

NIST WILDLAND FIRE COMMUNICATIONS AND
INFORMATION DISSEMINATION ACT

SEPTEMBER 1, 2023.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. LUCAS, from the Committee on Science, Space, and Technology,
submitted the following

R E P O R T

[To accompany H.R. 369]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, Space, and Technology, to whom was referred the bill (H.R. 369) to require the National Institute of Standards and Technology to conduct research on public safety communication coordination standards among wildland firefighters and fire management response officials, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

	Page
Purpose and Summary	3
Background and Need for Legislation	3
Legislative History	3
Related Committee Hearings	3
Section-by-Section	3
Committee Consideration	4
Roll Call Votes	4
Application of Law to the Legislative Branch	6
Statement of Oversight Findings and Recommendations of the Committee	6
Statement of General Performance Goals and Objectives	6
Duplication of Federal Programs	6
Federal Advisory Committee Act	6
Unfunded Mandate Statement	6
Earmark Identification	6
Committee Cost Estimate	6
New Budget Authority, Entitlement Authority, and Tax Expenditures	7
Congressional Budget Office Cost Estimate	7

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “NIST Wildland Fire Communications and Information Dissemination Act”.

SEC. 2. RESEARCH ON WILDLAND FIRE COMMUNICATIONS AND INFORMATION DISSEMINATION.**(a) IN GENERAL.—**

(1) **PUBLIC SAFETY RESEARCH.**—Not later than 60 days after the date of the enactment of this Act, the Director, acting through the head of the Public Safety and Communications Research Division and in consultation with the Fire Research Division and technology manufacturers, shall carry out research on the following:

(A) Public safety communication coordination standards among Federal, State, Tribal, and local wildland firefighters, fire management response officials, and member agencies.

(B) Improving and integrating existing communications systems to transmit secure real-time data, alerts, and advisories to and from fire management response officials and wildland firefighters.

(2) **FIELD TESTING AND MEASUREMENT OF INFORMATION DISSEMINATION AND TECHNOLOGY.**—The Public Safety and Communications Research Division, in consultation with the Fire Research Division and member agencies, shall conduct both live and virtual field testing of equipment, software, and other technologies to determine current times of information dissemination and develop standards for the delivery of useful and secure real-time data among member agencies, fire management response officials, and wildland firefighters, based on findings from research under subsection (a).

(b) RECOMMENDATIONS.—

(1) **IN GENERAL.**—The Director shall develop and publish recommendations to improve public safety communication coordination standards among wildland first responders and fire management response officials.

(2) **TRANSMITTAL.**—The Director shall transmit the recommendations under paragraph (1) to the Office of Management and Budget and the Office of Science and Technology Policy for member agencies to implement.

(3) REPORTING REQUIREMENTS.—

(A) **IN GENERAL.**—The Director shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the recommendations published under paragraph (1).

(B) **IMPLEMENTATION.**—Not later than 1 year after the date of the publication of the Director’s recommendations under paragraph (1), the Comptroller General of the United States shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the extent to which member agencies have implemented such recommendations.

(c) **FUNDING.**—From amounts made available to the National Institute of Standards and Technology, the Director shall allocate \$3,000,000 for each of fiscal years 2024 through 2028 to carry out this section.

(d) DEFINITIONS.—In this section:

(1) **DIRECTOR.**—The term “Director” means the Director of the National Institute of Standards and Technology.

(2) **MEMBER AGENCY.**—The term “member agency” means a member agency of the National Interagency Fire Center, including the Bureau of Indian Affairs, Bureau of Land Management, National Park Service, National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Service, Forest Service, United States Fire Administration, and the Department of Defense.

(3) **WILDLAND FIREFIGHTER.**—The term “wildland firefighter” means any person who participates in wildland firefighting activities.

(4) **FIRE MANAGEMENT RESPONSE OFFICIALS.**—The term “fire management response officials” means regional fire directors, deputy regional fire directors, agency officials who directly oversee fire operations, fire management officers, and individuals serving on incident management teams.

(5) **TECHNOLOGY MANUFACTURERS.**—The term “technology manufacturers” means private sector entities that manufacture communications technologies used by Federal, State, Tribal, or local wildland fire authorities.

PURPOSE AND SUMMARY

H.R. 369 directs the National Institute of Standards and Technology’s (NIST) Public Safety Communications Research (PSCR) Division to carry out research on public safety communication coordination standards to improve communications and information sharing efforts between first responders, fire management response officials and community members during wildland fires. It also authorizes, from amounts appropriated to NIST, \$3 million annually for fiscal years 2024 through 2028 to carry out this additional authority.

BACKGROUND AND NEED FOR LEGISLATION

The Public Safety Communications Research (PSCR) Division at the National Institute of Standards and Technology (NIST) is the primary federal laboratory performing research, development, testing, and evaluation for public safety communications technologies. PSCR engages directly with first responder communities to address the urgent need for new and improved technology to enhance the ability to respond to emergencies. Ensuring first responders can quickly and securely share information during a wildland fire is critical and can make a difference in life or death. NIST’s PSCR has significant expertise that could greatly improve efforts to address coordination and response challenges facing first responders in preventing, detecting, and containing wildland fires.

