

United States. Often misdiagnosed or undetected, CO poisoning induces symptoms that mimic those of the flu, with headache, nausea and dizziness being the most common. A CO alarm or detector is an inexpensive, effective way to warn that a dangerous concentration of CO is present, which can occur whenever a fuel-burning appliance such as a furnace, water heater, stove, or generator malfunctions or is used improperly. Other common household sources of CO include fireplaces and vehicles left running in attached garages.

According to the Centers for Disease Control, each year more than 400 Americans die from unintentional CO poisoning not linked to fires, more than 20,000 visit the emergency room, and more than 4,000 are hospitalized. Regrettably, many of these incidents could be prevented by properly installed and maintained alarm systems.

The need for detection and alarms is especially acute in homes, where people sleep and typically spend most of their time. Any residence that contains a potential source of CO emissions should be equipped with protection from this insidious life-safety hazard.

Most states (as well as Puerto Rico and Guam) have enacted laws requiring CO detection in residential dwellings, and it is likely that more will adopt similar legislation or codes in the coming years. These measures—along with education efforts—have proven successful in reducing CO-related injuries and deaths, but laws alone do not guarantee that protection is in place wherever it is needed.

The Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act will help states and local governments implement these programs and provide greater assurance that families are protecting themselves and their loved ones from CO. NEMA particularly supports the bill's emphasis on facilities that serve children and the elderly, since they are especially susceptible to the effects of CO exposure. All schools should have proper CO detection systems in place and NEMA welcomes federal support in this regard.

NEMA's Fire, Life Safety, Security & Emergency Communications product section includes the world's leading manufacturers of systems and devices that guard against not only CO but other commonplace life safety hazards such as fire and smoke. These companies strongly endorse measures that help to reduce these hazards in more spaces and environments where people gather. H.R. 1618 is an important step in that regard and NEMA is pleased to support its enactment.

Very truly yours,

PHILIP SQUAIR,
Vice President—Government Relations.

Ms. KUSTER of New Hampshire. So, again, Mr. Speaker, this bill has strong bipartisan support, and I encourage all my colleagues to support it.

Mr. LONG. Mr. Speaker, I am prepared to close.

When we go home, people say: Well, can't you all agree on anything up there in Washington, because all you all do is fight? Why can't you work in a bipartisan fashion?"

I will admit, sometimes it seems like we can't agree to the fact that the Sun is going to come up in the east tomorrow, but on this bill, there is bipartisan support. We agree.

Mr. Speaker, I want to urge my colleagues to support H.R. 1618, and I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank Congressman LONG for his work on this legislation. It was really a pleasure to work with him on these bills.

Mr. Speaker, I want to close as well, but I want to say, once in a while we will read in the paper of a family that fell victim to carbon monoxide poisoning, but mostly this is one by one by one, a couple people here, a couple people there, and it doesn't make the headlines as a problem. Yet we heard the numbers, the astonishing numbers of people who fall victim—sometimes, and many times, fatally, not always—to carbon monoxide poisoning.

Again, this is something that is absolutely preventable, and so I am very grateful and hopeful that all our colleagues will support this legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in strong support of H.R. 1618, the "Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019."

I thank Congresswoman KUSTER of New Hampshire for introducing this legislation which will save the lives of many children.

H.R. 1618 directs the Consumer Product Safety Commission to establish a grant program to provide assistance to States for specified activities related to the prevention of carbon monoxide poisoning, including installation of alarms in certain dwellings and facilities.

More specifically, this grant would assist in installing alarms in dwelling units of low-income families or the elderly, childcare facilities, public schools, senior centers, and student dorms owned by public universities.

In addition to installation efforts, this bill would also assist in enforcement and education efforts related to carbon monoxide detectors.

Carbon monoxide is a colorless, odorless gas produced by burning fuel.

Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death.

In the month of August, a carbon monoxide leak at the Raveneaux Apartments in Houston sent eighteen people to the hospital—seven of these victims were children.

This time, all of the victims survived.

