and an assessment of the use of the Internet in delivering training courses.

The bill also requires USFA to develop and submit to Congress a research agenda. This provision requires USFA to develop research priorities and a plan for implementing a research agenda, including a description of the roles other agencies (NIST and DOD, in particular) could play and ways to leverage resources through partnerships and cooperative agreements.

In addition, the bill also directs the Fire Administration to: make available to State and local fire/emergency services information on the availability and procedures for acquiring excess/surplus federal equipment; make available information on the procedures for establishing cooperative agreements between State and local fire/emergency services and federal facilities (e.g., military bases) in their areas; conduct an assessment of the need for additional counter-terrorism training for emergency responders; review the content and delivery of the curriculum offered by NFA; and post abstracts of research grants it awards on its Internet home page.

Consistent with the Oversight Agenda approved by the Committee on Science, H.R. 1550 repeals obsolete sections of the statute. It also repeals, one year after enactment, Section 4 of P.L. 103-195, a provision that exempts housing built with federal support in New York City from the sprinkler requirements found in Section 31 of the statute.

VII. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Cites the Act as the "Fire Administration Authorization Act of 1999."

Section 2. Authorization of appropriations

Amends Section 17 of the Fire Prevention and Control Act of 1974 by replacing it with the following:

Sec. 17. Except for the payment of claims for costs of firefighting on federal property, authorizes: \$46.130 million for Fiscal Year 2000, of which \$2.2 million shall be used for research, \$250,000 for outsourcing of data analysis, and \$6.0 million for anti-terrorism training and; \$49.5 million for Fiscal Year 2001, of which \$3.0 million shall be used for research, \$250,000 for outsourcing of data analysis, and \$8.0 million for anti-terrorism training. None of the

funds authorized for Fiscal Year 2001 may be obligated unless the Administrator certifies that such obligation is consistent with the strategic plan required under section 3 of the Fire Administration Authorization Act of 1999.

Section 3. Strategic plan

(a) Requires before April 30, 2000 a five-year strategic plan to be transmitted to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) The contents of the strategic plan shall include: a comprehensive mission statement; goals and objectives; a description of how these goals and objectives can be achieved; an identification of fire-related activities at NIST, the Department of Defense (DOD), and other federal agencies and how these may contribute to achieving the goals and objectives; performance goals; external factors beyond the Fire Administration's control that could impede achieving the goals and objectives; a description of program evaluations; a plan for the timely distribution of information to State and local fire services; a description of how the strategic plan produced will be incorporated into the strategic and performance plans and reports of FEMA; and a description of how the Internet is and can be used to deliver training courses.

Section 4. Research agenda

(a) Requires within 120 days of enactment a research agenda to be transmitted to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) The contents of the report shall include: a determination of research priorities; a discussion of how the research program will be coordinated with related programs at NIST, DOD, and other federal agencies; a description of ways to leverage resources; and a discussion of how the agenda will help the Fire Administration fulfill its mission.

(c) Directs that the research agenda shall be used when preparing the strategic plan required in Section 3.

Section 5. Surplus and excess equipment

Amends Section 17 the Fire Prevention and Control Act of 1974 to require the Administrator to make available, including through the Internet, information on the availability and procedures for acquiring surplus and excess federal fire, emergency, and hazardous material equipment or property.

Section 6. Cooperative agreements with Federal facilities

Amends Section 17 the Fire Prevention and Control Act of 1974 to require the Administrator to make available, including through the Internet, information on the procedures for establishing cooperative agreements between State and local fire and emergency services and federal facilities.

Section 7. Miscellaneous repeals

The Fire Prevention and Control Act of 1974 is amended by repealing the following obsolete provisions: section 10(b); section 23; subsection 24(b); section 26; and section 27.

Section 8. Need for additional training in counterterrorism

(a) Requires the Administrator to conduct an assessment of the need for additional federal capabilities in counter-terrorism training for emergency responders.

(b) Requires that the assessment include: a review of existing federal counter-terrorism training programs; an estimate of the number of emergency response personnel who in the last five Fiscal Years have applied for this training but were denied because of oversubscription of training facilities; and recommendations on the need for improving counter-terrorism centers, including existing federal facilities that could be used for this training and a cost-benefit analysis of establishing counter-terrorism training centers in regions where many applicants reside.

(c) Requires that a report be submitted to Congress within 190 days of enactment.

Section 9. National Fire Academy curriculum review

(a) Requires the Administrator to conduct a review of courses of instruction at the National Fire Academy to ensure they are up-to-date and do not duplicate courses offered at the State level.

(b) Requires report to Congress to examine courses currently offered, identify redundant courses, examine the impact of information technology on the delivery of courses, and make recommendations for updating the curriculum.

Section 10. Internet availability of information

Requires the Administrator to make available through the USFA's Internet home page abstracts of all grants and awards made with funds authorized through this Act.

Section 11. Repeal of exception to fire safety requirement

Repeals Section 4 of P.L. 103-195 1 year after enactment.

VIII. COMMITTEE VIEWS

GENERAL

The mission of USFA is to provide leadership, coordination, and support for the Nation's fire services in such area as fire prevention and control, training and education, research, data collection and analysis, and emergency medical services activities. Since the formation of the Fire Administration in 1974, fire losses in the U.S. have declined markedly. Between 1986 and 1995, for example, fire deaths decreased 30 percent, and the adjusted dollar loss associated with fire has decreased by 13 percent. Much of this decrease can be traced to research sponsored by USFA that led to affordable smoke detectors.

Nevertheless, fires are still all too common. Between 1986 and 1995, an average of 2.1 millions fires were reported annually. For the same 10-year period, fires caused an average of 5,100 civilians

deaths, 25,000 injuries, and \$9.6 billion in losses each year. Moreover, the United States has one of the highest fire death rates in the industrialized world—15.6 deaths per million in population—higher than in Australia, Japan, and most of Western Europe.

The Committee believes that we can and must do better. The men and women served by USFA—about 80 percent of whom are volunteers—are a critical component of the Nation's emergency response capability. Ensuring that they benefit from the unique services offered by USFA is critically important if we are to achieve—indeed, exceed—the goal of reducing the rate of loss of life and property from fire by 5 percent, the benchmark established in FEMA's strategic plan.

In past Views and Estimates, the Committee has voiced its concern over the relatively flat budgets proposed for USFA in recent years. The Committee, therefore, is pleased that the Clinton Administration has taken action to increase funding at this agency. However, it remains troubled by reports that the agency is not being managed effectively and that it has been "buried" within FEMA. So while it supports the increase funding levels authorized in the bill, the Committee plans to conduct vigorous oversight to ensure that the problems identified in the Blue Ribbon Report and in testimony before the Committee are addressed.

AUTHORIZATIONS OF APPROPRIATIONS

H.R. 1550 authorizes \$46.13 million for Fiscal Year 2000 and \$49.5 million for Fiscal Year 2001. The Committee recognizes the need for increased funding for USFA but wants to ensure that USFA has an acceptable plan in place to spend this money wisely. The Committee, therefore, has agreed to authorize an increase over the Fiscal Year 1999 level of 43 percent for Fiscal Year 2000 and a further increase of 7.3 percent for Fiscal Year 2001. However, the bill requires that before funds authorized in the bill for Fiscal Year 2001 are obligated, the Administrator shall certify that such obligation is consistent with the strategic plan required in section 3 of the bill. By linking the strategic planning and reform effort to the increased funding authorization, as this provision does, the Committee believes that it can meet its obligations both to the tax-payers and the fire-services community.

The Committee also has approved increases in research and anti-terrorism training, and it has set aside authorizations for outsourcing of data analysis. The Committee attaches great importance to the potential for research to meet USFA's goals of reducing fire risk. In addition, the Committee believes that anti-terrorism training in FEMA should be the responsibility of USFA and that this training should not come at the expense of other fire programs in USFA. In a related provision, the bill also requests an assessment of counter-terrorism training. Finally, the Committee has long encouraged outsourcing where it is appropriate and expects USFA to take advantage of data-analysis capabilities in the private sector.

IMPLEMENTATION OF BLUE RIBBON PANEL RECOMMENDATIONS

The Committee wishes to commend the Blue Ribbon Panel for its efforts in producing the review of USFA. The Blue Ribbon Panel's

Report represents the consensus view of a broad array of fire-service organizations on the problems facing USFA. This document will provide a good guide for FEMA and the Committee to assess the success of future reform efforts.

The Panel's report identifies deficiencies at the Fire Administration in three core areas: leadership, resource management, and communication. It noted that, "there is in effect a broken covenant between the federal fire programs and the people and institutions they were created to serve." In general, the Committee endorses the views and recommendations expressed in this Report, and it is the Committee's expectation that FMEA and USFA will work to put in place reforms that mend the rift between the agency and the firefighters it serves.

Since the Blue Ribbon Panel delivered its report to FEMA on October 1, 1998, FEMA has developed a plan and schedule to implement its recommendations. The proposal put forward by FEMA Director Witt has five Sections. They are: (1) Immediate Actions, which includes those recommendations that can be implemented immediately through direct action by the FEMA Directors; (2) Management Review, which includes those recommendations dealing with operations and staffing (due on May 1, 1999); (3) USFA Planning, which includes those recommendations addressing activities in USFA's four main basic program areas—training, research, data collection and analysis, and public education (due on June 1, 1999); (4) Funding and Resource Management, which includes those recommendations concerning continuing and new funding needs (due on July 1, 1999); and (5) Strategic Planning, which includes those recommendations concerning how USFA can be further integrated into FEMA's strategic planning.

The Committee expects to be consulted throughout this process, especially as each of these reporting milestones is approached. The Committee also expects that each of the reports generated during this process will be provided to it and that it will be informed of any delays in the schedule outlined in the implementation plan.

STRATEGIC PLANNING

The Committee supports strategic planning and has been very active in ensuring that the Government Performance and Results Act has been implemented in the agencies under its jurisdiction. The Committee would note that in FEMA's strategic plan, the Fire Administration plays a secondary role, and it is mentioned very little. We should keep in mind that, for the most part, fires are personal tragedies, not federal ones. So while it is important for FEMA to incorporate the Fire Administration into its federal-disaster planning, it is also important for the Fire Administration to establish priorities of its own that, when taken in the aggregate, can have a huge impact through reducing life and property loss from fire.

The strategic plan requirement in section 3 of the bill is intended to provide FEMA and USFA with a means for coordinating and incorporating their response to the Blue Ribbon Panel Report's recommendations into a broader review of USFA's activities. Indeed, it should be seen as the culmination of this effort, not as a separate exercise.

