

FIRE ADMINISTRATION AUTHORIZATION ACT OF 1997

APRIL 21, 1997.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 1272]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, to whom was referred the bill (H.R. 1272) to authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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I. AMENDMENT

The amendment is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fire Administration Authorization Act of 1997”.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

- (1) by striking “and” at the end of subparagraph (E);
- (2) by striking the period at the end of subparagraph (F) and inserting in lieu thereof a semicolon; and
- (3) by adding at the end the following new subparagraphs:
“(G) \$29,600,000 for the fiscal year ending September 30, 1998; and
“(H) \$30,500,000 for the fiscal year ending September 30, 1999.”.

SEC. 3. SUCCESSOR FIRE SAFETY STANDARDS.

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

- (1) in section 29(a)(1), by inserting “, or any successor standard thereto,” after “Association Standard 74”;
- (2) in section 29(a)(2), by inserting “or any successor standards thereto,” after “whichever is appropriate,”;
- (3) in section 29(b)(2), by inserting “, or any successor standards thereto” after “Association Standard 13 or 13-R”;
- (4) in section 31(c)(2)(B)(i), by inserting “or any successor standard thereto,” after “Life Safety Code.”; and
- (5) in section 31(c)(2)(B)(ii), by inserting “or any successor standard thereto,” after “Association Standard 101.”.

SEC. 4. TERMINATION OR PRIVATIZATION OF FUNCTIONS.

The Administrator of the United States Fire Administration shall transmit to Congress a report providing notice at least 60 days in advance of the termination or transfer to a private sector entity of any significant function of the United States Fire Administration.

SEC. 5. LIMITATIONS.

(a) **PROHIBITION OF LOBBYING ACTIVITIES.**—None of the funds authorized by the amendments made by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or ap-

propriations which they deem necessary for the efficient conduct of the public business.

(b) **LIMITATION ON APPROPRIATIONS.**—No sums are authorized to be appropriated to the Administrator of the United States Fire Administration for fiscal years 1998 and 1999 for the activities for which sums are authorized by the amendments made by this Act, unless such sums are specifically authorized to be appropriated by the amendments made by this Act.

(c) **ELIGIBILITY FOR AWARDS.**—

(1) **IN GENERAL.**—The Administrator of the United States Fire Administration shall exclude from consideration for grant agreements made by the Administration after fiscal year 1997 any person who received funds, other than those described in paragraph (2), appropriated for a fiscal year after fiscal year 1997, under a grant agreement from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this subsection shall be effective for a period of 5 years after the person receives such Federal funds.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to the receipt of Federal funds by a person due to the membership of that person in a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

(3) **DEFINITION.**—For purposes of this subsection, the term “grant agreement” means a legal instrument whose principal purpose is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, and does not include the acquisition (by purchase, lease, or barter) of property or services for the direct benefit or use of the United States Government. Such term does not include a cooperative agreement (as such term is used in section 6305 of title 31, United States Code) or a cooperative research and development agreement (as such term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

SEC. 6. NOTICE.

(a) **NOTICE OF REPROGRAMMING.**—If any funds authorized by the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) **NOTICE OF REORGANIZATION.**—The Administrator of the United States Fire Administration shall provide notice to the Committees on Science and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the United States Fire Administration.

SEC. 7. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the United States Fire Administration should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the United States Fire Administration posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the United States Fire Administration is unable to correct in time.

SEC. 8. BUY AMERICAN.

(a) **COMPLIANCE WITH BUY AMERICAN ACT.**—No funds appropriated pursuant to the amendments made by this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the “Buy American Act”).

(b) **SENSE OF CONGRESS.**—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under the amendments made by this Act, it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under the amendments made by this Act, the Administrator of the United States Fire Administration shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

II. PURPOSE OF THE BILL

The purpose of the bill is to authorize appropriations for the activities of the United States Fire Administration (USFA) under the Federal Fire Prevention and Control Act of 1974. The bill authorizes appropriations in the amount of \$29,600,000 for Fiscal Year 1998 and \$30,500,000 for Fiscal Year 1999.