More than 150 people in the United States die from carbon monoxide poisoning every year.

Home deaths account for the majority of accidental carbon monoxide poisoning, and research shows that purchasing and installing carbon monoxide alarms close to the sleeping areas in residential homes and other dwelling units can help avoid fatalities.

That is why I urge all Members to join me in voting for H.R. 1618.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) that the House suspend the rules and pass the bill, H.R. 1618, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PORTABLE FUEL CONTAINER SAFETY ACT OF 2019

Ms. SCHAKOWSKY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 806) to require compliant flame mitigation devices to be used on portable fuel containers for flammable liquid fuels, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 806

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Portable Fuel Container Safety Act of 2019".

SEC. 2. PERFORMANCE STANDARDS TO PROTECT AGAINST PORTABLE FUEL CONTAINER EXPLOSIONS NEAR OPEN FLAMES OR OTHER IGNITION SOURCES.

(a) RULE ON SAFETY PERFORMANCE STANDARDS REQUIRED.—Not later than 30 months after the date of enactment of this section, the Consumer Product Safety Commission (referred to in this Act as the "Commission") shall promulgate a final rule to require flame mitigation devices in portable fuel containers that impede the propagation of flame into the container, except as provided in subsection (c).

(b) RULEMAKING; CONSUMER PRODUCT SAFETY STANDARD.—A rule under subsection (a)—

(1) shall be promulgated in accordance with section 553 of title 5, United States Code; and

(2) shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

(c) EXCEPTION.—

(1) VOLUNTARY STANDARD.—Subsection (a) shall not apply for a class of portable fuel containers in the scope of this Act if the Commission determines at any time that—

(A) there is a voluntary standard for flame mitigation devices for those containers that impedes the propagation of flame into the container;

(B) the voluntary standard described in subparagraph (A) is or will be in effect not later than 18 months after the date of enactment of this Act; and

(C) the voluntary standard described in subparagraph (A) is developed by ASTM International or such other standard development organization that the Commission determines to have met the intent of this Act.

(2) DETERMINATION REQUIRED TO BE PUBLISHED IN THE FEDERAL REGISTER.—Any determination made by the Commission under this subsection shall be published in the Federal Register.

(d) TREATMENT OF VOLUNTARY STANDARD FOR PURPOSE OF ENFORCEMENT.—If the Commission determines that a voluntary standard meets the conditions described in subsection (c), the requirements of such voluntary standard shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) beginning on the date which is the later of—

(1) 180 days after publication of the Commission's determination under subsection (c); or

(2) the effective date contained in the voluntary standard.

(e) REVISION OF VOLUNTARY STANDARD.—

(1) NOTICE TO COMMISSION.—If the requirements of a voluntary standard that meet the conditions of subsection (c) are subsequently

revised, the organization that revised the standard shall notify the Commission after the final approval of the revision.

(2) EFFECTIVE DATE OF REVISION.—Not later than 180 days after the Commission is notified of a revised voluntary standard described in paragraph (1) (or such later date as the Commission determines appropriate), such revised voluntary standard shall become enforceable as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), in place of the prior version, unless within 90 days after receiving the notice the Commission determines that the revised voluntary standard does not meet the requirements described in subsection (c).

(f) FUTURE RULEMAKING.—The Commission, at any time after publication of the consumer product safety rule required by subsection (a), a voluntary standard is treated as a consumer product safety rule under subsection (d), or a revision is enforceable as a consumer product safety rule under subsection (e) may initiate a rulemaking in accordance with section 553 of title 5, United States Code, to modify the requirements or to include any additional provision that the Commission determines is reasonably necessary to protect the public against flame jetting from a portable fuel container. Any rule promulgated under this subsection shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

(g) ACTION REQUIRED.—

(1) EDUCATION CAMPAIGN.—Not later than 1 year after the date of enactment of this Act, the Commission shall undertake a campaign to educate consumers about the dangers associated with using or storing portable fuel containers for flammable liquids near an open flame or any other source of ignition.