The strategic-plan language also directs the Fire Administration to look for ways to coordinate with the Department of Defense, NIST, and other federal agencies, including the Federal Aviation Administration, the Department of the Interior, and other appropriate agencies. The U.S. spends a great deal of money on research and training in these and other agencies, but if the information is not made available to the fire services, then an opportunity has been lost. The Committee believes that programs at DOD and other agencies should be taken into account in USFA's strategic planning and that FEMA, through USFA, should play a significant role in coordinating these activities and ensuring that information generated by these activities is made available to State and local fire services.

FIRE RESEARCH

For Fiscal Year 1999, USFA has budgeted only \$650,000 for research. The Committee believes that this level of funding is woefully inadequate. Research is one of the four main activities of the Fire Administration, but recently, as the figure for Fiscal Year 1999 shows, the agency has paid less and less attention to it. For Fiscal Years 2000 and 2001, H.R. 1550 authorizes \$2.2 million and \$3.0 million, respectively, for research.

Coupled with the increased authorizations, the research agenda required by the bill will compel the Fire Administration to set priorities and give research a more central role in its activities. The fire-services community has identified a number of areas needing more research, including ways to protect citizens and firefighters and fire-protection systems. These and other areas have been outlined in workshops held by NIST in 1996 and USFA in 1997 and in the Blue Ribbon Panel Report. The Committee believes the findings of these reports provide a good basis for moving ahead with a research plan.

As with the strategic plan, the research agenda required in section 4 of H.R. 1550 also directs the Fire Administration to identify research being conducted at the DOD and other federal agencies when developing its agenda. Again, the Committee will look to USFA to work with these other agencies to coordinate their activities to the greatest extent possible, given their different missions, and would encourage inter-agency agreements in areas of research beneficial to more than one agency.

Finally, the Committee is concerned that there has been little apparent follow-through on the Memorandum of Understanding (MOU) between USFA and NIST agreed to by the agencies on November 5, 1997. The goal of this MOU is "to make available improved suppression, protective, auxiliary, and warning devices incorporating the latest technology." The Committee believes the NIST facilities are an integral part of any fire research program and expects USFA to use the research agenda required in the bill to breathe new life into this agreement.

FIREFIGHTER EQUIPMENT

In 1984, 10.6 percent of firefighter injuries, over 6,600 incidents, were due to burns. In 1993, despite 10 years of advances in protective clothing, 11.3 percent of firefighter injuries, nearly 6,000 inci-

dents, were due to burns. A 1996 workshop organized by NIST explored the factors that lead to burn injuries and identified objectives related to the development of effective protective clothing and equipment, to fire fighting tactics, and to the training of fire service personnel.

Section 4 of the bill directs the Administrator to prepare a research agenda and associated implementation plan. The findings of the 1996 NIST workshop and related materials should be reviewed as part of the process of developing the research agenda. The Committee recognizes that current understanding is incomplete regarding the relationships among thermal environments, human response to thermal exposures, and fire fighting tactics that result in burn injuries.

The Committee expects the research agenda to address, and place an appropriate level of priority on, research needed: (1) to support the development of more effective firefighter protective equipment, including sensor technologies that have promise for informing firefighters of impending untenable conditions; (2) to identify best practices in fire fighting tactics; and (3) to support the development of appropriate training materials to improve the safety of firefighters, including imparting knowledge of the limits of protective clothing and equipment.

REDUCING FIRE INJURY FOR VULNERABLE POPULATIONS

Data collected by the Fire Administration and other sources show that certain groups are at greater risk from fire injury or death than the general population. Children under five years of age perish in fires at twice the national fire death rate. For Black children, home fires are the leading cause of injury-related deaths of those between the ages of one and nine. Likewise, for the elderly over seventy years of age, the death rate from fire is one and one half times the national average, rising to four times the national average by age eighty five. The Hispanic community is at-risk due to fire-related injuries and deaths.

Data on socioeconomic factors affecting fire-related injury are less exact, but available information indicates that the poor suffer a disproportionate share of deaths versus the rest of the population. For example, smoking, which is inversely related to income level, accounts for 26 percent of all fire deaths; and neighborhoods with high proportions of low income households have higher fire incidence rates than middle or high income neighborhoods.

The mission of the Fire Administration includes public education about fire risk and research related to fire protection. The Committee expects the Fire Administration, in carrying out the requirement of sections 3 and 4 of the bill, to direct its efforts and resources appropriately to address ways to combat the vulnerability of the population groups that suffer disproportionately from fire injury.

The Committee expects the Fire Administration to provide in its strategic plan for the development of public education programs designed for these at-risk audiences. In order to develop effective materials and approaches, the Fire Administration should consider any actions needed to improve the current understanding of the factors that lead to fire risk, including the adequacy of current data

collection activities. In establishing research priorities in accordance with section 4 of the bill, the Committee expects the Fire Administration to consider whether its research program should include studies of the socioeconomic characteristics associated with increased fire risk. The Committee believes that effective, targeted fire prevention campaigns can be developed only from a sound knowledge base.

The Committee is concerned about recent media reports that have detailed fire deaths in Texas and other states from the use of security bars known as "burglary bars" on doors and windows in high crime areas. These devices offer occupants protection from criminals. However, in times of fire the bars have entrapped individuals inside their residences and have prevented their evacuation and rescue. The Committee requests that the Fire Administration study ways to prevent fire injury and death from the use and the installation of security bars and to report its findings to the Committee within 90 days following the enactment of the bill.

INFORMATION ON SURPLUS/EXCESS FEDERAL EQUIPMENT AND COOPERATIVE AGREEMENTS

Sections 5 and 6 of H.R. 1550 add new responsibilities to USFA. Many local fire and emergency services are at a disadvantage when it comes to acquiring surplus and excess federal equipment because information on such equipment is not widely available. In addition, while many local fire services have cooperative agreements with local federal facilities, usually military bases, other communities may not take advantage of these opportunities to improve local services because of a lack of information. The Committee believes that USFA can play an important role in providing general information in these areas. Fire services should be able to rely on USFA as the point of contact for such information, much of which can be provided on USFA's Internet home page. However, USFA's role should be to provide information only, not to participate with fire and emergency services either in applying for equipment or negotiating a cooperative agreement.

NATIONAL FIRE ACADEMY CURRICULUM REVIEW

The need for a review of the curriculum at NFA was established in the Blue Ribbon Panel Report and in testimony before the Subcommittee on Basic Research. The Committee agrees with this assessment and urges USFA to ensure that the courses of instruction it develops and delivers at NFA incorporates the latest research, takes advantage of advances in information technology, and complements, not duplicates, course offered at the State level. Further, it believes that the curriculum at NFA should be comparable to that at other federal facilities, such as the Federal Bureau of Investigation Academy in Quantico, Virginia.

IX. COMMITTEE COST ESTIMATE

Rule XIII, clause 3(d)(2) of the House of Representatives requires each committee report accompanying each bill or joint resolution of a public character to contain: (1) an estimate, made by such committee, of the costs which would be incurred in carrying out such

bill or joint resolution in the fiscal year in that it is reported, and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years); (2) a comparison of the estimate of costs described in subparagraph (1) of this paragraph made by such committee with an estimate of such costs made by any Government agency and submitted to such committee; and (3) when practicable, a comparison of the total estimated funding level for the relevant program (or programs) with the appropriate levels under current law. However, House Rule XII, clause 3(d)(3)(B) provides that this requirement does not apply when a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report pursuant to House Rule XIII, clause 3(c)(3). A cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of this report and is included in Section X of this report pursuant to House Rule XIII, clause 3(c)(3).

Rule XIII, clause 3(c)(2) of the House of Representatives requires each committee report that accompanies a measure providing new budget authority (other than continuing appropriations), new spending authority, or new credit authority, or changes in revenues or tax expenditures to contain a cost estimate, as required by section 308(a)(1) of the Congressional Budget Act of 1974 and, when practicable with respect to estimates of new budget authority, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law. H.R. 1550 does not contain any new budget authority, credit authority, or changes in revenues or tax expenditures. Assuming that the sums authorized under the bill are appropriated, H.R. 1550 does authorize additional discretionary spending, as described in the Congressional Budget Office report on the bill, which is contained in Section X of this report.

X. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, May 6, 1999.

Hon. F. JAMES SENSENBRENNER, JR.,
*Chairman, Committee on Science,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1550, the Fire Administration Authorization Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Grippen, Director).

Enclosure.

H.R. 1550—Fire Administration Authorization Act of 1999

Summary: H.R. 1550 would authorize appropriations totaling \$127 million over the 1999–2001 period for the programs, salaries, and expenses of the United States Fire Administration (USFA). (That amount includes \$31 million for 1999; an appropriation of \$32 million has already been provided for the current year.) The bill would require reports on the agency's research agenda, counterterrorism training, and curriculum development for the National Fire Academy and would direct the USFA to increase efforts to disseminate information. H.R. 1550 also would direct the USFA to develop a strategic plan by April 30, 2000, and would require that the agency's budget for 2001 be consistent with that plan. Other provisions in the bill would repeal an exception to a fire safety requirement for federally funded public housing in New York City as well as certain requirements for the USFA.

Assuming appropriation of the amounts authorized for fiscal years 2000 and 2001, CBO estimates that implementing H.R. 1550 would increase discretionary spending by \$96 million over the 2000–2004 period. CBO estimates that H.R. 1550 would not affect spending in the current year because funds have already been appropriated that exceed the level authorized by the bill for 1999. The bill would affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 1550 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: For the purposes of this estimate, CBO assumes that the amounts authorized for 2000 and 2001 will be appropriated by the start of each fiscal year and that outlays will follow the historical spending pattern for the USFA. CBO estimates that other provisions of H.R. 1550 would not have any significant impact on federal spending. The estimated cost of the bill is shown in the following table. The costs of this legislation fall within budget function 450 (community and regional development).

	By fiscal years, in millions of dollars—					
	1999	2000	2001	2002	2003	2004
SPENDING SUBJECT TO APPROPRIATION						
<i>Spending by USFA Under Current Law:</i>						
Budget Authority ¹	32	0	0	0	0	0
Estimated Outlays	51	20	8	2	0	0
<i>Proposed Changes:</i>						
Authorization Level	0	46	50	0	0	0
Estimated Outlays	0	28	42	18	7	1
<i>Spending by USFA Under H.R. 1550:</i>						
Authorization Level ¹	32	46	50	0	0	0
Estimated Outlays	51	48	50	20	7	1

¹ The 1999 level of \$32 million is the amount appropriated for that year. The bill would authorize \$31 million for 1999, thus CBO expects that the bill would not affect spending in the current year.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 1550 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Some of the funds authorized in this bill would be used for

grants, technical assistance, and training for state and local fire departments.

