

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 413

Providing for the concurrence by the House, with an amendment, in the amendment by the Senate to the bill H.R. 1727.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1994

Mr. BOUCHER submitted the following resolution; which was considered under suspension of rules and agreed to

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## RESOLUTION

Providing for the concurrence by the House, with an amendment, in the amendment by the Senate to the bill H.R. 1727.

1       *Resolved*, That, upon adoption of this resolution, the  
2 bill (H.R. 1727) to establish a program of grants to States  
3 for arson research, prevention, and control, and for other  
4 purposes, with the Senate amendment thereto, shall be  
5 considered to have been taken from the Speaker's table,  
6 and the same are hereby agreed to with an amendment  
7 as follows: In lieu of the matter proposed to be inserted  
8 by the Senate, insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Arson Prevention Act  
3 of 1994”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) arson is a serious and costly problem, and  
7 is responsible for approximately 25 percent of all  
8 fires in the United States;

9 (2) arson is a leading cause of fire deaths, ac-  
10 counting for approximately 700 deaths annually in  
11 the United States, and is the leading cause of prop-  
12 erty damage due to fire in the United States;

13 (3) estimates of arson property losses are in the  
14 range of \$2,000,000,000 annually, or approximately  
15 1 of every 4 dollars lost to fire;

16 (4) the incidence of arson in the United States  
17 is seriously underreported, in part because of the  
18 lack of adequate participation by local jurisdictions  
19 in the National Fire Incident Reporting System  
20 (NFIRS) and the Uniform Crime Reporting (UCR)  
21 program;

22 (5) there is a need for expanded training pro-  
23 grams for arson investigators;

24 (6) there is a need for improved programs de-  
25 signed to enable volunteer firefighters to detect

1 arson crimes and to preserve evidence vital to the in-  
2 vestigation and prosecution of arson cases;

3 (7) according to the National Fire Protection  
4 Association, of all the suspicious and incendiary fires  
5 estimated to occur, only  $\frac{1}{3}$  are confirmed as arson;  
6 and

7 (8) improved training of arson investigators will  
8 increase the ability of fire departments to identify  
9 suspicious and incendiary fires, and will result in in-  
10 creased and more effective prosecution of arson  
11 offenses.

12 **SEC. 3. ARSON PREVENTION GRANTS.**

13 The Federal Fire Prevention and Control Act of 1974  
14 is amended by inserting after section 24 (15 U.S.C. 2220)  
15 the following new section:

16 **“SEC. 25. ARSON PREVENTION GRANTS.**

17 “(a) DEFINITIONS.—As used in this section:

18 “(1) ARSON.—The term ‘arson’ includes all in-  
19 cendiary and suspicious fires.

20 “(2) OFFICE.—The term ‘Office’ means the Of-  
21 fice of Fire Prevention and Arson Control of the  
22 United States Fire Administration.

23 “(b) GRANTS.—The Administrator, acting through  
24 the Office, shall carry out a demonstration program under  
25 which not more than 10 grant awards shall be made to

1 States, or consortia of States, for programs relating to  
2 arson research, prevention, and control.

3 “(c) GOALS.—In carrying out this section, the Ad-  
4 ministrator shall award 2-year grants on a competitive,  
5 merit basis to States, or consortia of States, for projects  
6 that promote one or more of the following goals:

7 “(1) To improve the training by States leading  
8 to professional certification of arson investigators, in  
9 accordance with nationally recognized certification  
10 standards.

11 “(2) To provide resources for the formation of  
12 arson task forces or interagency organizational ar-  
13 rangements involving police and fire departments  
14 and other relevant local agencies, such as a State  
15 arson bureau and the office of a fire marshal of a  
16 State.

17 “(3) To combat fraud as a cause of arson and  
18 to advance research at the State and local levels on  
19 the significance and prevention of fraud as a motive  
20 for setting fires.