(2) SUMMARY OF ACTIONS.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to Congress a summary of actions taken by the Commission in such campaign.

(h) PORTABLE FUEL CONTAINER DEFINED.—In this section, the term “portable fuel container” means any container or vessel (including any spout, cap, and other closure mechanism or component of such container or vessel or any retrofit or aftermarket spout or component intended or reasonably anticipated to be for use with such container)—

(1) intended for flammable liquid fuels with a flash point less than 140 degrees Fahrenheit, including gasoline, kerosene, diesel, ethanol, methanol, denatured alcohol, or biofuels;

(2) that is a consumer product with a capacity of 5 gallons or less; and

(3) that the manufacturer knows or reasonably should know is used by consumers for transporting, storing, and dispensing flammable liquid fuels.

(i) RULE OF CONSTRUCTION.—This section may not be interpreted to conflict with the Children’s Gasoline Burn Prevention Act (Public Law 110-278; 122 Stat. 2602).

SEC. 3. CHILDREN’S GASOLINE BURN PREVENTION ACT.

(a) AMENDMENT.—Section 2(c) of the Children’s Gasoline Burn Prevention Act (15 U.S.C. 2056 note; Public Law 110-278) is amended by inserting after “for use by consumers” the following: “and any receptacle for gasoline, kerosene, or diesel fuel, including any spout, cap, and other closure mechanism and component of such receptacle or any retrofit or aftermarket spout or component intended or reasonably anticipated to be for use with such receptacle, produced or distributed for sale to or use by consumers for transport of, or refueling of internal combustion engines with, gasoline, kerosene, or diesel fuel”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect 6 months after the date of enactment of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Missouri (Mr. LONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 806.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 806, the Portable Fuel Container Safety Act of 2019.

This bipartisan legislation was introduced by Representative MIKE THOMPSON and DAVID JOYCE, a bipartisan co-sponsorship. It was advanced out of the Energy and Commerce Committee on July 17, 2019, by voice vote.

Portable fuel containers are used for many everyday purposes by adults and kids alike. For example, we might see them used to transport or store fuel for the lawnmower or the backyard fire pit, and your son or daughter might use them in their high school chemistry class.

What many users don’t realize is that these containers are highly explosive. Each year, they send thousands of people to the emergency room, including with third-degree burns.

The explosions that they make, known as flame jetting, occur when flammable vapors escape from the open nozzle and are ignited.

These explosions, however, are preventable. A small piece of mesh, known as a flame arrester, can be added to the container’s spout to eliminate the conditions that create explosions, and they cost just pennies. There is no reason they shouldn’t be standard in all portable fuel containers.

The Portable Fuel Container Safety Act will make sure that all portable fuel containers have flame mitigation devices, and it will save lives.

Mr. Speaker, I am grateful to my colleagues who introduced this bill. I also want to thank Margrett Lewis, who has witnessed firsthand the horrors of such an explosion and who has been such a fierce advocate for many years.

Mr. Speaker, I call on all my colleagues to support this bipartisan measure, and I reserve the balance of my time.

Mr. LONG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill directs the Consumer Product Safety Commission to issue a consumer product safety rule to require flame mitigation devices on

portable fuel containers. Furthermore, it directs CPSC to conduct an education campaign to alert consumers to the dangers of using or storing portable fuel containers near ignition sources and to report to Congress on the campaign.

In addition, it amends the Children’s Gasoline Burn Prevention Act to expand existing child-resistance requirements for closures for portable gasoline containers to include portable kerosene and diesel fuel containers and component parts.

Mr. Speaker, I want to thank Margrett Lewis for her tireless efforts to help get this bill across the House floor today. She turned her personal tragedy into passionate advocacy in an effort to prevent others from facing a similar incident.

I thank everybody for their work on this bill.

Mr. Speaker, I congratulate Mr. THOMPSON and his bipartisan group of cosponsors, and I am pleased to support addressing this important safety issue.