Estimate prepared by: Megan Carroll.

Estimate approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

XI. COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 1550 contains no unfunded mandates.

XII. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Rule XIII, clause 3(c)(1) of the House of Representatives requires each committee report to include oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X. The Committee has no oversight findings.

XIII. OVERSIGHT FINDINGS AND RECOMMENDATIONS BY THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

Rule XIII, clause 3(c)(4) of the House of Representatives requires each committee report to contain a summary of the oversight findings and recommendations made by the House Committee on Government Reform pursuant to clause 4(c)(2) of rule X, whenever such findings and recommendations have been submitted to the Committee in a timely fashion. The Committee on Science has received no such findings or recommendations from the Committee on Government Reform.

XIV. CONSTITUTIONAL AUTHORITY STATEMENT

Rule XIII, clause 3(d)(1) of the House of Representatives requires each report of a committee on a bill or joint resolution of a public character to include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution. Article I, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 1550.

XV. FEDERAL ADVISORY COMMITTEE STATEMENT

H.R. 1550 does not establish, nor authorize the establishment of, any advisory committee.

XVI. CONGRESSIONAL ACCOUNTABILITY ACT

The Committee finds that H.R. 1550 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

XVII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, 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):

**FEDERAL FIRE PREVENTION AND CONTROL ACT OF
1974**

* * * * *

MASTER PLANS

SEC. 10. (a) * * *

[(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)] (b) 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.

* * * * *

【AUTHORIZATION OF APPROPRIATIONS

[(c)] (a) There are authorized to be appropriated to carry out the foregoing provisions of this Act, except as otherwise specifically provided, with respect to the payment of claims, under section

11 of this Act, an amount not to exceed \$25,210,000 for the fiscal year ending September 30, 1980, which amount includes—

[(1) \$4,781,000 for programs which are recommended in the report submitted to the Congress by the Administrator pursuant to section 24(b)(1);

[(2) \$9,430,000 for the National Academy for Fire Prevention and Control;

[(3) \$307,000 for adjustments required by law in salaries, pay, retirement, and employee benefits;

[(4) \$500,000 for additional rural firefighting technical assistance and information activities;

[(5) \$500,000 for the study required by section 26 of this Act; and

[(6) \$110,000 for the study required by section 27 of this Act.

[(b) There are authorized to be appropriated for the additional administrative expenses of the Federal Emergency Management Agency, which are related to this Act and which result from Reorganization Plan Numbered 3 of 1978 (submitted June 19, 1978) and related Executive orders, an amount not to exceed \$600,000 for the fiscal year ending September 30, 1980.

[(c) There are authorized to be appropriated to carry out this Act, except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, an amount not to exceed \$23,814,000 for the fiscal year ending September 30, 1981, which amount includes—

[(1) not less than \$1,100,000 for the first year of a three-year concentrated demonstration program of fire prevention and control in two States with high fire death rates;

[(2) not less than \$2,575,000 for rural fire prevention and control; and

[(3) not less than \$4,255,000 for research and development for the activities under section 18 of this Act at the Fire Research Center of the National Bureau of Standards, of which not less than \$250,000 shall be available for adjustments required by law in salaries, pay, retirement, and employee benefits.

The funds authorized in paragraph (3) shall be in addition to funds authorized in any other law for research and development at the Fire Research Center.

[(d) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, to carry out the purposes of this Act, there are authorized to be appropriated—

[(1) \$20,815,000 for the fiscal year ending September 30, 1982, and \$23,312,800 for the fiscal year ending September 30, 1983, which amount shall include—

[(A) such sums as may be necessary for the support of research and development at the Fire Research Center of the National Bureau of Standards under section 18 of this Act, which sums shall be in addition to those funds authorized to be appropriated under the National Bureau of Standards Authorization Act for fiscal years 1981 and 1982; and

[(B) \$654,000 for the fiscal year ending September 30, 1982, and \$732,480 for the fiscal year ending September

30, 1983, for executive direction by the Federal Emergency Management Agency of program activities for which appropriations are authorized by this subsection; and

[(2) such further sums as may be necessary in each of the fiscal years ending September 30, 1982, and September 30, 1983, for adjustments required by law in salaries, pay, retirement, and employee benefits incurred in the conduct of activities for which funds are authorized by paragraph (1) of this subsection.

The funds authorized under section 18 shall be in addition to funds authorized in any other law for research and development at the Fire Research Center of the National Bureau of Standards.

[(e) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, to carry out the purposes of this Act, there are authorized to be appropriated—

[(1) \$15,720,000 for the fiscal year ending September 30, 1984, and \$20,983,000 for the fiscal year ending September 30, 1985; and

[(2) such further sums as may be necessary in each of the fiscal years ending September 30, 1984, and September 30, 1985, for adjustments required by law in salaries, pay, retirement, and employee benefits incurred in the conduct of activities for which funds are authorized by paragraph (1) of this subsection.

The funds authorized under this subsection shall be in addition to funds authorized in any other law for research and development at the Fire Research Center of the National Bureau of Standards.

[(f) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, to carry out the purposes of this Act, there are authorized to be appropriated \$22,037,000 for the fiscal year ending September 30, 1986 and \$18,300,000 for the fiscal year ending September 30, 1987.

[(g)(1) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

[(A) \$17,039,000 for the fiscal year ending September 30, 1989;

[(B) \$17,737,000 for the fiscal year ending September 30, 1990;

[(C) \$18,464,000 for the fiscal year ending September 30, 1991;

[(D) \$25,550,000 for the fiscal year ending September 30, 1992;

[(E) \$26,521,000 for the fiscal year ending September 30, 1993;

[(F) \$27,529,000 for the fiscal year ending September 30, 1994;

[(G) \$29,664,000 for the fiscal year ending September 30, 1998; and

[(H) \$30,554,000 for the fiscal year ending September 30, 1999.

[(2) Of the amount referred to in paragraph (1), not more than \$4,150,000 is authorized to be appropriated for each fiscal year for National Emergency Training Center site administration.

[(h) In addition to any other amounts that are authorized to be appropriated to carry out this Act, there are authorized to be appropriated to carry out this Act—

- [(1) \$500,000 for fiscal year 1995 for basic research on the development of an advanced course on arson prevention;
- [(2) \$2,000,000 for fiscal year 1996 for the expansion of arson investigator training programs at the Academy under section 24 and at the Federal Law Enforcement Training Center, or through regional delivery sites;
- [(3) \$4,000,000 for each of fiscal years 1995 and 1996 for carrying out section 25, except for salaries and expenses for carrying out section 25; and
- [(4) \$250,000 for each of the fiscal years 1995 and 1996 for salaries and expenses for carrying out section 25.]

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

- (1) \$30,554,000 for fiscal year 1999;
- (2) \$46,130,000 for fiscal year 2000, of which \$2,200,000 shall be used for research activities, and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which \$6,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel; and
- (3) \$49,500,000 for fiscal year 2001, of which \$3,000,000 shall be used for research activities, and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which \$8,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel.

None of the funds authorized by paragraph (3) may be obligated unless the Administrator has certified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with the strategic plan transmitted under section 3 of the Fire Administration Authorization Act of 1999.

* * * * *

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.”]

FEDERAL PROGRAMS TO COMBAT ARSON

SEC. 24. [(a) The] *The Administrator shall—*
 (1) * * *

* * * * *

[(b)(1) The Administrator shall prepare and submit to Congress not later than March 15, 1979, a report on ways in which the Federal Government may better assist the States and local jurisdictions in providing for more effective arson prevention, detection, and control. Such report shall include, but need not be limited to—

[(A)(i) an assessment of State and local capabilities in regard to arson investigation and detection; and

[(ii) an evaluation of the necessity for and the desirability of Federal supplementation of such State and local capabilities or other Federal assistance in arson detection;

[(B) a summary of Federal programs which seek to reduce arson;

[(C) an identification and analysis of existing Federal and State laws which may contribute to the incidence of arson;

[(D) recommendations for additional legislation or other programs, including research programs, or policies which may be required to assist in reducing arson in the United States; and

[(E) an assessment, where practical, of the costs and benefits of those programs and activities cited in paragraphs (1) through (4) of subsection (a) or recommended by the Administration.

[(2) Of the funds authorized to be appropriated in section 17 of this Act, \$100,000 shall be available in fiscal year 1979 for carrying out the purposes of paragraph (1) of this subsection.]

* * * * *

【SEC. 26. (a) The Administrator shall, within ten months of the date of enactment of this section, complete a study of the effectiveness of smoke detectors, heat detectors, and sprinkler suppression systems in saving lives, preventing injuries, and limiting property damage in fires, which report shall be submitted to the Congress and the President in conducting such study, the Administrator shall consider, among other factors—

[(1) whether and the extent to which such devices and systems have been and are effective in reducing the severity of fires, including estimates with respect to the potential for savings in lives, and injury prevention attributable to the operation of such systems and devices;

[(2) the experience of Federal organizations, States, localities, and other political subdivisions which have required the use of such systems and devices; and

[(3) a description of Administration programs regarding smoke detectors, heat detectors, sprinkler suppression systems and other systems, together with an analysis of the utilization of these systems, and devices as a result of these programs.

[(b) If the Administrator determines, as a result of the study conducted pursuant to subsection (a) of this section, that smoke detectors, heat detectors, sprinkler suppression systems or other similar systems or devices either have been or may be of assistance in the detection and control of fire, the Administrator shall include, as part of the report conducted pursuant to this section, recommendations regarding what should be the Federal role, if any, with respect to creating incentives for the use of such devices or systems by the public, by business concerns, and by Federal, State and local governments. In making such recommendations, the Administrator shall consider—

[(1) the incentives, including financial incentives, which might be developed to require or facilitate installation within new or existing buildings of smoke detectors, heat detectors, sprinkler suppression systems, or any combination of such systems, or other similar systems and devices; and

[(2) the benefits, if any, of demonstration or other such programs directed at residents in high impact fire areas in order to increase the use of smoke detectors, heat detectors, sprinkler suppression systems, or other systems or devices.

[(c) As part of its report submitted pursuant to this section, the Administrator shall provide specific legislative proposals to the Congress for implementing any recommendations made pursuant to this section.

