

Calendar No. 250

108TH CONGRESS
1ST SESSION

S. 1152

[Report No. 108-126]

To reauthorize the United States Fire Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2003

Mr. MCCAIN (for himself, Mr. HOLLINGS, and Mr. BREAUX) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

AUGUST 26, 2003

Reported under authority of the order of the Senate of July 29 (legislative day, July 21), 2003, by Mr. MCCAIN, with an amendment

A BILL

To reauthorize the United States Fire Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Fire
5 Administration Reauthorization Act of 2003”.

1 **SEC. 2. RE-ESTABLISHMENT OF POSITION OF UNITED**
2 **STATES FIRE ADMINISTRATOR.**

3 Section ~~1513~~ of the Homeland Security Act of 2002
4 does not apply to the position or office of Administrator
5 of the United States Fire Administration, who shall con-
6 tinue to be appointed and compensated as provided by sec-
7 tion 5(b) of the Federal Fire Prevention and Control Act
8 of 1974 (15 U.S.C. 2204(b)) after the functions vested
9 by law in the Federal Emergency Management Agency
10 have been transferred to the Directorate of Emergency
11 Preparedness and Response in accordance with section
12 ~~503~~ of the Homeland Security Act of 2002.

13 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 17(g)(1) of the Federal Fire Prevention and
15 Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended
16 to read as follows: “(1) Except as otherwise specifically
17 provided with respect to the payment of claims under sec-
18 tion ~~11~~ of this Act, there are authorized to be appropriated
19 to carry out the purposes of this Act—

20 “(A) \$52,000,000 for fiscal year 2004;

21 “(B) \$53,560,000 for fiscal year 2005; and

22 “(C) \$55,166,800 for fiscal year 2006.”

1 **TITLE I—UNITED STATES FIRE**
 2 **ADMINISTRATION REAUTHOR-**
 3 **IZATION**

4 **SECTION 101. SHORT TITLE.**

5 *This title may be cited as the “United States Fire Ad-*
 6 *ministration Reauthorization Act of 2003”.*

7 **SEC. 102. RE-ESTABLISHMENT OF POSITION OF UNITED**
 8 **STATES FIRE ADMINISTRATOR.**

9 *Section 1513 of the Homeland Security Act of 2002*
 10 *does not apply to the position or office of Administrator*
 11 *of the United States Fire Administration, who shall con-*
 12 *tinue to be appointed and compensated as provided by sec-*
 13 *tion 5(b) of the Federal Fire Prevention and Control Act*
 14 *of 1974 (15 U.S.C. 2204(b)) after the functions vested by*
 15 *law in the Federal Emergency Management Agency have*
 16 *been transferred to the Directorate of Emergency Prepared-*
 17 *ness and Response in accordance with section 503 of the*
 18 *Homeland Security Act of 2002.*

19 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

20 *Section 17(g) of the Federal Fire Prevention and Con-*
 21 *trol Act of 1974 (15 U.S.C. 2216(g)) is amended—*

22 *(1) by striking subparagraphs (A) through (K) of*
 23 *paragraph (1) and inserting the following:*

24 *“(A) \$63,200,000 for fiscal year 2004, of which*
 25 *\$2,200,000 shall be used to carry out section 8(e);*

1 “(B) \$65,096,000 for fiscal year 2005, of which
2 \$2,266,000 shall be used to carry out section 8(e);

3 “(C) \$67,049,000 for fiscal year 2006, of which
4 \$2,334,000 shall be used to carry out section 8(e);

5 “(D) \$69,060,000 for fiscal year 2007, of which
6 \$2,404,000 shall be used to carry out section 8(e); and

7 “(E) \$71,132,000 for fiscal year 2008, of which
8 \$2,476,000 shall be used to carry out section 8(e).”;
9 and

10 (2) by adding at the end the following:

11 “(3) Of the funds authorized by paragraph (1) for fis-
12 cal years 2004 through 2006, \$3,000,000 annually shall be
13 made available for grants for fire fighting equipment nec-
14 essary to fight fires using foam in remote areas without
15 access to water.”