21 “(4) To provide for the management of arson  
22 squads, including—

23 “(A) training courses for fire departments  
24 in arson case management, including standard-

1           ization of investigative techniques and reporting  
2           methodology;

3           “(B) the preparation of arson unit man-  
4           agement guides; and

5           “(C) the development and dissemination of  
6           new public education materials relating to the  
7           arson problem.

8           “(5) To combat civil unrest as a cause of arson  
9           and to advance research at the State and local levels  
10          on the prevention and control of arson linked to  
11          urban disorders.

12          “(6) To combat juvenile arson, such as juvenile  
13          fire-setter counseling programs and similar interven-  
14          tion programs, and to advance research at the State  
15          and local levels on the prevention of juvenile arson.

16          “(7) To combat drug-related arson and to ad-  
17          vance research at the State and local levels on the  
18          causes and prevention of drug-related arson.

19          “(8) To combat domestic violence as a cause of  
20          arson and to advance research at the State and local  
21          levels on the prevention of arson arising from do-  
22          mestic violence.

23          “(9) To combat arson in rural areas and to im-  
24          prove the capability of firefighters to identify and

1 prevent arson initiated fires in rural areas and pub-  
2 lic forests.

3 “(10) To improve the capability of firefighters  
4 to identify and combat arson through expanded  
5 training programs, including—

6 “(A) training courses at the State fire  
7 academies; and

8 “(B) innovative courses developed with the  
9 Academy and made available to volunteer fire-  
10 fighters through regional delivery methods, in-  
11 cluding teleconferencing and satellite delivered  
12 television programs.

13 “(d) STRUCTURING OF APPLICATIONS.—The Admin-  
14 istrator shall assist grant applicants in structuring their  
15 applications so as to ensure that at least one grant is  
16 awarded for each goal described in subsection (c).

17 “(e) STATE QUALIFICATION CRITERIA.—In order to  
18 qualify for a grant under this section, a State, or consor-  
19 tium of States, shall provide assurances adequate to the  
20 Administrator that the State or consortium—

21 “(1) will obtain at least 25 percent of the cost  
22 of programs funded by the grant, in cash or in kind,  
23 from non-Federal sources;

24 “(2) will not as a result of receiving the grant  
25 decrease the prior level of spending of funds of the

1 State or consortium from non-Federal sources for  
2 arson research, prevention, and control programs;

3 “(3) will use no more than 10 percent of funds  
4 provided under the grant for administrative costs of  
5 the programs; and

6 “(4) is making efforts to ensure that all local  
7 jurisdictions will provide arson data to the National  
8 Fire Incident Reporting System or the Uniform  
9 Crime Reporting program.

10 “(f) EXTENSION.—A grant awarded under this sec-  
11 tion may be extended for one or more additional periods,  
12 at the discretion of the Administrator, subject to the avail-  
13 ability of appropriations.

14 “(g) TECHNICAL ASSISTANCE.—The Administrator  
15 shall provide technical assistance to States in carrying out  
16 programs funded by grants under this section.

17 “(h) CONSULTATION AND COOPERATION.—In carry-  
18 ing out this section, the Administrator shall consult and  
19 cooperate with other Federal agencies to enhance program  
20 effectiveness and avoid duplication of effort, including the  
21 conduct of regular meetings initiated by the Administrator  
22 with representatives of other Federal agencies concerned  
23 with arson and concerned with efforts to develop a more  
24 comprehensive profile of the magnitude of the national  
25 arson problem.

1       “(i) ASSESSMENT.—Not later than 18 months after  
2 the date of enactment of this subsection, the Adminis-  
3 trator shall submit a report to Congress that—

4               “(1) identifies grants made under this section;

5               “(2) specifies the identity of grantees;

6               “(3) states the goals of each grant; and

7               “(4) contains a preliminary assessment of the  
8 effectiveness of the grant program under this sec-  
9 tion.

10       “(j) REGULATIONS.—Not later than 90 days after  
11 the date of enactment of this subsection, the Adminis-  
12 trator shall issue regulations to implement this section, in-  
13 cluding procedures for grant applications.

