

Public Law 110–376
110th Congress

An Act

Oct. 8, 2008
[S. 2606]

United States
Fire
Administration
Reauthorization
Act of 2008.
15 USC 2201
note.
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note.

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

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

SECTION 1. SHORT TITLE.

This subtitle may be cited as the “United States Fire Administration Reauthorization Act of 2008”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The number of lives lost each year because of fire has dropped significantly over the last 25 years in the United States. However, the United States still has one of the highest fire death rates in the industrialized world. In 2006, the National Fire Protection Association reported 3,245 civilian fire deaths, 16,400 civilian fire injuries, and \$11,307,000,000 in direct losses due to fire.

(2) Every year, more than 100 firefighters die in the line of duty. The United States Fire Administration should continue its leadership to help local fire agencies dramatically reduce these fatalities.

(3) The Federal Government should continue to work with State and local governments and the fire service community to further the promotion of national voluntary consensus standards that increase firefighter safety.

(4) The United States Fire Administration provides crucial support to the 30,300 fire departments of the United States through training, emergency incident data collection, fire awareness and education, and support of research and development activities for fire prevention, control, and suppression technologies.

(5) The collection of data on fire and other emergency incidents is a vital tool both for policy makers and emergency responders to identify and develop responses to emerging hazards. Improving the data collection capabilities of the United States Fire Administration is essential for accurately tracking and responding to the magnitude and nature of the fire problems of the United States.

(6) The research and development performed by the National Institute of Standards and Technology, the United States Fire Administration, other government agencies, and nongovernmental organizations on fire technologies, techniques, and tools advance the capabilities of the fire service of the United States to suppress and prevent fires.

(7) Because of the essential role of the United States Fire Administration and the fire service community in preparing for and responding to national and man-made disasters, the United States Fire Administration should have a prominent place within the Federal Emergency Management Agency and the Department of Homeland Security.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR UNITED STATES FIRE ADMINISTRATION.

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

- (1) in subparagraph (C), by striking “and” after the semicolon;
- (2) in subparagraph (D), by striking the period at the end and inserting a semicolon; and
- (3) by adding after subparagraph (D) the following:
 - “(E) \$70,000,000 for fiscal year 2009, of which \$2,520,000 shall be used to carry out section 8(f);
 - “(F) \$72,100,000 for fiscal year 2010, of which \$2,595,600 shall be used to carry out section 8(f);
 - “(G) \$74,263,000 for fiscal year 2011, of which \$2,673,468 shall be used to carry out section 8(f); and
 - “(H) \$76,490,890 for fiscal year 2012, of which \$2,753,672 shall be used to carry out section 8(f).”.

SEC. 4. NATIONAL FIRE ACADEMY TRAINING PROGRAM MODIFICATIONS AND REPORTS.

(a) **AMENDMENTS TO FIRE ACADEMY TRAINING.**—Section 7(d)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2206(d)(1)) is amended—

- (1) by amending subparagraph (H) to read as follows:

“(H) tactics and strategies for dealing with natural disasters, acts of terrorism, and other man-made disasters;”;
- (2) in subparagraph (K), by striking “forest” and inserting “wildland”;
- (3) in subparagraph (M), by striking “response”;
- (4) by redesignating subparagraphs (I) through (N) as subparagraphs (M) through (R), respectively; and
- (5) by inserting after subparagraph (H) the following:
 - “(I) tactics and strategies for fighting large-scale fires or multiple fires in a general area that cross jurisdictional boundaries;
 - “(J) tactics and strategies for fighting fires occurring at the wildland-urban interface;
 - “(K) tactics and strategies for fighting fires involving hazardous materials;
 - “(L) advanced emergency medical services training;”.

(b) **ON-SITE TRAINING.**—Section 7 of such Act (15 U.S.C. 2206) is amended—

- (1) in subsection (c)(6), by inserting “, including on-site training” after “United States”;
- (2) in subsection (f), by striking “4 percent” and inserting “7.5 percent”; and
- (3) by adding at the end the following:

“(m) **ON-SITE TRAINING.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Administrator may enter into a contract with nationally

recognized organizations that have established on-site training programs that comply with national voluntary consensus standards for fire service personnel to facilitate the delivery of the education and training programs outlined in subsection (d)(1) directly to fire service personnel.

“(2) LIMITATION.—

“(A) IN GENERAL.—The Administrator may not enter into a contract with an organization described in paragraph (1) unless such organization provides training that—

“(i) leads to certification by a program that is accredited by a nationally recognized accreditation organization; or

“(ii) the Administrator determines is of equivalent quality to a fire service training program described by clause (i).