III. BACKGROUND AND NEED FOR LEGISLATION

In 1974 Congress enacted the Federal Fire Prevention and Control Act in response to a nationwide concern about the increasing number of lives and property lost to fires. The Act established the USFA in an effort to prevent and reduce these losses. The USFA coordinates the nation's fire safety and emergency medical service activities. The USFA works with state and local units of government to educate the public in fire safety and prevention, collect and analyze data related to fire, conduct research and development in fire suppression, promote firefighter health and safety, and conduct fire service training.

The USFA administers the National Fire Academy, which provides education and training to fire and emergency service personnel in fire protection and control.

This legislation will enable the USFA and NFA to continue to pursue these important functions and to continue to minimize fire losses.

IV. SUMMARY OF HEARING

On March 18, 1997, the Subcommittee on Basic Research held a hearing on the programs of the USFA and the NFA. Witnesses included the Honorable Carrye Brown, Administrator of the USFA; Mr. Steve Robinson, Executive Director of the National Fallen Firefighters Foundation; Mr. Tracy Boatwright, State Fire Marshal of Indiana; and Mr. Kenneth Newton, Director of the National Volunteer Fire Council.

During the hearing, Administrator Brown described ongoing USFA/NFA programs as well as highlighted new initiatives such as the National Arson Prevention Initiative, distance education programs, and counter terrorism training. The counter terrorism training program for emergency response personnel was described as a new mission for USFA. The Administration is requesting, for the first time, an appropriation for this activity. Administrator Brown explained that, while new money was being requested, the overall request for USFA was down from the FY 1997 appropriation because of a reduction in the arson program.

The two outside Federal Government witnesses expressed support for USFA programs, but Mr. Boatwright underscored his organization's concern about the need for more fire related research as well as for making the National Institute for Standards and Technology (NIST), which performs fire research in consultation with USFA, more responsive to the needs of the fire service community.

V. COMMITTEE ACTIONS

On April 16, 1997, the Committee convened to mark up H.R. 1272. Chairman Sensenbrenner offered an en bloc amendment on behalf of Basic Research Subcommittee Chairman Steve Schiff, which makes technical corrections to define the types of grants under the Act that will be subject to merit review. In addition, the amendment specifies that the sums authorized in the bill represent the total funds authorized for programs under this bill. The amendment was adopted by voice vote. Mr. Hastings (D-FL) offered an amendment on behalf of Mr. Traficant (D-IL) to require that no funds appropriated pursuant to the Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with the "Buy American Act." This amendment was also adopted by voice vote. A quorum being present, the bill was ordered reported, as amended, by the Committee by voice vote.

VI. SUMMARY OF MAJOR PROVISIONS OF THE BILL

The bill authorizes \$29.6 million and \$30.5 million in appropriations, respectively, for Fiscal Years 1998 and 1999 in appropriations for the activities of the United States Fire Administration and the National Fire Academy.

VII. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Cites the Act as the "Fire Administration Authorization Act of 1997."

Section 2. Authorization of Appropriations

Authorizes a total of \$29,600,000 in Fiscal Year 1998 and \$30,500,000 in Fiscal Year 1999 for the programs and activities under the Federal Fire Prevention and Control Act of 1974. These programs and activities include: public education on fire prevention and control; collection and analysis of fire-related data; research and development in fire suppression; fire and emergency service personnel training; counter terrorism training; firefighter health and safety promotion; and the administration of the National Fire Academy in Emmitsburg, Maryland.

Section 3. Successor fire safety standards

Amends section 29 of the Federal Fire Prevention and Control Act of 1974 to update National Fire Protection Standards which are no longer current or have been given new designations.

Section 4. Termination or privatization of functions

Requires that the Administrator inform the Congress 60 days in advance of an effort to terminate or privatize any USFA activities or programs.

Section 5. Limitations

(a) Prohibition of Lobbying Activities

Prohibits the use of funds authorized by this Act for any activity whose purpose is to influence legislation pending before the Con-

gress. This section does not prevent employees of the agency from communicating with Members of Congress to conduct public business.