[(d) Upon request of the Administrator, each Federal department and agency shall furnish to the Administrator such information, data, estimates, and statistics, and allow the Administrator access to all information in its possession, as the Administrator may reasonably determine to be necessary for the conduct of the study required by this section.

[FIREFIGHTER SAFETY STUDY]

【SEC. 27. (a) The Administrator shall conduct a review of firefighter safety. Such review shall include, but need not be limited to—

[(1) an analysis of the current situation with respect to the safety of firefighters;

[(2) an analysis of the effectiveness of protective garments, firefighting breathing equipment, personal communications systems, and other protective subsystems, together with recommendations for improving such equipment in order to further firefighting safety;

[(3) development of a plan for increased technology transfer to firefighting units of more effective technologies in the areas identified in paragraph (2) of this subsection.

[(b) The Administrator shall submit to Congress the results of such review, together with appropriate recommendations for legislation, not later than March 31, 1980.]

SEC. 33. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess Federal fire, emergency, hazardous material, or other equipment or property that may be useful to State and local fire and emergency services.

SEC. 34. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services.

SECTION 4 OF THE ACT OF DECEMBER 14, 1993

AN ACT To make a technical amendment, and for other purposes.

[SEC. 4. EXCEPTION TO FIRE SAFETY REQUIREMENT FOR NEWLY CONSTRUCTED MULTIFAMILY PROPERTY.]

[In the case of any newly constructed multifamily property, as defined in section 31(c)(2)(A)(ii) of the Federal Fire Prevention and Control Act of 1974, in the city of New York in the State of New York, the requirement contained in section 31(c)(2)(A)(i) of the Federal Fire Prevention and Control Act of 1974 with respect to an automatic sprinkler system shall be deemed to be met if such property meets an equivalent level of safety (as defined in section 31(a)(3) of such Act).]

XVIII. COMMITTEE RECOMMENDATIONS

On April 29, 1999, a quorum being present, the Committee favorably reported H.R. 1550, the Fire Administration Authorization Act of 1999, by a voice vote, and recommends its enactment.

XIX. PROCEEDINGS OF FULL COMMITTEE MARKUP

Chairman SENSENBRENNER. The next bill on the markup calendar is H.R. 1550, U.S. Fire Administration Authorization Act of 1999. This bill reauthorizes the training, research, data collection and analysis, and public education programs of the United States Fire Academy—the Fire Administration, which includes the National Fire Academy. This year marks the 25th anniversary of the Fire Prevention and Control Act establishing the Fire Administration, so this seems like an appropriate time for Congress to undertake a review of the agency.

Since its formation in 1974, the Fire Administration has played an important role in reducing the loss to life and property from fire. But recently, many in the firefighting community have begun questioning the value of a Fire Administration that appears to have lost its way. These concerns were given voice in the recent Blue Ribbon Panel report. This panel of experts was commissioned by FEMA Director James Lee Witt and identified a number of deficiencies that have undermined the agency's effectiveness. This bill will, I believe, help get the Fire Administration back on track, es-

pecially in research, an area that has been neglected in recent years.

The bill not only authorizes additional funding for all the agency's programs, it also requires detailed planning on how that money will be spent without resorting to micromanagement. I would like to commend Mr. Smith, the Chairman of the Subcommittee on Basic Research, and Ms. Johnson, the Ranking Minority Member of the Subcommittee, for all their work in producing a balanced bill that will rejuvenate and strengthen the Fire Administration, and it deserves strong and broad bipartisan support.

The gentleman from Michigan, Mr. Smith is recognized for an opening statement.

Mr. SMITH. Thank you, Mr. Chairman. H.R. 1550 is legislation that I hope is the beginning of a commitment from Congress to increase support for our firefighters and emergency personnel. Firefighters and EMS personnel are vital to every community in our country. They risk their lives, yet 80 percent of these men and women are volunteers. H.R. 1550 is a bill that addresses problems and will help the Fire Administration meet its responsibility.

The bill authorizes \$45.1 million for the Fiscal Year 2000—\$2.2 million is set aside for research. That's four times the research money that's used in this current year. The overall authorization is consistent with the Administration's request and represents an increase of \$12.9 million, or nearly 40 percent, over Fiscal Year 1999. For Fiscal Year 2001, the bill authorizes a 5 percent increase over the 1999 level to \$47.5 million, increasing the research money to \$3 million for directed—for research. The bill directs the administrator to certify to Congress that the obligation of funds for Fiscal Year 2001 is consistent with a strategic plan required in section 3 of the bill.

The language requiring the strategic plan for the Fire Administration is modeled after the Government Performance and Results Act. And, while it's important for FEMA to incorporate the Fire Administration into its federal disaster planning, it's also important for the Fire Administration, individually, separately, to establish priorities that will be more effective in reducing life and property loss from fire.

The strategic plan language also directs the Fire Administration to look for ways to coordinate with other federal agencies, especially the Department of Defense. And it will provide an appropriate vehicle for incorporating the recommendations of the Blue Ribbon Panel. I worked with the Department of Defense authorizers to include language in their bill that will result in closer cooperation, especially in the area of terrorism and weapons of mass destruction.

In addition to a substantial increase for research in section 2, H.R. 1550 also directs the Fire Administration to establish a research agenda. Research is one of the four main activities of the Fire Administration, however, this year, research efforts are only \$650,000. Coupled with the increased authorization, this research agenda will allow the Fire Administration to set priorities and give research a more central role in its activities. This section of the bill also directs the Fire Administration to take stock of research being

conducted at the Department of Defense and all other appropriate federal agencies.

H.R. 1550 increases assistance to community fire departments for the acquisition of excess and surplus federal equipment.

Finally, consistent with the oversight agenda adopted by the Committee, the bill deletes obsolete provisions of the statute.

In conclusion, Mr. Chairman, we've made great strides in reducing losses from fire. Between 1985 and 1994, fire deaths decreased 32 percent and the property losses from fire decreased by over 13 percent. Nonetheless, the losses due to fire remain unacceptably high. Each year, fire still destroys over 4,000 lives, injures another 25,000, and results in property losses of about \$9 billion a year. We can and must do better for our citizens and for the firefighters who risk their lives to protect their communities. This bill will strengthen the federal fire programs and improve training and research.

And, before closing, I would like to thank the gentlewoman from Texas, Ms. Johnson, for her important support and, Mr. Chairman, thank you for your efforts in bringing the bill before the Committee today. H.R. 1550 is an important piece of legislation that I ask all my colleagues to support.

[The information follows:]

OPENING STATEMENT OF HON. NICK SMITH

Thank you, Mr. Chairman. As you said in your opening statement, there is a great deal of concern about the situation at Fire Administration, both within Congress and the fire-services community. H.R. 1550 is a bill that addresses these problems and will help the agency meet its responsibilities.

H.R. 1550 authorizes \$45.1 million for FY 2000, \$2.2 million of which is set aside for research. This authorization is consistent with the Administration's request and represents an increase of \$12.9 million, or nearly 40 percent, over the Fiscal Year 1999 level.

For Fiscal year 2001, the bill authorizes a 5.3 percent increase, to \$47.5 million, \$3.0 million of which is for research. There is, however, a string attached. The bill directs the Administrator to certify to Congress that the obligation of funds for Fiscal Year 2001 is consistent with the strategic plan required in Section 3 of the bill.

The language requiring the strategic plan is modeled closely after that in the Government Performance and Results Act. I would note that in FEMA's strategic plan, the Fire Administration is mentioned very little. We should keep in mind that for the most part, fires are personal tragedies, not Federal ones. So while it is important for FEMA to incorporate the Fire Administration into its Federal-disaster planning, it is also important for the Fire Administration to establish priorities of its own that, when taken in the aggregate, can have a huge impact in reduced life and property loss from fire. The strategic-plan language also directs the Fire Administration to look for ways to coordinate with other Federal agencies, especially the Department of Defense, and will provide an appropriate vehicle for incorporating the recommendations of the Blue Ribbon Panel.

In addition to the substantial increase for research in Section 2, H.R. 1550 also directs the Fire Administration to establish a research agenda. Research is one of the four main activities of the Fire Administration, but recently the agency has paid less and less attention to it. In Fiscal Year 1999, for example, the Fire Administration budgeted only \$650,000 for research. Coupled with the increased authorizations, this research agenda will compel the Fire Administration to set priorities and give research a more central role in its activities. This section of the bill also directs the Fire Administration to take stock of research being conducted at the Department of Defense and other Federal agencies when developing its agenda.

H.R. 1550 also requires the Fire Administration to make accessible, including through the Internet, information on the availability of, and the procedures for acquiring, excess and surplus Federal equipment and on the procedures for establishing a cooperative agreement with a Federal facility, such as a local National Guard base. Finally, consistent with the Oversight Agenda adopted by the Committee, the bill deletes obsolete provisions of the statute.

Mr. Chairman, we have made great strides in reducing losses from fire. Between 1985 and 1994, fire deaths decreased 32 percent and the property losses for fire have decreased by over 13 percent. Nevertheless, the losses due to fire remain unacceptably high. Each year, fire still destroys over 4,000 lives, injures another 25,000, and results in property losses of about \$9 billion.

We can and must do better for our citizens and for the firefighters who risk their lives to protect their communities. Together with strong oversight, H.R. 1550 will strengthen Federal fire programs and improve training and research.

Before closing, I would like to thank the Gentlewoman from Texas, Ms. Johnson, for her input and support and you, Mr. Chairman, for your efforts in bringing the bill before the Committee today. I think that it is important that we also note the tremendous contribution of the Blue Ribbon Panel to the Committee's efforts. Their advice and guidance will result in a Fire Administration that will serve more ably the fire services in this country.

H.R. 1550 is an important piece of legislation and I ask my colleagues to support it.

Chairman SENSENBRENNER. The gentleman's time has expired. The gentlewoman from Texas, Ms. Johnson, the Ranking Member of the Subcommittee.

Ms. JOHNSON. Thank you, Mr. Chairman. The Fire Administration has long enjoyed the bipartisan support of the Science Committee because of its vital mission to improve the safety of all of our citizens. I would like to commend Mr. Smith, the Chairman of the Basic Research Subcommittee, for working with us in a collegial way in developing H.R. 1550, and I also thank you for bringing the bill before the Committee for its consideration.