“(B) APPROVAL OF UNACCREDITED FIRE SERVICE TRAINING PROGRAMS.—The Administrator may consider the fact that an organization has provided a satisfactory fire service training program pursuant to a cooperative agreement with a Federal agency as evidence that such program is of equivalent quality to a fire service training program described by subparagraph (A)(i).

“(3) RESTRICTION ON USE OF FUNDS.—The amounts expended by the Administrator to carry out this subsection in any fiscal year shall not exceed 7.5 per centum of the amount authorized to be appropriated in such fiscal year pursuant to section 17.”

(c) TRIENNIAL REPORTS.—Such section 7 (15 U.S.C. 2206) is further amended by adding at the end the following:

“(n) TRIENNIAL REPORT.—In the first annual report filed pursuant to section 16 for which the deadline for filing is after the expiration of the 18-month period that begins on the date of the enactment of the United States Fire Administration Reauthorization Act of 2008, and in every third annual report thereafter, the Administrator shall include information about changes made to the National Fire Academy curriculum, including—

“(1) the basis for such changes, including a review of the incorporation of lessons learned by emergency response personnel after significant emergency events and emergency preparedness exercises performed under the National Exercise Program; and

“(2) the desired training outcome of all such changes.”.

(d) REPORT ON FEASIBILITY OF PROVIDING INCIDENT COMMAND TRAINING FOR FIRES AT PORTS AND IN MARINE ENVIRONMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the United States Fire Administration shall submit to Congress a report on the feasibility of providing training in incident command for appropriate fire service personnel for fires at United States ports and in marine environments, including fires on the water and aboard vessels.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the necessary curriculum for training described in paragraph (1).

(B) A description of existing training programs related to incident command in port and maritime environments,

including by other Federal agencies, and the feasibility and estimated cost of making such training available to appropriate fire service personnel.

(C) An assessment of the feasibility and advisability of the United States Fire Administration developing such a training course in incident command for appropriate fire service personnel for fires at United States ports and in marine environments, including fires on the water and aboard vessels.

(D) A description of the delivery options for such a course and the estimated cost to the United States Fire Administration for developing such a course and providing such training for appropriate fire service personnel.

SEC. 5. NATIONAL FIRE INCIDENT REPORTING SYSTEM UPGRADES.

(a) INCIDENT REPORTING SYSTEM DATABASE.—Section 9 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208) is amended by adding at the end the following:

“(d) NATIONAL FIRE INCIDENT REPORTING SYSTEM UPDATE.—

“(1) IN GENERAL.—The Administrator shall update the National Fire Incident Reporting System to ensure that the information in the system is available, and can be updated, through the Internet and in real time.

“(2) LIMITATION.—Of the amounts made available pursuant to subparagraphs (E), (F), and (G) of section 17(g)(1), the Administrator shall use not more than an aggregate amount of \$5,000,000 during the 3-year period consisting of fiscal years 2009, 2010, and 2011 to carry out the activities required by paragraph (1).”.

(b) TECHNICAL CORRECTION.—Section 9(b)(2) of such Act (15 U.S.C. 2208(b)(2)) is amended by striking “assist State,” and inserting “assist Federal, State,”.

SEC. 6. FIRE TECHNOLOGY ASSISTANCE AND RESEARCH DISSEMINATION.

(a) ASSISTANCE TO FIRE SERVICES FOR FIRE PREVENTION AND CONTROL IN WILDLAND-URBAN INTERFACE.—Section 8(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2207(d)) is amended to read as follows:

“(d) RURAL AND WILDLAND-URBAN INTERFACE ASSISTANCE.—The Administrator may, in coordination with the Secretary of Agriculture, the Secretary of the Interior, and the Wildland Fire Leadership Council, assist the fire services of the United States, directly or through contracts, grants, or other forms of assistance, in sponsoring and encouraging research into approaches, techniques, systems, equipment, and land-use policies to improve fire prevention and control in—

“(1) the rural and remote areas of the United States; and

“(2) the wildland-urban interface.”.

(b) TECHNOLOGY RESEARCH DISSEMINATION.—Section 8 of such Act (15 U.S.C. 2207) is amended by adding at the end the following:

“(h) PUBLICATION OF RESEARCH RESULTS.—

“(1) IN GENERAL.—For each fire-related research program funded by the Administration, the Administrator shall make available to the public on the Internet website of the Administration the following:

“(A) A description of such research program, including the scope, methodology, and goals thereof.

Public
information.
Web site.

“(B) Information that identifies the individuals or institutions conducting the research program.

“(C) The amount of funding provided by the Administration for such program.

“(D) The results or findings of the research program.