(b) Limitation on Appropriations

Disallows authorization of funds which are not specifically authorized to be appropriated by this Act for Fiscal Years 1998 and 1999, or by an Act of Congress in succeeding fiscal years.

(c) Eligibility for Awards

Requires the head of each federal agency for which funds are authorized under this Act to exclude, for a period of 5 years, any person who received funds for a project not subject to a competitive, merit-based review process after FY 1997. This section is not applicable to the long-standing Cooperative Research and Development Agreement program nor to awards to persons who are members of a class specified by law for which assistance is awarded according to a formula provided by law.

Section 6. Notice

If any funds of this Act, or amendments made by this Act, are subject to reprogramming which requires notice to be given to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall be concurrently provided to the Committee on Science of the House and the Commerce, Science, and Transportation Committee of the Senate.

If any program, project, or activity of the USFA is preparing to undergo any major reorganization, the Administrator shall notify this Committee, the House Committee on Appropriations, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate no later than 15 days prior to such reorganization.

Section 7. Sense of the Congress on the Year 2000 Problem

It is the sense of Congress that the United States Fire Administration should give high priority to correcting the year 2000 problem in all of its computer systems to ensure effective operation in the year 2000 and beyond. The United States Fire Administration needs to assess immediately the risk of the problem upon their systems and develop a plan and a budget to correct the problem for its mission-critical programs. The United States Fire Administration also needs to begin consideration of contingency plans, in the event that certain systems are unable to be corrected in time.

Section 8. Buy American

Requires any entity that is appropriated funds pursuant to this Act or amendments thereto, to comply with sections 2-4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act"). Requires that recipients of funds pursuant to the Act shall be notified of the requirements of subsection (a) regarding compliance with the Buy American Act.

VIII. COMMITTEE VIEWS

Increase in authorization level

The FY 98 budget request for the United States Fire Administration (USFA) shows a slight decrease in funding for USFA arson programs. During the March 18th authorization hearing on the USFA budget, the Administrator explained that the decrease was necessary in order to fund the counter terrorism training program. The Administrator further explained that counter terrorism training would become a permanent mission for the agency. H.R. 1272 increases the authorization level for the USFA by 3% over the Administration's FY 1998 request. The Committee believes that this increase is necessary in order to accommodate the new mission of counter terrorism training, while ensuring that the agency's core missions are not negatively impacted.

Counter terrorism

During the March 18th authorization hearing, Administrator Brown testified to the need for counter terrorism training for our nation's first responders. In the wake of the Oklahoma City and World Trade Center bombings and with the increasing likelihood that we will face incidents of domestic terrorism, it is clear to this Committee that it makes sense to train fire and emergency service personnel for these situations. The Committee supports the USFA's role in counter terrorism training because training for counter terrorism in many ways mirrors and/or supplements existing USFA-sponsored training programs for major fires, natural disasters, and hazardous materials accidents.

However, the Committee feels strongly that funding for counter terrorism training programs should not come at the expense of existing programs within the USFA. Therefore, the Committee requests that the Administrator provide a plan for counter terrorism training that includes projected future funding levels needed to maintain an effective program. The plan should also include information regarding coordination and integration of USFA counter terrorism training with the other Federal Emergency Management Agency (FEMA) counter terrorism response efforts, as well as training for first responders by other federal agencies, including the Departments of Justice and Defense. It is the position of the Committee that counter terrorism training for the first responder be a responsibility of the USFA, and that duplication of efforts within FEMA be avoided. The Committee requests that the plan be submitted to the Committee no later than the date that the President's FY 1999 budget is submitted to Congress.

Transfer of the Fallen Firefighter Memorial Service

The USFA is responsible for the Fallen Firefighter Memorial Service. Each year at the service, the firefighters who died in the performance of duty are honored for their ultimate sacrifice. Each service reminds us that we must continue to strive to reduce these tragic losses.

The Administrator and Executive Director of the National Fallen Firefighter Memorial Board testified at the March 18, 1997 Basic Research Subcommittee hearing that the operation and manage-

ment of the Memorial Service was being transferred to the Board. The Committee has consistently supported privatization of federal programs, where appropriate, and supports this effort as well.