The Federal Fire Prevention and Control Act of 1974 was intended to address a serious problem affecting the safety of all Americans. Much progress has been made during the past 25 years in public education about fire safety and improving the effectiveness of fire services and the wider use of home fire safety devices. Nevertheless, the United States still has one of the highest fire death rates among advanced nations. The bill before the Committee seeks to reinvigorate the efforts of the Fire Administration.

I am pleased that it endorses the President's Fiscal Year 2000 proposal for a 40 percent funding increase. Although this increase will raise the Fire budget to over \$45 million, it still pales compared to the scale contemplated for the agency. The landmark report, *America Burning*, which was the genesis of the 1974 Act, recommended an initial budget for the Fire Administration of \$124 million in then-year dollars.

The bill is a good start to providing the level of resources the Fire Administration needs to carry out its important mission. H.R. 1550, as introduced, will enable the Fire Administration to increase support for its critical responsibility for firefighter training through the National Fire Academy. Moreover, the budget growth will enable the agency to reverse the steep decline in support for fire research and for public education programs, especially programs to reach the elderly and the poor populations which are most at risk from fire injuries. I will suggest report language at the appropriate time dealing with these areas.

In addition to the funding, the bill establishes a requirement for a 5-year program plan for the agency. This plan will constitute the formal documentation of the Fire Administration's response to the recommendation of last year's Blue Ribbon Panel report. I still have some questions about the mixed messages from the White

House that I've received, and Mr. Witt. And I appreciate the commitment to hold hearings before the next Committee review.

Part of the progress required for developing this plan will include consultation with NIST and the Fire Service organizations to establish a prioritized set of research goals. I am particularly interested in seeing that this research prioritization place adequate emphasis on development of firefighter protection equipment. I am pleased to recommend the measure to my colleagues for their approval. Thank you, Mr. Chairman.

Chairman SENSENBRENNER. The gentlewoman's time has expired. Without objection, further opening statements will be inserted into the record at this point.

And the bill—without objection, the bill will be read the first time and open for amendment at any point.

[The information follows:]

H.R. 1550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fire Administration Authorization Act of 1999".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 17 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 17. Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

"(1) \$30,554,000 for fiscal year 1999;

"(2) \$45,130,000 for fiscal year 2000, of which \$2,200,000 shall be used for research activities; and

"(3) \$47,500,000 for fiscal year 2001, of which \$3,000,000 shall be used for research activities.

None of the funds authorized by paragraph (3) may be obligated unless the Administrator has certified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with the strategic plan transmitted under section 3 of the Fire Administration Authorization Act of 1999."

SEC. 3. STRATEGIC PLAN.

(a) REQUIREMENT.—Not later than April 30, 2000, the Administrator of the United States Fire Administration shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 5-year strategic plan of program activities for the United States Fire Administration.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a comprehensive mission statement covering the major functions and operations of the United States Fire Administration in the areas of training, research, data collection and analysis, and public education;

(2) general goals and objectives, including those related to outcomes, for the major functions and operations of the United States Fire Administration;

(3) a description of how the goals and objectives identified under paragraph (2) are to be achieved, including operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;

(4) an identification of the fire-related activities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies, and a discussion of how those activities can be coordinated with and contribute to the achievement of the goals and objectives identified under paragraph (2);

(5) a description of objective, quantifiable performance goals needed to define the level of performance achieved by program activities in training, research, data collection and analysis, and public education, and how these performance goals relate to the general goals and objectives in the strategic plan;

(6) an identification of key factors external to the United States Fire Administration and beyond its control that could affect significantly the achievement of the general goals and objectives;

(7) a description of program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations; and

(8) a description of how the strategic plan prepared under this section will be incorporated into the strategic plan and the performance plans and reports of the Federal Emergency Management Agency.

SEC. 4. RESEARCH AGENDA.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the United States Fire Administration, in consultation with the Director of the Federal Emergency Management Agency, the Director of the National Institute of Standards and Technology, representatives of trade associations, State and local firefighting services, and other appropriate entities, shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the United States Fire Administration's research agenda and including a plan for implementing that agenda.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) identify research priorities;

(2) describe how the proposed research agenda will be coordinated and integrated with the programs and capabilities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies;

(3) identify potential roles of academic and other research institutions in achieving the research agenda;

(4) provide cost estimates, anticipated personnel needs, and a schedule for completing the various elements of the research agenda;

(5) describe ways to leverage resources through partnerships, cooperative agreements, and other means; and

(6) discuss how the proposed research agenda will enhance training, improve State and local firefighting services, impact standards and codes, increase firefighter and public safety, and advance firefighting techniques.

(c) USE IN PREPARING STRATEGIC PLAN.—The research agenda prepared under this section shall be used in the preparation of the strategic plan required by section 3.

SEC. 5. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

“SEC. 33. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

“The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess Federal fire, emergency, hazardous material, or other equipment or property that may be useful to State and local fire and emergency services.”.

SEC. 6. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

“SEC. 34. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

“The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services.”.

SEC. 7. MISCELLANEOUS REPEALS.

The Federal Fire Prevention and Control Act of 1974 is amended—

(1) by repealing section 10(b) and redesignating subsection (c) of that section as subsection (b);

(2) by repealing section 23;

(3) in section 24—

(A) by striking “(a) The” and inserting “The”; and

(B) by repealing subsection (b);

(4) by repealing section 26; and

(5) by repealing section 27.

Chairman SENSENBRENNER. The first amendment on the roster is by the gentleman from Colorado, Mr. Udall. And, in the interest of time, the Chair is going to make you an offer you can't refuse. [Laughter.]

I notice you also have amendment number six. If you would like to offer them both at the same time, you can get a two for one.

Mr. UDALL. Mr. Chair, I'd be glad to work with you on this.

Chairman SENSENBRENNER. Okay. The clerk will report the amendments.

The CLERK. Amendment to H.R. 1550, offered by Mr. Udall—

Chairman SENSENBRENNER. Without objection, the amendments will be considered as read. They are also considered en bloc.

[The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY MR. UDALL OF COLORADO

Page 2, line 11, strike "\$45,130,000" and insert "\$46,130,000".

Page 2, line 12, insert ", and of which \$6,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel" after "for research activities".

Page 2, line 13, strike "\$47,500,000" and insert "\$49,500,000".

Page 2, line 14, insert ", and of which \$8,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel" after "for research activities".

Page 7, after line 24, insert the following new section:

SEC. 8. NEED FOR ADDITIONAL TRAINING IN COUNTERTERRORISM.

(a) IN GENERAL.—The Administrator of the United States Fire Administration shall conduct an assessment of the need for additional capabilities for Federal counterterrorism training of emergency response personnel.

(b) CONTENTS OF ASSESSMENT.—The assessment conducted under this section shall include—

(1) a review of the counterterrorism training programs offered by the United States Fire Administration and other Federal agencies;

(2) an estimate of the number and types of emergency response personnel that have, during the period between January 1, 1994, and June 1, 1999, sought training described in paragraph (1), but have been unable to receive that training as a result of the oversubscription of the training capabilities; and

(3) a recommendation on the need to provide additional Federal counterterrorism training centers, including—

(A) an analysis of existing Federal facilities that could be used as counterterrorism training facilities; and

(B) a cost-benefit analysis of the establishment of counterterrorism training facilities in regions where many applicants for such training reside.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prepare and submit to the Congress a report on the results of the assessment conducted under this section.

Chairman SENSENBRENNER. And the gentleman from Colorado is recognized for 5 minutes.

Mr. UDALL. Thank you, Mr. Chair. I'd like to begin by indicating my strong support for H.R. 1550. I intend to offer two amendments en bloc in order to strengthen our counterterrorism training efforts. As we experience more instances of domestic terrorism, it is vital that our responders are trained to address possibilities of terrorist attack. We are now facing a situation in which a policeman, paramedic, or firefighter can be called upon to deal with a terrorist scenario.

At Oklahoma City, the incident commander was the fire chief. The law enforcement emergency professionals and others reported to him. In the future, training received at the National Fire Acad-

emy might mean life or death, not just for our first responders, but for uncountable numbers of people. It is essential that the Fire Administration have the resources necessary to help meet the anti-terrorism training needs of the Fire Services.

My first amendment increases the authorization level for the Fire Administration's anti-terrorist training activities by \$1 million for the Fiscal Year 2000 and by an additional \$2 million for the Fiscal Year 2001. These increases will raise the total funding level for this important activity to \$6 million per year in the first year and to \$8 million, or twice the current level, by the second year.

I've looked back at the report that the Committee issued when it authorized the Fire Administration in 1997. In the report, the Committee fully approved of the expansion of the agency's anti-terrorism training activities. It said that, quote, "The Committee supports the USFA's role in counterterrorism training because training for counterterrorism in many ways mirrors and/or supplements existing USFA-sponsored training programs for major fires, natural disasters, and hazardous materials accidents." The report goes on to stress that support for these important training activities should not come at the expense of existing USFA programs.

I just doubt that the \$5 million per year now in the bill for the development of curricular materials and for conducting training classes will be sufficient to meet the needs of the 35,000 fire departments across the country. I would note that the Blue Ribbon Panel convened last year by FEMA Director Witt recommends that the Fire Administration budget for natural disaster and terrorism response activities be \$15 million. That's why I'm proposing this increase.

My second amendment is related to the first. It would direct the United States Fire Administration to assess the need for additional capabilities for federal counterterrorism training of emergency response personnel. We need to know how adequate our current efforts are, what our current need is, and how best to satisfy that need in the event that the demand for training exceeds our current capacity for training.

My amendments seek to ensure that the past concerns that this Committee's addressed, and an important activity of the Fire Administration, is placed on a reasonable growth track, consistent with the Blue Ribbon Panel's recommendation. Terrorism is a problem that has reached epidemic proportions and I feel strongly that, whenever possible, the Science Committee should do its part to protect Americans from this National threat. I urge support for these amendments. I thank you for your help, Mr. Chairman, and I yield back.

Chairman SENSENBRENNER. Will the gentleman yield?

Mr. UDALL. I yield back.

Chairman SENSENBRENNER. I believe that both of these amendments are very constructive additions to the bill and we are prepared to accept them. The time of the gentleman has expired.

Is there any further discussion on the amendments en bloc offered by the gentleman from Colorado?

Hearing none, all those in favor will signify by saying aye.
Opposed, no.

The ayes appear to have it. The ayes have it and the amendments are agreed to.

The next amendment on the roster is one proposed by the gentlewoman from Illinois, Ms. Biggert. For what purpose does she rise?

Mrs. BIGGERT. Mr. Chairman, I have an amendment at the desk.

Chairman SENSENBRENNER. The clerk will report the amendment.