LEGISLATIVE HISTORY

H.R. 369 was introduced on January 17, 2023, by Representatives Kim (R–CA), Stansbury (D–NM), and Neguse (D–CO). Additional cosponsors to the bill include Representatives Leger Fernandez (NM), Garcia (CA), and Jackson (NC).

SECTION-BY-SECTION

Section 1. Short title

The short title of this legislation is “NIST Wildland Fire Communications and Information Dissemination Act”.

Section 2. Research on wildland fire communications and information dissemination

This section directs NIST’s PSCR, in consultation with the Fire Research Division, to execute a research plan on public safety communication coordination standards among federal, state, local, and tribal wildland firefighters, fire management response officials and the National Interagency Fire Center. It also directs NIST to perform field testing and measurement of equipment, software, and other technologies to help develop standards for information dissemination and provide recommendations for member agencies of the National Interagency Fire Center on how to improve communications during wildland fires. This section also authorizes NIST to use \$3 million of appropriated funds annually for fiscal years 2024 through 2028. It also defines the terms “Director”; “member agency”; “wildland firefighter”; and “technology manufacturer”.

COMMITTEE CONSIDERATION

On June 21, 2023, the Committee met in open session and ordered reported favorably the bill, H.R. 369, as amended, by a recorded vote of 30 yeas to 0 nays, a quorum being present.

ROLL CALL VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. The following reflects the record votes taken during the Committee consideration:

House Committee on Science, Space, and Technology
118th Congress
Full Committee Markup

Bill # HR 369

Motion to report H.R. 369, as amended, to the House

Majority	Aye	No	Present	Date: 6/22/23	Result?	Agreed To: [X]		
Frank Lucas, Oklahoma	1					Not Agreed To: []		
Bill Posey, Florida						Withdrawn: []		
Randy Weber, Texas	1					Voice Vote		
Brian Babin, Texas	1					Ayes	Nays	Present
Jim Baird, Indiana	1					30	0	
Daniel Webster, Florida								
Mike Garcia, California								
Stephanie Bice, Oklahoma								
Jay Obernolte, California								
Chuck Fleischmann, Tennessee								
Darrell Issa, California	1							
Rick Crawford, Arkansas	1							
Claudia Tenney, New York								
Ryan Zinke, Montana								
Scott Franklin, Florida	1							
Dale Strong, Alabama	1							
Max Miller, Ohio	1							
Rich McCormick, Georgia	1							
Mike Collins, Georgia	1							
Brandon Williams, New York	1							
Tom Kean, New Jersey	1							
Minority	Aye	No	Present					
Zoe Lofgren, California	1							
Suzanne Bonamici, Oregon	1							
Haley Stevens, Michigan	1							
Jamaal Bowman, New York	1							
Deborah Ross, New Carolina	1							
Eric Sorensen, Illinois	1							
Andrea Salinas, Oregon	1							
Val Foushee, North Carolina	1							
Kevin Mullin, California	1							
Jeff Jackson, North Carolina	1							
Emilia Sykes, Ohio	1							
Maxwell Frost, Florida	1							
Yadira Caraveo, Colorado	1							
Summer Lee, Pennsylvania	1							
Jennifer McClellan, Virginia								
Ted Lieu, California	1							
Sean Casten, Illinois	1							
Paul Tonko	1							
Total	30	0						

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

The Committee finds that H.R. 369 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X, the Committee’s oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause (3)(c)(4) of rule XIII, the goal of H.R. 369 is to direct the National Institute of Standards and Technology’s (NIST) Public Safety Communications Research (PSCR) Division to carry out research on public safety communication coordination standards to improve communications and information sharing efforts between first responders, fire management response officials and community members during wildland fires. It also authorizes, from amounts appropriated to NIST, \$3 million annually for fiscal years 2024 through 2028 to carry out this additional authority.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, the Committee finds that no provision of H.R. 369 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance.

FEDERAL ADVISORY COMMITTEE ACT

The Committee finds that the legislation does not establish or authorize the establishment of an advisory committee within the definition of section 5(b) of the Federal Advisory Committee Act.

UNFUNDED MANDATE STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

EARMARK IDENTIFICATION

Pursuant to clauses 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 369 does not include any congressional earmarks, limited tax benefits, or limited tariff benefits.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND
TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 369 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XII and section 402 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2988 from the Director of the Congressional budget Office:

H.R. 369, NIST Wildland Fire Communications and Information Dissemination Act			
As ordered reported by the House Committee on Science, Space, and Technology on June 21, 2023			
By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	14	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply? No	
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 369 would require the National Institute of Standards and Technology (NIST) to research standards for coordinating public safety efforts among wildland firefighters, fire response officials, and member agencies of the National Interagency Fire Center. NIST also would need to research how to improve existing systems that facilitate communication between such officials and firefighters and report to the Congress on how to improve coordination standards among such groups. Finally, the bill would require the Government Accountability Office (GAO) to report to the Congress on the extent to which member agencies have implemented the published recommendations.

The bill would allocate \$3 million from amounts made available to NIST for each of fiscal years 2024 through 2028 to implement the bill's requirements. Assuming the availability of appropriated funds and based on historical spending patterns for similar activities, CBO estimates that it would cost the agency \$14 million over the 2024–2028 period to implement H.R. 369. In addition, CBO estimates it would cost GAO less than \$500,000 to complete the required report; such spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is David Hughes. The estimate was reviewed by Emily Stern, Senior Adviser for Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