The FY 1998 budget request for the USFA includes funding for the management and the preparation and delivery of the Annual Fallen Firefighter Memorial Ceremony and Luminary Service. Therefore, the Committee would like assurance that the transfer of this program will result in an overall reduction in agency funding. Accordingly, the Committee requests a report on the transfer of the Memorial Service and the resulting savings, including specific dates for complete transfer of the program and information illustrating a proportionate reduction in federal funding for the program. This report should be delivered no later than 60 days after the 1997 Memorial Service.

Fire research and development

During the March 18, 1997 hearing on the FY 98 budget request for the USFA, a witness representing the National Association of State Fire Marshals testified that the research needs of firefighters are not given sufficient priority at the National Institutes for Standards and Technology (NIST) Building and Fire Research Laboratory. Subsequently, the Committee has received correspondence from members of the fire service community corroborating this testimony and suggesting ways to ensure that NIST might better serve this community. Despite a statutory mandate requiring NIST to consult with the Administrator on determining the research priorities at NIST, many in the fire service community believe that their research needs go unanswered.

The Committee is very concerned that USFA may not be able to carry out its primary missions if it does not, on a regular basis, influence, on behalf of the nation's fire and emergency responders, the research agenda at NIST. The Committee therefore requests that the Administrator work with the Director of the Building and Fire Research Laboratory to establish a formal process, including regular meetings and consultations between USFA and NIST, for establishing research priorities for the NIST Building and Fire Research Laboratory. In addition, the Committee requests a report from the Administrator 60 days after enactment of this Act, describing this jointly agreed upon, formal consultation process.

Limitation on Lobbying

The Committee is committed to ensuring that awards for research and education are used solely for those purposes. Funds should not be used for any purpose, other than that specified in the award. The Committee, however, does not exclude appropriate communications between the Executive Branch and the Congress.

Limitation on Appropriations

The bill emphasizes the Committee's position that only funds authorized to be appropriated for the USFA are made available through this Act. It is the Committee's position that authorizations designating specific sums are required for appropriations of such sums to be authorized.

Eligibility for Awards

The Committee has a long-standing position that awards should be based on a competitive, merit-based process. Merit review ensures that taxpayers' dollars are spent in the most cost-effective manner.

Notice

The Committee believes that reprogramming notices required by the Appropriations Committees, must be provided to authorizing Committees if they are to carry out their oversight responsibilities under the Rules of the House.

Buy American

It is the view of the Committee that the Federal Government buy goods manufactured in the United States when feasible, cost-effective, and practicable.

Year 2000 Problem

Despite knowing of the problem for years, the Federal Government has yet to adequately create strategies to address the year 2000 problem. The Committee believes Congress should continue to take a leadership role in raising awareness about the issue with both government and the private sector.

The potential impact on federal programs if the year 2000 problem is not corrected in an effective and timely manner is substantial and potentially serious. If federal computers are not prepared to handle the change of date on January 1, 2000, there is a risk to all government systems and the programs they support. It is imperative that such corrective action be taken to avert disruption to critical Federal Government programs.

IX. COST ESTIMATE

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires each committee report accompanying each bill or joint resolution of a public character to contain: (1) an estimate, made by such Committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported, and in each of the 5 fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than 5 years); (2) a comparison of the estimate of costs described in subparagraph (1) of this paragraph made by such Committee with an estimate of such costs made by any government agency and submitted to such Committee; and (3) when practicable, a comparison of the total estimated funding level for the relevant program (or programs) with the appropriate levels under current law. However, clause 7(d) of that rule provides that this requirement does not apply when a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report pursuant to clause 2(1)(3)(C) of rule XI. A cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional

Budget Act of 1974 has been timely submitted prior to the filing of this report and included in Section X of this report pursuant to clause 2(1)(3)(C) of rule XI.

Clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives requires each committee report that accompanies a measure providing new budget authority (other than continuing appropriations), new spending authority, or new credit authority, or changes in revenues or tax expenditures to contain a cost estimate, as required by section 308(a)(1) of the Congressional Budget Act of 1974 and, when practicable with respect to estimates of new budget authority, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law. H.R. 1272 does not contain any new budget authority, credit authority, or changes in revenues or tax expenditures. Assuming that the sums authorized under the bill are appropriated, H.R. 1272 does authorize additional discretionary spending, as described in the Congressional Budget Office report on the bill, which is contained in Section X of this report.

X. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

CONGRESSIONAL BUDGET OFFICE
U.S. CONGRESS
WASHINGTON, DC. 20515
JUNE E. O'NEILL, DIRECTOR

April 18, 1997

Honorable F. James Sensenbrenner, Jr.,
*Chairman, Committee on Science,
U.S. House of Representatives,
Washington, DC. 20515*

DEAR MR. CHAIRMAN:

The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1272, the Fire Administration Authorization Act of 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Lisa H. Daley (for federal costs), who can be reached at 226-2860, and Leo Lex (for the state and local impact), who can be reached at 225-3220.

Sincerely,

JUNE E. O'NEILL, *Director*

Enclosure

cc: Honorable George E. Brown, Jr., Ranking Minority Member

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

APRIL 18, 1997

H.R. 1272

FIRE ADMINISTRATION AUTHORIZATION ACT OF 1997

As ordered reported by the House Committee on Science on April 16, 1997

SUMMARY

H.R. 1272 would extend and increase the authorization of appropriations for the United States Fire Administration (USFA). The bill would authorize appropriations of about \$30 million for fiscal year 1998 and \$31 million for fiscal year 1999 for the programs, salaries, and expenses of the USFA. The bill also would amend the Federal Fire Prevention and Control Act of 1974 to ensure that references to the Na-

tional Fire Protection Association standards in the act are updated as changes to these standards are made.

Assuming appropriation of the authorized amounts, CBO estimates that enacting the bill would increase discretionary spending by \$60 million over the 1998-2002 period. Other provisions in the bill would have no impact on the federal budget. The legislation would not affect direct spending or receipts, therefore, pay-as-you-go procedures would not apply. H.R. 1272 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA).

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 1272 is shown in the table on the following page. For the purposes of this estimate, CBO assumes that the authorized amounts will be appropriated each year and that spending will occur at historical rates for the USFA.

	By Fiscal Year, in Millions of Dollars					
	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATION:						
USFA Spending Under Current Law						
Budget Authority [†]	31	0	0	0	0	0
Estimated Outlays	29	13	7	1	0	0
Proposed Changes						
Authorization Level	0	30	31	0	0	0
Estimated Outlays	0	16	25	13	5	1
USFA Spending Under H.R. 1272						
Authorization Level [†]	31	30	31	0	0	0
Estimated Outlays	29	29	32	14	5	1

[†]The 1997 level is the amount appropriated for that year. The 1997 budget authority includes \$2.5 million provided in Public Law 104-208 and represents funding for USFA programs, salaries, and expenses.

The costs of this legislation fall within budget function 450 (community and regional development).

PAY-AS-YOU-GO CONSIDERATIONS: None.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

H.R. 1272 contains no intergovernmental mandates as defined in UMRA. Two provisions in the bill would affect eligibility for federal grants. The first would require compliance with the "Buy American Act." The second would exclude grantees from consideration for awards if they had received funds under any other federal grant program that was not subject to a competitive, merit-based award process. These provisions could change the allocation of funds among grant recipients, including state and local governments. Because the total amount of money received by state and local governments under these programs is small, however, any impacts are likely to be insignificant.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

This bill would impose no new private-sector mandates as defined in UMRA.

ESTIMATE PREPARED BY:

Federal Costs: Lisa H. Daley (226-2860)
Impact on State, Local, and Tribal Governments: Leo Lex (225-3220)

ESTIMATE APPROVED BY:

Robert A. Sunshine
Deputy Assistant Director for Budget Analysis

XI. COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 1272 contains no unfunded mandates.

XII. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Clause 2(1)(3)(A) of rule XI requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X. The Committee has no oversight findings.