The CLERK. Amendment to H.R. 1550, offered by Mrs. Biggert—

Chairman SENSENBRENNER. Without objection, the amendment is considered as read.

[The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY MRS. BIGGERT

Page 2, line 12, insert ", and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects" after "activities".

Page 2, line 14, insert ", and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects" after "activities".

Chairman SENSENBRENNER. The gentlewoman is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman. The amendment that I offer today to H.R. 1550 would promote greater efficiency and flexibility within the United States Fire Administration while returning to the private sector the things done best there. This amendment reserves \$500,000 over 2 years to implement a key recommendation of the FEMA Blue Ribbon Panel that identified outsourcing of the data analysis function.

The panel reported that, by outsourcing its data analysis activities, USFA can focus its scarce resources more intensely on improving and preserving the National Fire Incident Reporting System. Outsourcing of the analysis function can be accomplished easily through cooperative agreements, grants and contracts with any number of entities in the private and not-for-profit sectors. USFA would not have to hire additional economists or statisticians and current USFA staff would be free to focus on what they do best—the collection of the data.

Mr. Chairman, this amendment would implement the Blue Ribbon Panel's recommendation and encourage the Fire Administration to outsource some data analysis activities now conducted in-house. The Blue Ribbon Panel even recommended \$250,000 per year for this activity. The Fire Service community made it clear through the panel that it supports this recommendation and I ask my colleagues to support it as well.

Chairman SENSENBRENNER. The gentlewoman's time has expired. Is there further discussion on the Biggert amendment?

Hearing none, all those in favor of the Biggert amendment will signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it and the amendment is agreed to.

The third amendment on the roster is one by the gentleman from Pennsylvania, Mr. Weldon. For what purpose does he rise?

Mr. WELDON of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

Chairman SENSENBRENNER. The clerk will report the amendment.

The CLERK. Amendment to H.R. 1550, offered by Mr. Weldon of Pennsylvania—

Chairman SENSENBRENNER. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes. [The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 4, line 16, strike "and".

Page 4, after line 16, insert the following new paragraph:

(8) a plan for the timely distribution of information and educational materials to State and local firefighting services, including volunteer, career, and combination services throughout the United States; and

Page 4, line 17, strike "(8)" and insert "(9)".

Mr. WELDON of Pennsylvania. Thank you, Mr. Chairman. Mr. Chairman, first of all, let me congratulate the Subcommittee Chairman and Ranking Member for bringing this bill forward and for your leadership and the full Committee Ranking Member's leadership on issues involving the Fire Service.

This amendment is simple and straightforward. It simply asks the United States Fire Administration to provide a more detailed capability to disseminate information to the 32,000 fire and EMS departments in this country, 85 percent of whom are volunteer. This is an ongoing need. USFA is not meeting that in a timely way, according to the major fire service groups, and this amendment simply asks the Fire Administration to provide a system of distribution as part of their strategic plan. I think it's very logical and it's something I think USFA in fact will welcome.

While I have the time, Mr. Chairman, I would also like to just briefly comment on some of the amendments that are dealing with training for the 1.2 million fire and EMS people in this country. Unfortunately, while there are hundreds of millions of dollars of training and resources that are supposedly aimed at the fire and EMS community nationwide, we've had a very difficult time getting those dollars down to the firefighter and the EMS personnel.

Part of that has been because—or part of that has been, in my opinion, because the Fire Administration did not take an aggressive role when this country was debating what way to respond to anti-terrorism initiatives. DOD did come in aggressively and so did the Department of Justice. As a result, the irony here is that hundreds of millions of dollars are being spent on training local fire and emergency response personnel and yet none of that is coming out of the jurisdiction of this Committee or even the Fire Administration. It's being carried out by the Department of Justice. It's being carried out by the Department of Defense. And it is a significant amount of money, far, far greater than the total budget of the United States Fire Administration.

To some extent, I think that's an indictment of the Fire Administration and the need for us to provide more support to have them become more progressive. At our annual dinner last week, James Lee Witt announced that he is, in fact, creating a new position within FEMA to become an advocate on behalf of the Fire Service

of this country. It is long overdue. But I would just encourage my colleagues to understand that many of their frustrations should not be because of lack of resources, because they are there. They are there in the hundreds of millions of dollars.

The problem is those resources are being directed by agencies who do not directly report to the men and women they are servicing. They report to the Pentagon and they report to the FBI and the Department of Justice. And that is extremely unfortunate, and that's something that we're trying to rectify.

The other point I'd mention is that I'm working with the Subcommittee Chair to make sure that the Defense assets we're putting into fire research are totally coordinated with the Fire Service community. We spend a significant amount of money each year in the Department of Defense on researching fire and life safety and we're trying to bring those two together, and the Chairman has been tireless in his efforts in making sure that happens in this session of the Congress.

So, with that, I would ask for support of the amendment that I outlined earlier.

Chairman SENSENBRENNER. The gentleman yields back the balance of this time. Is there further discussion on the Weldon of Pennsylvania amendment?

Hearing none, all those in favor of agreeing to the amendment will signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it and the amendment is agreed to.

The next amendment on the list is one by the gentleman from Connecticut, Mr. Larson. For what purpose does he seek recognition?

Mr. LARSON. Mr. Chairman, I have an amendment at the desk.

Chairman SENSENBRENNER. The clerk will report the amendment.

The CLERK. Amendment to H.R. 1550, offered by Mr. Larson—

Chairman SENSENBRENNER. Without objection, the amendment is considered as read.

[The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY MR. LARSON

Page 4, line 16, strike "and".

Page 4, line 21, strike the period and insert ";" and".

Page 4, after line 21, insert the following new paragraph:

(9)(A) a description of the current and planned use of the Internet for the delivery of training courses by the National Fire Academy, including a listing of the types of courses and whether they provide real time interaction between instructor and students, and including the number of students enrolled, and the geographic distribution of students, for the most recent fiscal year;

(B) an assessment of the availability and actual use by the National Fire Academy of Federal facilities suitable for distance education applications, including facilities with teleconferencing capabilities; and

(C) an assessment of the benefits and problems associated with delivery of instructional courses using the Internet, including limitations due to network bandwidth at training sites, the availability of suitable course materials, and the effectiveness of such courses in terms of student performance.

Chairman SENSENBRENNER. And the gentleman from Connecticut is recognized for 5 minutes.

Mr. LARSON. Thank you, Mr. Chairman. Mr. Chairman, let me start by acknowledging the very hard work put in by Representative Smith and Representative Johnson. As you know, the Fire Administration Authorization Act, known as H.R. 1550, includes a requirement for a 5 year strategic plan, laying out the agency's overall goals and program activities.

The purpose of my amendment is to add to the provision, to assess within the strategic plan the benefits of distance learning for fire education for local fire departments. The amendment accomplishes this by calling for the full consideration of how the Internet is now used, and could be used more effectively in the future, to deliver the National Fire Academy training courses at remote sites.

Secondly, by requiring the Fire Administration to review its current training activities on the Internet and to assess the benefits and problems associated with the Internet use for training and asking for an inquiry into the availability of federal facilities with advanced telecommunications capabilities that can be used as a remote setting for the Fire Academy courses. In particular, teleconferencing facilities that would permit interaction between students and the instructor.

Lastly, Mr. Chairman, I would call for the unanimous support of the Committee and, again, compliment my colleagues for the hard work that they've put in on the bill. And I would yield back my time.

Chairman SENSENBRENNER. Will the gentleman yield, just briefly. This is another good amendment and we are prepared to accept it. The gentleman's time has expired.

Further discussion on the Larson amendment?

Hearing none, the question is on agreeing to the amendment. All those in favor will signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it and the amendment is agreed to.

The next amendment on the roster is one by the gentleman from Oklahoma, Mr. Lucas. For what purpose does the gentleman seek recognition?

Mr. LUCAS. Mr. Chairman, I have an amendment at the desk.

Chairman SENSENBRENNER. The clerk will report the amendment.

The CLERK. Amendment to H.R. 1550, offered by Mr. Lucas—

Chairman SENSENBRENNER. Without objection, the amendment is considered as read.

[The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY MR. LUCAS

Page 7, after line 24, insert the following new section:

SEC. 8. NATIONAL FIRE ACADEMY CURRICULUM REVIEW.

(a) IN GENERAL.—The Administrator of the United States Fire Administration, in consultation with the Board Visitors and representatives of trade and professional associations, State and local firefighting services, and other appropriate entities, shall conduct a review of the courses of instruction available at the National Fire Academy to ensure that they are up-to-date and complement, not duplicate, courses of instruction offered elsewhere. Not later than 180 days after the date of enactment of this Act, the Administrator shall prepare and submit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

- (b) CONTENTS OF REPORT.—The report required by subsection (a) shall—
- (1) examine and assess the courses of instruction offered by the National Fire Academy;
 - (2) identify redundant and out-of-date courses of instruction;
 - (3) examine the current and future impact of information technology on National Fire Academy curricula, methods of instruction, and delivery of services; and
 - (4) make recommendations for updating the curriculum, methods of instruction, and delivery of services by the National Fire Academy considering current and future needs, State-based curricula, advances in information technologies, and other relevant factors.

Chairman SENSENBRENNER. And the gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Thank you, Mr. Chairman. The amendment I am offering today would require the Fire Administration to conduct a review of the courses of instruction it offers through the National Fire Academy. The purpose of this amendment is to ensure that the courses offered complement, and do not duplicate, courses offered elsewhere, such as at the State level, and to get the Fire Academy to think about ways in which it can more effectively deliver its courses and services.

The Blue Ribbon Panel made a compelling case for such an assessment in its report. The committee also heard the testimony from the Chairman of that Panel on the need to make sure that the courses delivered to the leadership of the Nation's fire services are courses that cannot be offered elsewhere. He also stressed the importance of distance learning and getting more instructors out into the states.

Mr. Chairman, this amendment fulfills a real need recognized by the fire services community. The importance of the courses offered by the National Fire Academy should be comparable to those offered at other Federal institutions. This amendment will help ensure that the people who put their lives at risk every day protecting our fellow citizens receive the best training anywhere in the country, and I ask my colleagues to support this amendment. And I yield back.

Chairman SENSENBRENNER. Further discussion on the Lucas amendment?

Hearing none, all those in favor of agreeing to the amendment, will signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it and the amendment is agreed to.

Amendment number six by Mr. Udall has already been taken care of. The next amendment is by the gentleman from California, Mr. Kuykendall. For what purpose does he seek recognition?