Mr. Speaker, I urge my colleagues to support H.R. 806, and I reserve the balance of my time.

□ 1630

Ms. SCHAKOWSKY. Mr. Speaker, it is my honor to yield such time as he may consume to the gentleman from California (Mr. THOMPSON), who really brought this bill to the attention of our committee and subcommittee and garnered the support that is needed to make sure that death, disfigurement, and tragedy don’t occur because of these products.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentlewoman for yielding the time, and for all of her effort and help in making sure this bill passes.

Mr. Speaker, I rise in strong support of my legislation that addresses a dangerous and deadly public safety issue by directing the Consumer Product Safety Commission to establish a standard for requiring flame mitigation devices to be used in portable fuel containers and to help educate our communities about the dangers of flame jetting.

This issue is very personal to me. I met with local fire officials and Margrett Priest Lewis, a mother and constituent. Margrett’s daughter, along with her twin sister and a few friends, were roasting marshmallows. Their portable fireplace used a common biofuel that, unfortunately, did not have a flame mitigation device. As Margrett’s daughter went to refuel the outdoor fireplace, the fuel exploded from the bottle in a process called flame jetting, which you heard about earlier. Portable fuel containers are found in households across America and, yet, even when used correctly, like in the case of Margrett’s family, present a risk for severe injury and, in some cases, death.

This story of survival and Margrett’s advocacy on behalf of burn survivors

has inspired my legislation, and she has been the driving force behind this bill.

Flammable or combustible liquids cause over 160,000 fires per year, \$1.5 billion in property damage, and some 4,000 injuries and over 450 deaths every year. These accidents can happen in any community, and the results can be devastating. These accidents are caused when fuel vapors flash back and ignite the container contents, leading to flame to flame jetting or explosions. These accidents are easily preventable.

Flame mitigation devices can prevent accidents caused by flammable vapors igniting within liquid containers. While workplace safety regulations govern the use of approved flame mitigation devices in flammable liquid containers for industrial use, there is no requirement for consumer containers used in homes, campsites, or schools across our country.

This bipartisan solution is supported by a broad coalition, including the American Burn Association, the Congressional Fire Services Institute, the International Association of Fire Fighters, International Association of Fire Chiefs, National Volunteer Fire Council, National Fire Protection Association, the Consumer Federation of America, the Phoenix Society for Burn Survivors, the Portable Fuel Container Manufacturers Association, and the National Association of State Fire Marshals.

Mr. Speaker, I include in the RECORD the National Association of State Fire Marshals' letter of support.

NATIONAL ASSOCIATION OF
STATE FIRE MARSHALS,
Maitland, FL, September 16, 2019.

Hon. MIKE THOMPSON,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN THOMPSON: The National Association of State Fire Marshals (NASFM) membership comprises the most senior state fire officials in the United States, with a primary mission of protecting human life, property and the environment from fire and related public safety issues. Therefore, NASFM strongly endorses H.R. 806, Portable Fuel Container Safety Act of 2019.

Flammable or combustible liquids cause over 160,000 fires per year, causing \$1.5 billion in property damage, almost 4,000 injuries and 454 deaths annually. These accidents can happen in any community, and the results can be devastating.

Flame Mitigation Devices (FMD), such as flame arresters, can help prevent accidents caused by flammable vapors igniting within the liquid container, causing an explosion or flash fire. While workplace safety regulations govern the use of approved flame arresters in flammable liquid containers for industrial use, there is no requirement for consumer containers used in homes, camp sites, and schools across the country.

H.R. 806, Portable Fuel Container Safety Act of 2019 would address this gap by directing the Consumer Product Safety Commission to establish a standard for requiring FMDs to be used in these containers and reduce the risk of catastrophic accidents.

Thank you again for your leadership, NASFM looks forward to working with you

to enact into law this important fire safety prevention legislation.

Sincerely,

JIM NARVA,
Executive Director,
National Association of State Fire Marshals.

