

93d Congress }
2d Session }

SENATE

{ REPORT
{ No. 93-1088

FEDERAL FIRE PREVENTION AND
CONTROL ACT OF 1974

REPORT

OF THE

COMMITTEE OF CONFERENCE

ON

S. 1769

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



U.S. GOVERNMENT PRINTING OFFICE

33-610

WASHINGTON : 1974

FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

August 13, 1974.—Ordered to be printed

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

CONFERENCE REPORT

[To accompany S. 1769]

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

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

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

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

FINDINGS

SEC. 2. The Congress finds that—

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

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

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

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

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

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

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

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

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

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

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

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

PURPOSES

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

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

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

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

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

DEFINITIONS

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

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

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

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

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

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

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

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

ESTABLISHMENT OF THE NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

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

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

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

PUBLIC EDUCATION

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

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

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) administration and management of fire services;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FIRE TECHNOLOGY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NATIONAL FIRE DATA CENTER

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

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

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

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

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

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

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

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

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

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

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

(1) develop standardized data reporting methods;

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

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

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

MASTER PLAN DEMONSTRATION PROJECTS

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

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

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

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

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

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

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

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

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

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

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

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

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

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

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

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

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

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

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

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

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

REVIEW OF CODES

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

FIRE SAFETY EFFECTIVENESS STATEMENTS

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

ANNUAL CONFERENCE

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

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

PUBLIC SAFETY AWARDS

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

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

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

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

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

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

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

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

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

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

(B) an appropriate citation.

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

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

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

(1) a firefighter;

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

(3) a civil defense officer.

ANNUAL REPORT

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

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

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

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

(1) an explanation of the curriculum of study,

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

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

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

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

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

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

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

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

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

AUTHORIZATION OF APPROPRIATIONS

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

FIRE RESEARCH CENTER

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VICTIMS OF FIRE

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

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

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

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

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

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

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

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

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

PUBLIC ACCESS TO INFORMATION

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

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

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

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

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

ADMINISTRATIVE PROVISIONS

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

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

(1) enter into, without regard to section §709 of the Revised Statutes, as amended (41 U.S.C. 5) such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this Act;

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

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

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

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

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

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

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

ASSISTANCE TO CONSUMER PRODUCT SAFETY COMMISSION

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

CONFORMING AMENDMENTS

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

"BUREAUS IN DEPARTMENT

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

"(a) National Oceanic and Atmospheric Administration;

"(b) United States Travel Service;

"(c) Maritime Administration;

"(d) National Bureau of Standards;

"(e) Patent Office;

"(f) Bureau of the Census;

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

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

And the House agree to the same.

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

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

And the House agree to the same.

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

Managers on the Part of the Senate.

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

Managers on the Part of the House.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

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

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

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

STRUCTURE OF THE NEW FIRE PROGRAM

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

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

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

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

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

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

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

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

PUBLIC EDUCATION PROGRAM

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

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

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

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

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TECHNOLOGY PROGRAM

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

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

NATIONAL FIRE DATA CENTER

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

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

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

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

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

MASTER PLAN DEMONSTRATION PROJECTS

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

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

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

The House amendment contained no similar provision.

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

REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY

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

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

REVIEW OF CODES

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

The House amendment contained no similar provision.

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

FIRE SAFETY EFFECTIVENESS STATEMENTS

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

The House amendment contained no similar provision.

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

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

ANNUAL CONFERENCE

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

The House amendment contained no similar provision.

Section 14 of the Conference Substitute adopts the Senate provision.

PUBLIC SAFETY AWARDS

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

The House amendment contained no similar provision.

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

ANNUAL REPORT

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

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

FIRE RESEARCH CENTER

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

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

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

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

VICTIMS OF FIRE

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

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

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

PUBLIC ACCESS TO INFORMATION

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

The House amendment contained no similar provision.

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

CIVIL DEFENSE

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

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

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

FIRE PROTECTION ASSISTANCE

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

The House amendment contained no similar provision.

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

STUDIES

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

The House amendment contained no similar provision.

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

AUTHORIZATION

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

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

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

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

Managers on the Part of the Senate.

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

Managers on the Part of the House.