Mr. KUYDENDALL. I have an amendment at the desk.

Chairman SENSENBRENNER. The clerk will report the amendment.

The CLERK. Amendment to H.R. 1550, offered by Mr. Kuykendall—

Chairman SENSENBRENNER. Without objection, the amendment is considered as read and the gentleman from California is recognized for 5 minutes.

[The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY MR. KUYKENDALL

Page 7, after line 24, insert the following new section:

SEC. 8. INTERNET AVAILABILITY OF INFORMATION.

The Administrator of the United States Fire Administration shall make available through the Internet home page of the United States Fire Administration the abstracts relating to all research grants and awards made with funds authorized by the amendments made by this Act. Nothing in this section shall be construed to require or permit the release of any information prohibited by law or regulation from being released to the public.

Mr. KUYKENDALL. Again, Mr. Chairman, this is very similar to the previous amendment that I offered. It puts the grant or the research grant information up on the Internet. I think it's interesting that we've had several of those already come before us, or another amendment at least, before us. The Internet is obviously a new, very vital communication link, and we need to make this kind of information available to the constituencies across the country that rely on these dollars for doing research. And I would urge your passage of it to ensure that the research grant information is on the Internet.

Chairman SENSENBRENNER. The gentleman yields back the balance of his time. Further discussion on the Kuykendall amendment?

Hearing none, all those in favor of agreeing to the amendment will signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it and the amendment is agreed to.

The next amendment on the roster is by the gentleman from New York, Mr. Weiner. For what purpose does he seek recognition?

Mr. WEINER. Mr. Chairman, I have an amendment at the desk.

Chairman SENSENBRENNER. Clerk will report the amendment.

The CLERK. Amendment to H.R. 1550, offered by Mr. Weiner—

Chairman SENSENBRENNER. Without objection, the amendment is considered as read and the gentleman from New York is recognized for 5 minutes.

[The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY MR. WEINER

Page 7, after line 24, insert the following new section:

SEC. 8. REPEAL OF EXCEPTION TO FIRE SAFETY REQUIREMENT.

(a) REPEAL.—Section 4 of Public Law 103–195 (107 Stat. 2298) is hereby repealed.
 (b) EFFECTIVE DATE.—Subsection (a) shall take effect 1 year after the date of the enactment of this section.

Mr. WEINER. Thank you, Mr. Chairman. I want to thank and commend the Chairman of the Full Committee and the Ranking Member for their work on this bill and also the Chair of the Subcommittee, Mr. Smith, and Ms. Johnson, the Ranking Member.

This amendment that I'm offering closes a loophole that was created in 1993 to allow New York City Federally-funded housing to not have the National fire standards, instead, to allow equivalent standards to be used. This amendment that I'm offering was in a bill that was offered by Congressman Maloney and others of us in the New York delegation.

In fact, since 1993, since this exception was created, there have been no exemptions granted by HUD because the fire standards that were proposed to be used in New York City housing were not up to the standards of the Federal law. What we have seen in recent years, unfortunately, is too many instances, including one dramatic instance in January, where sprinklers were not used and the fire standards that were applied were simply not up to the standards.

What my amendment would do would be essentially to remove that exception from New York City housing. It would have the one beneficial effect of providing the same Federal standards to New York City housing. And a second effect would be to make it easier for builders and developers in New York City to understand the rules of the road a little bit more clearly. It would allow the Federal standards to be applied uniformly.

I have been in contact with members of the New York City delegation who are near, I think, complete support of this amendment. In addition, I have also reached out to folks who do building in the New York City area who recognize that this would make their lives a lot easier by providing the standardization of the rules.

Chairman SENSENBRENNER. Will the gentleman yield?

Mr. WEINER. Thank you, Mr. Chairman, I yield back.

Chairman SENSENBRENNER. We are happy to note New York City wants to join the rest of the country in this respect.

The gentleman's time has expired.

Any further discussion of the Weiner amendment. Hearing none, all those in favor signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it, and the amendment is agreed to.

It is my understanding that amendment number nine by the gentlewoman from Texas, Ms. Johnson, is not going to be offered, but does the gentlewoman wish to strike the last word at this time.

Ms. EDDIE BERNICE JOHNSON of Texas. Yes, Mr. Chairman.

Chairman SENSENBRENNER. The gentlewoman is recognized for five minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you.

I offered this amendment—my initial effort was to offer a more complete amendment, which was actually the Pascrell-Weldon bill.

Chairman SENSENBRENNER. Well, if the gentlewoman—is the gentlewoman offering the amendment or not?

Ms. EDDIE BERNICE JOHNSON of Texas. I want to speak on the amendment. I said my initial effort.

Chairman SENSENBRENNER. Okay.

Ms. EDDIE BERNICE JOHNSON of Texas. But I still—

Chairman SENSENBRENNER. Well then let's have the clerk report the amendment and then you can withdraw it.

Ms. EDDIE BERNICE JOHNSON of Texas. I'll put the amendment before us and I will withdraw it after I—

Chairman SENSENBRENNER. Okay. The clerk will report the amendment.

The CLERK. Amendment to H.R. 1550, offered by Ms. Eddie Bernice Johnson of Texas—

Chairman SENSENBRENNER. Without objection, the amendment is considered as read, and the gentlewoman from Texas is recognized for five minutes now.

[The information follows:]

AMENDMENT TO H.R. 1550 OFFERED BY Ms. EDDIE BERNICE JOHNSON OF TEXAS

Page 7, after line 24, insert the following new section:

SEC. 8. FIREFIGHTER INVESTMENT AND RESPONSE ENHANCEMENT.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

***SEC. 35. FIREFIGHTER INVESTMENT AND RESPONSE ENHANCEMENT.**

(a) GRANT PROGRAM.—

“(1) AUTHORITY.—In accordance with this section, the Administrator may make grants on a competitive basis to fire departments for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards.

“(2) ESTABLISHMENT OF OFFICE FOR ADMINISTRATION OF GRANTS.—Before making grants under paragraph (1), the Administrator shall establish an office in the United States Fire Administration to establish specific criteria for the selection of grant recipients and to administer the grants.

“(3) USE OF GRANT FUNDS.—The Administrator may make a grant under paragraph (1) only if the applicant for the grant agrees to use grant funds for any of the following:

“(A) To hire additional firefighting personnel.

“(B) To train firefighting personnel in firefighting, emergency response, arson prevention and detection, or the handling of hazardous materials, or to train such personnel to provide any of the training described in this subparagraph.

“(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

“(D) To certify fire inspectors.

“(E) To establish wellness and fitness programs for firefighting personnel to ensure that such personnel can carry out their duties.

“(F) To fund emergency medical services provided by fire departments.

“(G) To acquire additional firefighting vehicles, including fire trucks.

“(H) To acquire additional firefighting equipment, including equipment for communications and monitoring.

“(I) To acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment for firefighting personnel.

“(J) To modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.

“(K) To enforce fire codes.

“(L) To fund fire prevention programs.

“(M) To educate the public about arson prevention and detection.

“(4) MATCHING REQUIREMENT.—The Administrator may make a grant under paragraph (1) only if the applicant for the grant agrees to match with non-Federal funds 10 percent of the funds received under paragraph (1) in any fiscal year.

“(5) MAINTENANCE OF EXPENDITURES.—The Administrator may make a grant under paragraph (1) only if the applicant for the grant agrees to maintain for the fiscal year in which the grant will be received its aggregate expenditures for uses described in paragraph (3) at or above the average level of such expenditures in the 2 fiscal years preceding the fiscal year in which the grant will be received.

“(6) REPORT TO THE ADMINISTRATOR.—The Administrator may make a grant under paragraph (1) only if the applicant for the grant agrees to submit to the Administrator a report, including a description of how grant funds were used, with respect to each fiscal year for which a grant was received.

“(7) VARIETY OF GRANT RECIPIENTS.—The Administrator shall ensure that grants under paragraph (1) for a fiscal year are made to a variety of fire departments, including, to the extent that there are eligible applicants—

“(A) paid, volunteer, and combination fire departments;

“(B) fire departments located in communities of varying size; and

“(C) fire departments located in urban, suburban, and rural communities.

"(8) LIMITATION ON FIREFIGHTING VEHICLES.—The Administrator shall ensure that not more than 25 percent of the assistance made available under paragraph (1) in a fiscal year is used for purposes authorized under paragraph (3)(G).

"(9) LIMITATION ON ADMINISTRATIVE COSTS.—Of amounts made available under subsection (b) for a fiscal year, the Administrator may use not more than 10 percent for the administrative costs of carrying out this section.

"(10) APPLICATION.—The Administrator may make a grant under paragraph (1) only if the fire department seeking the grant submits to the Administrator an application in such form and containing such information as the Administrator may require.

"(11) FIREFIGHTING PERSONNEL DEFINED.—In this section the term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this section, there are authorized to be appropriated to the Administrator \$75,000,000 for fiscal year 2000 and \$150,000,000 for fiscal year 2001."

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you, Mr. Chairman. The amendment that I ultimately had drawn was the grant amendment. And one of the reasons why I was wanting to move forth more vigorously is because as we are considering this bill, there are a number of incidences where life will continue to be lost by firemen from the lack of equipment and other support measures.

And for that reason, I wanted to address the situation. I acknowledge that it is not nearly as complete as the bill. It does not call for anywhere near the amount of money. But I realize, too, that the authors preferred to wait until we can consider the entire bill, have a hearing, and consider the entire bill.

So for that reason, Mr. Chairman, after discussion with a number of members, I will withdraw the amendment.

Chairman SENSENBRENNER. The amendment is withdrawn. That completes the—

Mr. SMITH. Mr. Chairman? Mr. Chairman?

Chairman SENSENBRENNER. What?

Mr. SMITH. On this issue, I would move to strike the last word.

Chairman SENSENBRENNER. The gentleman is recognized for five minutes.

Mr. SMITH. I would compliment the efforts of Congressman Pascrell as well as Congresswoman Johnson. And let me say that as a member of the Budget Committee, I will vigorously work to increase the budget limitations for the function areas that would allow an expansion of our efforts in firefighting.

Currently, I am working with Senator Roth and Congressman Curt Weldon and Congressman Pascrell, as well as our ranking member of the Subcommittee, Eddie Bernice Johnson, to move ahead with a bipartisan package that is going to enhance what we are doing for firefighters in this country that have been for a long time overlooked.

And I would yield to a leader in this effort, Mr. Curt Weldon for a comment.