Mr. THOMPSON of California. Mr. Speaker, I urge every Member of this body to keep our constituents and their children safe by passing this bipartisan, commonsense consumer safety bill.

I thank the cosponsor, Mr. JOYCE of Ohio, and, again, Chairwoman SCHAKOWSKY, for helping move this bill through her subcommittee.

Mr. Speaker, I urge everyone to vote in favor of this bill.

Mr. LONG. Mr. Speaker, in closing, I urge my colleagues to support H.R. 806, and I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, once again, I thank the sponsors of this bill and Congressman LONG for his participation. It means so much to me. I thank him for his help and his friendship.

I want to say that the story of Margrett and her daughter—her daughter has had countless surgeries as a consequence. She is one of the people who survived, but her life has been transformed forever, and we can prevent this with this legislation.

I want to give a special shout-out to the committee staff and the subcommittee staff on the Democratic side, as well as on the Republican side. I want to thank sincerely my staff in my office for all of their help on this bill. This is another one of those that will definitely be improving and saving the lives of so many Americans and ridding our country of this danger.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in strong support of H.R. 806, the Portable Fuel Container Safety Act of 2019.

I want to thank Congressman MIKE THOMPSON for introducing H.R. 806 which will help to save the lives of countless children.

H.R. 806 directs the Consumer Product Safety Commission (CPSC) to require fuel containers to include devices that impede flames from entering the container.

This requirement applies to flammable, liquid fuel containers of fewer than five gallons that are intended for transport.

The bill also requires child resistant caps on kerosene and diesel fuel containers.

CPSC may either promulgate a rule or adopt an existing standard.

Additionally, CPSC must educate consumers about dangers associated with using or storing such containers near an open flame or a source of ignition.

On September 21, 2013, a 10-year-old boy, Christopher Allsup, died when an old red plastic gas container exploded showering him with burning gasoline.

Over 90 percent of his body was burnt.

He was flown to the University of Iowa Burn Center where he lived for only 5 hours.

In 2010, Robert Jacoby had poured gasoline from a gas can onto a brush pile he planned to ignite, he then walked the can 20 feet from the pile when it exploded.

He said he had not yet lit a match or any other fire but claimed a spark from static electricity created by the friction between the plastic can and his denim jeans was the source of ignition.

Jacoby suffered severe burns over 75 percent of his body and spent four months in a burn unit, incurring \$1.5 million in medical bills.

In August in preparation for Hurricane Dorian a resident of Fort Myers, Florida had filled several gasoline canisters and stored them next to a natural gas-powered water heater.

A hot shower triggered the water heater causing it to work harder with the vapors of the gasoline ultimately starting a fire in the garage.

Luckily, water coming from the pipe sprayed everywhere, containing the fire to the garage.

Gasoline from gas cans is responsible for deaths and injuries both from ignition and the volatile vapors as well as from direct aspiration into the lung or aspiration following vomiting of ingested gasoline.

For children, the most serious types of injuries associated with exposure to gasoline are burns following ignition of the volatile vapors, chemical pneumonia, pulmonary damage, and possible death associated with direct aspiration into the lungs or aspiration during vomiting following ingestion.

The filling of portable fuel containers or "gas cans" in pickup trucks and cars can result in serious fires as a result from the buildup of static electricity from the bed liner or carpet.

Under certain limited conditions—including a very low volume of gasoline left inside—a flashback explosion can occur inside a plastic gas can, when gas vapor escaping the can contacts a source of ignition such as a flame or spark.

Since 1998 the CPSC has tallied at least 1,200 emergency room visits and 11 deaths due to gas can explosions.

That is why I urge all Members to join me in voting for H.R. 806.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) that the House suspend the rules and pass the bill, H.R. 806, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF VETERANS AFFAIRS EXPIRING AUTHORITIES ACT OF 2019

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4285) to amend title 38, United States Code, to extend and modify certain authorities and requirements relating to the Department of Veterans Affairs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4285

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Veterans Affairs Expiring Authorities Act of 2019".