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

Clause 2(1)(3(D) of rule XI of the Rules of the House of Representatives requires each committee report to contain a summary of the oversight findings and recommendations made by the House Government Reform and Oversight Committee pursuant to clause 4(c)(2) of rule X, whenever such findings and recommendations have been submitted to the Committee in a timely fashion. The Committee on Science has received no such findings or recommendations from the Committee on Government Reform and Oversight.

XIV. CONSTITUTIONAL AUTHORITY STATEMENT

Clause 2(I)(4) of rule XI of the Rules of the House of Representatives requires each report of a committee on a bill or joint resolution of a public character to include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution. Article 1, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 1272.

XV. FEDERAL ADVISORY COMMITTEE STATEMENT

This legislation does not establish or authorize the establishment of a new advisory committee.

XVI. CONGRESSIONAL ACCOUNTABILITY ACT

The Committee finds that H.R. 1272 does not relate to the terms and conditional of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

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

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

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

* * * * *

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. (a) * * *

* * * * *

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

- (A) \$17,039,000 for the fiscal year ending September 30, 1989;
- (B) \$17,737,000 for the fiscal year ending September 30, 1990;
- (C) \$18,464,000 for the fiscal year ending September 30, 1991;
- (D) \$25,550,000 for the fiscal year ending September 30, 1992;
- (E) \$26,521,000 for the fiscal year ending September 30, 1993; [and]
- (F) \$27,529,000 for the fiscal year ending September 30, 1994[.];
- (G) \$29,600,000 for the fiscal year ending September 30, 1998; and
- (H) \$30,500,000 for the fiscal year ending September 30, 1999.

* * * * *

FIRE PREVENTION AND CONTROL GUIDELINES FOR PLACES OF PUBLIC ACCOMMODATION

SEC. 29. (a) CONTENTS OF GUIDELINES.—The guidelines referred to in sections 28 and 30 consist of—

(1) a requirement that hard-wired, single-station smoke detectors be installed in accordance with National Fire Protection Association Standard 74, *or any successor standard thereto*, in each guest room in each place of public accommodation affecting commerce; and

(2) a requirement that an automatic sprinkler system be installed in accordance with National Fire Protection Association Standard 13 or 13-R, whichever is appropriate, *or any successor standards thereto*, in each place of public accommodation affecting commerce except those places that are 3 stories or lower.

(b) EXCEPTIONS.—(1) * * *

(2) The requirement described in subsection (a)(2) shall not apply to a place of public accommodation affecting commerce to the extent that such place of public accommodation affecting commerce is subject to a standard that includes a requirement or prohibition that prevents compliance with a provision of National Fire Protection Association Standard 13 or 13-R, *or any successor standards thereto*. In such a case, the place of public accommodation affecting commerce is exempt only from that specific provision.

* * * * *

SEC. 31. FIRE SAFETY SYSTEMS IN FEDERALLY ASSISTED BUILDINGS.

(a) * * *

* * * * *

(c) HOUSING.—(1) * * *

(2)(A) * * *

(B)(i) Except as provided in clause (ii), housing assistance may not be used in connection with any rebuilt multifamily property, unless after the rebuilding the multifamily property complies with the chapter on existing apartment buildings of National Fire Pro-

tection Association Standard 101 (known as the Life Safety Code), *or any successor standard thereto*, as in effect at the earlier of (I) the time of any approval by the Department of Housing and Urban Development of the specific plan or budget for rebuilding, or (II) the time that a binding commitment is made to provide housing assistance for the rebuilt property.

(ii) If any rebuilt multifamily property is subject to, and in compliance with, any provision of a State or local fire safety standard or code that prevents compliance with a specific provision of National Fire Protection Association Standard 101, *or any successor standard thereto*, the requirement under clause (i) shall not apply with respect to such specific provision.

* * * * *

XVIII. COMMITTEE RECOMMENDATIONS

On April 16, 1997, a quorum being present, the Committee favorably reported the Fire Administration Authorization Act of 1997, by a voice vote, and recommends its enactment.