16 **TITLE II—FIREFIGHTING**
17 **RESEARCH AND COORDINATION**

18 **SECTION 201. SHORT TITLE.**

19 This title may be cited as the “Firefighting Research
20 and Coordination Act”.

21 **SEC. 202. NEW FIREFIGHTING TECHNOLOGY.**

22 IN GENERAL.—Section 8 of the Federal Fire Preven-
23 tion and Control Act of 1974 (15 U.S.C. 2207) is amend-
24 ed—

1 (1) by striking “and” after the semicolon in
2 paragraph (9) of subsection (a);

3 (2) by striking “section.” in paragraph (9) of
4 subsection (a) and inserting “section;”;

5 (3) by adding at the end of subsection (a) the fol-
6 lowing:

7 “(9) methods of containing insect infested forest
8 fires and limiting disbursal of resultant fine particle
9 smoke; and

10 “(10) methods of measuring and tracking the
11 disbursal of fine particle smoke resulting from fires of
12 insect infested fuel.”;

13 (4) by redesignating subsection (e) as subsection
14 (f); and

15 (5) by inserting after subsection (d) the fol-
16 lowing:

17 “(e) *DEVELOPMENT OF NEW TECHNOLOGY.*—

18 “(1) *IN GENERAL.*—In addition to, or as part of,
19 the program conducted under subsection (a), the Ad-
20 ministrators, in consultation with the National Insti-
21 tute of Standards and Technology, the Inter-Agency
22 Board for Equipment Standardization and Inter-
23 Operability, the National Institute for Occupational
24 Safety and Health, the Directorate of Science and
25 Technology of the Department of Homeland Security,

1 *national voluntary consensus standards development*
2 *organizations, interested Federal, State, and local*
3 *agencies, and other interested parties, shall—*

4 *“(A) develop new, and utilize existing,*
5 *measurement techniques and testing methodolo-*
6 *gies for evaluating new firefighting technologies,*
7 *including—*

8 *“(i) personal protection equipment;*

9 *“(ii) devices for advance warning of*
10 *extreme hazard;*

11 *“(iii) equipment for enhanced vision;*

12 *“(iv) devices to locate victims, fire-*
13 *fighters, and other rescue personnel in*
14 *above-ground and below-ground structures;*

15 *“(v) equipment and methods to provide*
16 *information for incident command, includ-*
17 *ing the monitoring and reporting of indi-*
18 *vidual personnel welfare;*

19 *“(vi) equipment and methods for train-*
20 *ing, especially for virtual reality training;*
21 *and*

22 *“(vii) robotics and other remote-con-*
23 *trolled devices;*

1 “(B) evaluate the compatibility of new
2 equipment and technology with existing fire-
3 fighting technology; and

4 “(C) support the development of new vol-
5 untary consensus standards through national
6 voluntary consensus standards organizations for
7 new firefighting technologies based on techniques
8 and methodologies described in subparagraph
9 (A).

10 “(2) *NEW EQUIPMENT MUST MEET STAND-*
11 *ARDS.—For equipment for which applicable vol-*
12 *untary consensus standards have been established, the*
13 *Administrator shall, by regulation, require that*
14 *equipment or systems purchased through the assist-*
15 *ance program established by section 33 meet or exceed*
16 *applicable voluntary consensus standards.”.*

17 **SEC. 203. COORDINATION OF RESPONSE TO NATIONAL**
18 **EMERGENCY.**

19 (a) *IN GENERAL.—Section 10 of the Federal Fire Pre-*
20 *vention and Control Act of 1974 (15 U.S.C. 2209) is*
21 *amended—*

22 (1) *by redesignating subsection (b) as subsection*
23 *(c); and*

24 (2) *by inserting after subsection (a) the fol-*
25 *lowing:*

1 “(b) *MUTUAL AID SYSTEMS.*—

2 “(1) *IN GENERAL.*—*The Administrator, after*
3 *consultation with the Under Secretary for Emergency*
4 *Preparedness and Response, shall provide technical*
5 *assistance and training to State and local fire service*
6 *officials to establish nationwide and State mutual aid*
7 *systems for dealing with national emergencies that—*