14       “(k) ADMINISTRATION.—The Administrator shall di-  
15 rectly administer the grant program required by this sec-  
16 tion, and shall not enter into any contract under which  
17 the grant program or any portion of the program will be  
18 administered by another party.

19       “(l) PURCHASE OF AMERICAN MADE EQUIPMENT  
20 AND PRODUCTS.—

21               “(1) SENSE OF CONGRESS.—It is the sense of  
22 Congress that any recipient of a grant under this  
23 section should purchase, when available and cost-ef-  
24 fective, American made equipment and products  
25 when expending grant monies.

1           “(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—  
2           In allocating grants under this section, the Adminis-  
3           trator shall provide to each recipient a notice de-  
4           scribing the statement made in paragraph (1) by the  
5           Congress.”.

6   **SEC. 4. VOLUNTEER FIREFIGHTER TRAINING.**

7           Section 24(a)(2) of the Federal Fire Prevention and  
8           Control Act of 1974 (15 U.S.C. 2220(a)(2)) is amended  
9           by inserting before the semicolon the following: “, with  
10          particular emphasis on the needs of volunteer firefighters  
11          for improved and more widely available arson training  
12          courses”.

13   **SEC. 5. CPR TRAINING.**

14          The Federal Fire Prevention and Control Act of 1974  
15          is amended by adding at the end the following new section:

16   **“SEC. 32. CPR TRAINING.**

17          “No funds shall be made available to a State or local  
18          government under section 25 unless such government has  
19          a policy to actively promote the training of its firefighters  
20          in cardiopulmonary resuscitation.”.

21   **SEC. 6. FEDERAL EMPLOYEE HOUSING EXCEPTIONS.**

22          Section 31(c)(1) of the Federal Fire Prevention and  
23          Control Act of 1974 (15 U.S.C. 2227(c)(1)) is amended—

1 (1) in subparagraph (A), by striking “No Fed-  
2 eral” and inserting in lieu thereof “Except as other-  
3 wise provided in this paragraph, no Federal”; and

4 (2) by adding at the end the following new sub-  
5 paragraphs:

6 “(C) Housing covered by this paragraph that does  
7 not have an adequate and reliable electrical system shall  
8 not be subject to the requirement under subparagraph (A)  
9 for protection by hard-wired smoke detectors, but shall be  
10 protected by battery operated smoke detectors.

11 “(D) If funding has been programmed or designated  
12 for the demolition of housing covered by this paragraph,  
13 such housing shall not be subject to the fire protection  
14 requirements of subparagraph (A), but shall be protected  
15 by battery operated smoke detectors.”.

16 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 17 of the Federal Fire Prevention and Con-  
18 trol Act of 1974 (15 U.S.C. 2216) is amended by adding  
19 at the end the following new subsection:

20 “(h) In addition to any other amounts that are au-  
21 thorized to be appropriated to carry out this Act, there  
22 are authorized to be appropriated to carry out this Act—

23 “(1) \$500,000 for fiscal year 1995 for basic re-  
24 search on the development of an advanced course on  
25 arson prevention;

1           “(2) \$2,000,000 for fiscal year 1996 for the ex-  
2           pansion of arson investigator training programs at  
3           the Academy under section 24 and at the Federal  
4           Law Enforcement Training Center, or through re-  
5           gional delivery sites;

6           “(3) \$4,000,000 for each of fiscal years 1995  
7           and 1996 for carrying out section 25, except for sal-  
8           aries and expenses for carrying out section 25; and

9           “(4) \$250,000 for each of the fiscal years 1995  
10          and 1996 for salaries and expenses for carrying out  
11          section 25.”.

12 **SEC. 8. SUNSET.**

13          Notwithstanding any other provision of this Act, no  
14          funds are authorized to be appropriated for any fiscal year  
15          after fiscal year 1996 for carrying out the programs for  
16          which funds are authorized by this Act, or the amend-  
17          ments made by this Act.

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