

103^D CONGRESS
1ST SESSION

S. 798

To amend the Federal Fire Prevention and Control Act of 1974 to establish a program of grants to States for arson research, prevention, and control, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 20 (legislative day, APRIL 19), 1993

Mr. BRYAN (for himself and Mr. GORTON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Federal Fire Prevention and Control Act of 1974 to establish a program of grants to States for arson research, prevention, and control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Arson Prevention Act
5 of 1993”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

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

4 (2) arson is a leading cause of fire deaths, ac-
5 counting for approximately 700 deaths annually in
6 the United States, and is the leading cause of prop-
7 erty damage due to fire in the United States;

8 (3) estimates of arson property losses are in the
9 range of \$2,000,000,000 annually, or approximately
10 1 of every 4 dollars lost to fire;

11 (4) the incidence of arson in the United States
12 is seriously underreported, in part because of the
13 lack of adequate participation by local jurisdictions
14 in the National Fire Incident Reporting System
15 (NFIRS) and the Uniform Crime Reporting (UCR)
16 program;

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

19 (6) there is a need for improved programs de-
20 signed to enable volunteer firefighters to detect
21 arson crimes and to preserve evidence vital to the in-
22 vestigation and prosecution of arson cases;

23 (7) according to the National Fire Protection
24 Association, of all the suspicious and incendiary fires

1 estimated to occur, only $\frac{1}{3}$ are confirmed as arson;
2 and

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

8 **SEC. 3. ARSON PREVENTION GRANTS.**

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

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

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

14 “(1) ARSON.—The term ‘arson’ includes all in-
15 incendiary and suspicious fires.

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

19 “(b) GRANTS.—The Administrator, acting through
20 the Office, shall carry out a demonstration program under
21 which not more than 10 grant awards shall be made to
22 States, or consortia of States, for programs relating to
23 arson research, prevention, and control.

24 “(c) GOALS.—In carrying out this section, the Ad-
25 ministrator shall award 2-year grants on a competitive,

1 merit basis to States, or consortia of States, for projects
2 that promote one or more of the following goals:

3 “(1) To improve the training by States leading
4 to professional certification of arson investigators, in
5 accordance with nationally recognized certification
6 standards.

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

13 “(3) To combat fraud as a cause of arson and
14 to advance research at the State and local levels on
15 the significance and prevention of fraud as a motive
16 for setting fires.

17 “(4) To provide for the management of arson
18 squads, including—

19 “(A) training courses for fire departments
20 in arson case management, including standard-
21 ization of investigative techniques and reporting
22 methodology;

23 “(B) the preparation of arson unit man-
24 agement guides; and

1 “(C) the development and dissemination of
2 new public education materials relating to the
3 arson problem.

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

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

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

15 “(8) To combat domestic violence as a cause of
16 arson and to advance research at the State and local
17 levels on the prevention of arson arising from do-
18 mestic violence.

19 “(9) To combat arson in rural areas and to im-
20 prove the capability of firefighters to identify and
21 prevent arson initiated fires in rural areas and pub-
22 lic forests.

23 “(10) To improve the capability of firefighters
24 to identify and combat arson through expanded
25 training programs, including—

1 “(A) training courses at the State fire
2 academies; and

3 “(B) innovative courses developed with the
4 Academy and made available to volunteer fire-
5 fighters through regional delivery methods, in-
6 cluding teleconferencing and satellite delivered
7 television programs.

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

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

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

19 “(2) will not as a result of receiving the grant
20 decrease the prior level of spending of funds of the
21 State or consortium from non-Federal sources for
22 arson research, prevention, and control programs;

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

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

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

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

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

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

24 “(1) identifies grants made;

25 “(2) specifies the identity of grantees;

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

2 “(4) contains a preliminary assessment of the
3 effectiveness of the grant program under this sec-
4 tion.

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

9 “(k) ADMINISTRATION.—The Administrator shall di-
10 rectly administer the grant program required by this sec-
11 tion, and shall not enter into any contract under which
12 the grant program or any portion of the program will be
13 administered by another party.”.

14 **SEC. 4. VOLUNTEER FIREFIGHTER TRAINING.**

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

21 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

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

1 “(h) In addition to any other amounts that are au-
2 thORIZED to be appropriated to carry out this Act, there
3 are authorized to be appropriated to carry out this Act—

4 “(1) \$500,000 for fiscal year 1994 for basic re-
5 search on the development of an advanced course on
6 arson prevention;

7 “(2) \$2,000,000 for fiscal year 1995 for the ex-
8 pansion of arson investigator training programs at
9 the Academy under section 24 and at the Federal
10 Law Enforcement Training Center, or through re-
11 gional delivery sites;

12 “(3) \$4,000,000 for each of fiscal years 1994
13 and 1995 for carrying out section 25, except for sal-
14 aries and expenses for carrying out section 25; and

15 “(4) \$250,000 for each of the fiscal years 1994
16 and 1995 for salaries and expenses for carrying out
17 section 25.”.

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