8 “(A) *include threat assessment and equip-*
9 *ment deployment strategies;*

10 “(B) *include means of collecting asset and*
11 *resource information to provide accurate and*
12 *timely data for regional deployment; and*

13 “(C) *are consistent with the Federal Re-*
14 *sponse Plan.*

15 “(2) *MODEL MUTUAL AID PLANS.*—*The Adminis-*
16 *trator, in consultation with the Under Secretary for*
17 *Emergency Preparedness and Response, shall develop*
18 *and make available to State and local fire service offi-*
19 *cial model mutual aid plans for both intrastate and*
20 *interstate assistance.”.*

21 “(b) *REPORT ON STRATEGIC NEEDS.*—*Within 90 days*
22 *after the date of enactment of this Act, the Administrator*
23 *of the United States Fire Administration shall report to*
24 *the Senate Committee on Commerce, Science, and Trans-*
25 *portation and the House of Representatives Committee on*

1 *Science on the need for a strategy concerning deployment*
 2 *of volunteers and emergency response personnel (as defined*
 3 *in section 6 of the Firefighters' Safety Study Act (15 U.S.C.*
 4 *2223e), including a national credentialing system, in the*
 5 *event of a national emergency.*

6 (c) *UPDATE OF FEDERAL RESPONSE PLAN.*—*Within*
 7 *180 days after the date of enactment of this Act, the Under*
 8 *Secretary of Emergency Preparedness and Response shall—*

9 (1) *revise the Federal Response Plan to incor-*
 10 *porate plans for responding to terrorist attacks, par-*
 11 *ticularly in urban areas, including fire detection and*
 12 *suppression and related emergency services; and*

13 (2) *transmit a report to the Senate Committee*
 14 *on Commerce, Science, and Transportation and the*
 15 *House of Representatives Committee on Science de-*
 16 *scribing the action taken to comply with paragraph*
 17 *(1).*

18 **SEC. 204. TRAINING.**

19 (a) *IN GENERAL.*—*Section 8(d)(1) of the Federal Fire*
 20 *Prevention and Control Act of 1974 (15 U.S.C. 2206(d)(1))*
 21 *is amended—*

22 (1) *by striking “and” after the semicolon in sub-*
 23 *paragraph (E);*

24 (2) *by redesignating subparagraph (F) as sub-*
 25 *paragraph (N); and*

1 (3) *by inserting after subparagraph (E) the fol-*
2 *lowing:*

3 “(F) *strategies for building collapse rescue;*

4 “(G) *the use of technology in response to*
5 *fires, including terrorist incidents and other na-*
6 *tional emergencies;*

7 “(H) *response, tactics, and strategies for*
8 *dealing with terrorist-caused national catas-*
9 *trophes;*

10 “(I) *use of and familiarity with the Federal*
11 *Response Plan;*

12 “(J) *leadership and strategic skills, includ-*
13 *ing integrated management systems operations*
14 *and integrated response;*

15 “(K) *applying new technology and devel-*
16 *oping strategies and tactics for fighting forest*
17 *fires;*

18 “(L) *integrating terrorism response agencies*
19 *into the national terrorism incident response*
20 *system;*

21 “(M) *response tactics and strategies for*
22 *fighting fires at United States ports, including*
23 *fires on the water and aboard vessels; and”.*

24 (b) *CONSULTATION ON FIRE ACADEMY CLASSES.—The*
25 *Superintendent of the National Fire Academy may consult*

1 *with other Federal, State, and local agency officials in de-*
2 *veloping curricula for classes offered by the Academy.*

3 (c) *COORDINATION WITH OTHER PROGRAMS TO AVOID*
4 *DUPLICATION.—The Administrator of the United States*
5 *Fire Administration shall coordinate training provided*
6 *under section 8(d)(1) of the Federal Fire Prevention and*
7 *Control Act of 1974 (15 U.S.C. 2206(d)(1)) with the Attor-*
8 *ney General, the Secretary of Health and Human Services,*
9 *and the heads of other Federal agencies—*

10 (1) *to ensure that such training does not dupli-*
11 *cate existing courses available to fire service per-*
12 *sonnel; and*

13 (2) *to establish a mechanism for eliminating du-*
14 *plicative training programs.*

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