Mr. WELDON of Pennsylvania. I thank my friend and colleague for yielding, and I, too, want to applaud the gentlelady both for her concern and interest and for her leadership. I think it is a wise decision to not offer this at this time until we can, one, sort out what the correct response is and, two, talk to the full Committee Chairman about what his feelings are on these issues down the road.

The concern in the country is that we in the Congress have put significant amounts of money into, say, law enforcement. And I am a strong supporter of the police, having been a local mayor. In fact, we put almost \$5 billion a year into law enforcement nationwide. We even buy half of the costs of vests for every policy officer in the country with Federal money.

Last year, without any money in the budget, we came up with a billion dollars for teachers—a billion dollars. The amount of money we spend on the fire service is minuscule. And I am not saying we should attempt to create a new Federal handout, but if we are going to recognize teachers and police, there is no other group in the country where the bulk of the leaders volunteer their time who have 100 of those people killed each year in volunteering on behalf of their country.

It is outrageous that this government spends so much more—on law enforcement and on adding teachers—that wasn't in the budget—and I a teacher, by the way, by profession—and yet we totally ignore the 1.2 million men and women who risk their lives everyday in all of our districts, and who do so with basically having to have chicken dinners and tag days to buy \$500,000 pieces of equipment.

That is outrageous. And I think it is time that we have a national debate, as we are so free and willing to give money to other groups who have expensive lobbying interests in town, that we looked at those people who truly are in need, who, in fact, lose 100 of them each year.

So I applaud the Subcommittee Chairman. He is a real hero to the fire service for what he is doing. I look forward to working with him.

Chairman SENSENBRENNER. Will the gentleman from Michigan yield?

Mr. WELDON of Pennsylvania. I yield to the Chairman.

Chairman SENSENBRENNER. I concur in the points that the gentleman from Pennsylvania, who as a former fire chief, has made. I don't think that this bill is the proper vehicle to commence a National debate on this subject, however. And I appreciate the gentlewoman, Ms. Johnson, not offering this amendment.

Let me say that the U.S. Fire Administration has had some significant problems, and it has required a Blue Ribbon Report to figure out how to sort those problems out and to improve the administration of the agency. And this bill will provide the legislative vehicle for the FEMA director and the administrator of the U.S. Fire Administration to be able to do so, together with a pretty significant increase in authorization.

So I think we ought to do one thing at a time. You never walk a mile without taking the first step. This bill is an important first step, but the concerns expressed by the three previous speakers I think ought to be the second step before we get to the third.

Does the gentleman from Michigan yield back the balance of his time?

Mr. SMITH. I yield back the balance of my time.

Chairman SENSENBRENNER. Okay. That concludes the number of amendments on the roster. Are there any further amendments?

Hearing none, report language. And the gentlewoman from Texas has two proposals for report language. The Chair recognizes the gentlewoman from Texas for the first bit of report language, which relates to firefighter protective equipment.

Does the gentlewoman offer that?

Ms. EDDIE BERNICE JOHNSON of Texas. Yes.

Chairman SENSENBRENNER. The clerk will report the report language.

The CLERK. Report language offered by Representative——

Chairman SENSENBRENNER. Without objection, the report language is considered as read, and the Chair will note that this report language and the second proposal of the gentlewoman from Texas are in the packet on the members' desks. And the gentlewoman is recognized for five minutes.

[The information follows:]

REPORT LANGUAGE OFFERED BY REPRESENTATIVE EDDIE BERNICE JOHNSON

In 1984, 10.6% of firefighter injuries, over 6600 incidents, were due to burns. In 1993, despite 10 years of advances in protective clothing, 11.3% of firefighter injuries, nearly 6000 incidents, were due to burns. A 1996 workshop organized by the National Institute of Standards and Technology (NIST) explored the factors that lead to burn injuries and identified research objectives related to the development of effective protective clothing and equipment, to fire fighting tactics, and to the training of fire service personnel.

Section 4 of the bill directs the Administrator to prepare a research agenda and associated implementation plan. The findings of the 1996 NIST workshop and related materials should be reviewed as part of the process of developing the research agenda. The Committee understands that current understanding is incomplete regarding the relationships among thermal environments, human response to thermal exposures, and fire fighting tactics that result in burn injuries.

The Committee expects the research agenda to address, and place an appropriate level of priority on, research needed (1) to support the development of more effective firefighter protective equipment, including sensor technologies that have promise for informing firefighters of impending untenable conditions; (2) to identify best practices in fire fighting tactics, and (3) to support the development of appropriate training materials to improve the safety of firefighters, including imparting knowledge of the limits of protective clothing and equipment.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you, Mr. Chairman.

The first relates to the provision in section 4 of the bill that requires the Fire Administration to prepare a research agenda and associated implementation plan. The report language asks the agency to take into consideration the results of a recent workshop at NIST that defines several research needs regarding development of effective protective clothing and equipment for firefighters as well as research required to formulate firefighting tactics to reduce burn injuries.

And I move the adoption.

Chairman SENSENBRENNER. The gentlewoman yields back the balance of her time.

Further discussion on the report language proposal. Hearing none, all those in favor of agreeing the report language will signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it. And the report language is agreed to.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you.

Chairman SENSENBRENNER. The gentlewoman from Texas has another proposal for report language on reducing fire injury for vulnerable populations. For what purpose does the gentlewoman from Texas seek recognition?

Ms. EDDIE BERNICE JOHNSON of Texas. Strike the last word, Mr. Chairman.

Chairman SENSENBRENNER. Do you have the report language at the desk?

Ms. EDDIE BERNICE JOHNSON of Texas. Yes.

Chairman SENSENBRENNER. The clerk will report the report language.

The CLERK. Report language offered by Representative Eddie Bernice Johnson—

Chairman SENSENBRENNER. Without objection, the report language is considered as read and the gentlewoman is recognized for five minutes.

[The information follows:]

REPORT LANGUAGE OFFERED BY REPRESENTATIVE EDDIE BERNICE JOHNSON

Data collected by the Fire Administration and other sources show that certain groups are at greater risk from fire injury or death than the general population. Children under five years of age perish in fires at twice the national fire death rate. For Black children, home fires are the leading cause of injury-related deaths for those between the ages of one and nine. Likewise, for the elderly over seventy years of age, the death rate from fire is one and one half times the national average, rising to four times the national average by age eighty five. The Hispanic community is at-risk due to fire-related injuries and deaths.

Data on socioeconomic factors affecting fire-related injury are less exact, but available information indicates that the poor suffer a disproportionate share of deaths versus the rest of the population. For example, smoking, which is inversely related to income level, accounts for 26% of all fire deaths; and neighborhoods with high proportions of low income households have higher fire incidence rates than middle or high income neighborhoods.

The mission of the Fire Administration includes public education about fire risk and research related to fire protection. The Committee expects the Fire Administration, in carrying out the requirement of sections 3 and 4 of the bill, to direct its efforts and resources appropriately to address ways to combat the vulnerability of the population groups that suffer disproportionately from fire injury.

The Committee expects the Fire Administration to provide in its strategic plan for the development of public education programs designed for these at-risk audiences. In order to develop effective materials and approaches, the Fire Administration should consider any actions needed to improve the current understanding of the factors that lead to fire risk, including the adequacy of current data collection activities. In establishing research priorities in accordance with section 4 of the bill, the Committee expects the Fire Administration to consider whether its research program should include studies of the socioeconomic characteristics associated with increased fire risk. The Committee believes that effective, targeted fire prevention campaigns can be developed only from a sound knowledge base.

The Committee is concerned about recent media reports that have detailed fire deaths in Texas and other states from the use of security bars known as "burglary bars" on doors and windows in high crime areas. These devices offer occupants protection from criminals. However, in times of fire the bars have entrapped individuals inside their residences and have prevented their evacuation and rescue. The Committee requests that the Fire Administration study ways to prevent fire injury and death from the use and the installation of security bars and to report its findings to the Committee within 90 days following the enactment of the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you, Mr. Chairman. The second area covered by the report language encourages the Fire Administration to direct its efforts to address ways to combat the vulnerability of the population groups that suffer dispropor-

tionately from fire injury. The agency would be expected to reflect this guidance in its public education programs on fire risk.

The agency is also asked to assess whether research or particular data collection activities would improve understanding of the factors that lead to increased fire risk.

Finally, a report is requested on how, through alternative installation procedures or other means, fire injuries may be reduced for buildings with anti-burglary bars because in Texas, Mr. Chairman, many of the deaths that occur from fire are thought to be from people having burglary bars on their windows.

I move the adoption of the language.

Chairman SENSENBRENNER. The gentlewoman yields back the balance of her time. Is there further discussion on this proposal for report language?

Hearing none, all those in favor of agreeing to the report language as proposed by the gentlewoman from Texas will signify by saying aye.

Opposed, no.

Mr. SMITH. Mr. Chairman?

Chairman SENSENBRENNER. The Chair is putting the question. All those opposed will say no.

The ayes appear to have it. The ayes have it. And the report language is agreed to.

Further proposals for report language? For what purpose does the gentleman from Michigan arise?

Mr. SMITH. Mr. Chairman, with your permission and on behalf of the ranking member, Eddie Bernice Johnson, and Curt Weldon, I would like to move that the Chairman instruct staff to draft report language on the review and implementation of the Blue Ribbon committee report.

Chairman SENSENBRENNER. Without objection, it is so ordered.

Further suggestions on report language?

Hearing no further suggestions, it is now time to report the bill favorably, and for that purpose the Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you, Mr. Chairman. I move that the Committee favorably report H.R. 1550 as amended to the House with the recommendation that the bill as amended do pass. Further, I move that the staff be instructed to prepare a legislative report and make necessary technical and conforming amendments, and that the Chairman take all necessary steps to bring the bill before the House for consideration.

Thank you.

Chairman SENSENBRENNER. The question is on reporting the bill favorably. Is there any discussion on the motion?

Hearing none, the Chair notes the presence of a reporting quorum. All those in favor will signify by saying aye.

Opposed, no.

The ayes appear to have it. The ayes have it. And the motion is agreed to, and the bill is favorably reported. Without objection, the bill will be reported in the form of a single amendment in the nature of a substitute reflecting the amendments adopted today.

Without objection, pursuant to Clause 1 of Rule 22 of the Rules of the House, the Committee authorizes the Chairman to offer such

motions as may be necessary in the House to go to conference on the bill. Members will have two days to submit additional supplementary or additional views on the measure.

Without objection, all of those things are so ordered.