“(2) DEADLINES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the information required by paragraph (1) shall be published with respect to a research program as follows:

“(i) The information described in subparagraphs (A), (B), and (C) of paragraph (1) with respect to such research program shall be made available under paragraph (1) not later than 30 days after the Administrator has awarded the funding for such research program.

“(ii) The information described in subparagraph (D) of paragraph (1) with respect to a research program shall be made available under paragraph (1) not later than 60 days after the date such research program has been completed.

“(B) EXCEPTION.—No information shall be required to be published under this subsection before the date that is 1 year after the date of the enactment of the United States Fire Administration Reauthorization Act of 2008.”.

SEC. 7. ENCOURAGING ADOPTION OF STANDARDS FOR FIREFIGHTER HEALTH AND SAFETY.

The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by adding at the end the following:

15 USC 2234.

“SEC. 37. ENCOURAGING ADOPTION OF STANDARDS FOR FIREFIGHTER HEALTH AND SAFETY.

“The Administrator shall promote adoption by fire services of national voluntary consensus standards for firefighter health and safety, including such standards for firefighter operations, training, staffing, and fitness, by—

“(1) educating fire services about such standards;

“(2) encouraging the adoption at all levels of government of such standards; and

“(3) making recommendations on other ways in which the Federal Government can promote the adoption of such standards by fire services.”.

SEC. 8. STATE AND LOCAL FIRE SERVICE REPRESENTATION AT NATIONAL OPERATIONS CENTER.

Section 515 of the Homeland Security Act of 2002 (6 U.S.C. 321d) is amended by adding at the end the following:

“(c) STATE AND LOCAL FIRE SERVICE REPRESENTATION.—

“(1) ESTABLISHMENT OF POSITION.—The Secretary shall, in consultation with the Administrator of the United States Fire Administration, establish a fire service position at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local fire services.

“(2) DESIGNATION OF POSITION.—The Secretary shall designate, on a rotating basis, a State or local fire service official for the position described in paragraph (1).

“(3) MANAGEMENT.—The Secretary shall manage the position established pursuant to paragraph (1) in accordance with such rules, regulations, and practices as govern other similar rotating positions at the National Operations Center.”.

SEC. 9. COORDINATION REGARDING FIRE PREVENTION AND CONTROL AND EMERGENCY MEDICAL SERVICES.

(a) IN GENERAL.—Section 21(e) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2218(e)) is amended to read as follows:

“(e) COORDINATION.—

“(1) IN GENERAL.—To the extent practicable, the Administrator shall use existing programs, data, information, and facilities already available in other Federal Government departments and agencies and, where appropriate, existing research organizations, centers, and universities.

“(2) COORDINATION OF FIRE PREVENTION AND CONTROL PROGRAMS.—The Administrator shall provide liaison at an appropriate organizational level to assure coordination of the activities of the Administrator with Federal, State, and local government agencies and departments and nongovernmental organizations concerned with any matter related to programs of fire prevention and control.

“(3) COORDINATION OF EMERGENCY MEDICAL SERVICES PROGRAMS.—The Administrator shall provide liaison at an appropriate organizational level to assure coordination of the activities of the Administrator related to emergency medical services provided by fire service-based systems with Federal, State, and local government agencies and departments and nongovernmental organizations so concerned, as well as those entities concerned with emergency medical services generally.”.

(b) FIRE SERVICE-BASED EMERGENCY MEDICAL SERVICES BEST PRACTICES.—Section 8(c) of such Act (15 U.S.C. 2207(c)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) The Administrator is authorized to conduct, directly or through contracts or grants, studies of the operations and management aspects of fire service-based emergency medical services and coordination between emergency medical services and fire services. Such studies may include the optimum protocols for on-scene care, the allocation of resources, and the training requirements for fire service-based emergency medical services.”.

SEC. 10. AMENDMENTS TO DEFINITIONS.

Section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203) is amended—

(1) in paragraph (3), by striking “Administration” and inserting “Administration, within the Federal Emergency Management Agency”;

(2) in paragraph (7), by striking the “and” after the semicolon;

(3) in paragraph (8), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(9) ‘wildland-urban interface’ has the meaning given such term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).”.

SEC. 11. SUPPORTING THE ADOPTION OF FIRE SPRINKLERS.

Congress supports the recommendations of the United States Fire Administration regarding the adoption of fire sprinklers in commercial buildings and educational programs to raise awareness of the important of installing fire sprinklers in residential buildings.

Approved October 8, 2008.

LEGISLATIVE HISTORY—S. 2606 (H.R. 4847):

HOUSE REPORTS: No. 110–559 accompanying H.R. 4847 (Comm. on Science and Technology).

SENATE REPORTS: No. 110–411 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 154 (2008):

Sept. 18, considered and passed Senate.

Sept. 22, 24, considered and passed House.