90th Congress, S. 1124
March 1, 1968

An Act

To amend the Organic Act of the National Bureau of Standards to authorize a fire research and safety program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fire Research and Safety Act of 1968". Fire Research and Safety Act of 1968.

TITLE I—FIRE RESEARCH AND SAFETY PROGRAM

DECLARATION OF POLICY

SEC. 101. The Congress finds that a comprehensive fire research and safety program is needed in this country to provide more effective measures of protection against the hazards of death, injury, and damage to property. The Congress finds that it is desirable and necessary for the Federal Government, in carrying out the provisions of this title, to cooperate with and assist public and private agencies. The Congress declares that the purpose of this title is to amend the 82 STAT. 34
Act of March 3, 1901, as amended, to provide a national fire research 82 STAT. 35
and safety program including the gathering of comprehensive fire data; a comprehensive fire research program; fire safety education and training programs; and demonstrations of new approaches and improvements in fire prevention and control, and reduction of death, personal injury, and property damage. Additionally, it is the sense of Congress that the Secretary should establish a fire research and safety center for administering this title and carrying out its purposes, including appropriate fire safety liaison and coordination.

AUTHORIZATION OF PROGRAM

SEC. 102. The Act entitled "An Act to establish the National Bureau of Standards", approved March 3, 1901, as amended (15 U.S.C. 271–278e), is further amended by adding the following sections: 31 Stat. 1449.

"SEC. 16. The Secretary of Commerce (hereinafter referred to as the 'Secretary') is authorized to—

"(a) Conduct directly or through contracts or grants—

"(1) investigations of fires to determine their causes, frequency of occurrence, severity, and other pertinent factors;

"(2) research into the causes and nature of fires, and the development of improved methods and techniques for fire prevention, fire control, and reduction of death, personal injury, and property damage;

"(3) educational programs to—

"(A) inform the public of fire hazards and fire safety techniques, and

"(B) encourage avoidance of such hazards and use of such techniques;

"(4) fire information reference services, including the collection, analysis, and dissemination of data, research results, and other information, derived from [illegible] sources and related to fire protect[illegible] of death, personal injury, and property damage;

"(5) educational and training programs to improve, among other things—

"(A) the efficiency, operation, and organization of fire services, and

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"(B) the capability of controlling unusual fire-related hazards and fire disasters; and

"(6) projects demonstrating—

"(A) improved or experimental programs of fire prevention, fire control, and reduction of death, personal injury, and property damage,

"(B) application of fire safety principles in construction, or

"(C) improvement of the efficiency, operation, or organization of the fire services.

"(b) Support by contracts or grants the development, for use by educational and other nonprofit institutions, of—

"(1) fire safety and fire protection engineering or science curriculums; and

"(2) fire safety courses, seminars, or other instructional materials and aids for the above curriculums or other appropriate curriculums or courses of instruction.

"SEC. 17. With respect to the functions authorized by section 16 of this Act—

Eligibility for grants.

"(a) Grants may be made only to States and local governments, other non-Federal public agencies, and nonprofit institutions. Such a grant may be up to 100 per centum of the total cost of the project for which such grant is made. The Secretary shall require, whenever feasible, as a condition of approval of a grant, that the recipient contribute money, facilities, or services to carry out the purpose for which the grant is sought. For the purposes of this section, 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa, and the Trust Territory of the Pacific Islands; and 'public agencies' includes combinations or groups of States or local governments.

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"State."

"Public agencies."

Federal agencies, reimbursement.

"(b) The Secretary may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any such functions, and, as necessary or appropriate, delegate any of his powers under this section or section 16 of this Act with respect to any part thereof, and authorize the redelegation of such powers.

"(c) The Secretary may perform such functions without regard to section 3648 of the Revised Statutes (31 U.S.C. 529).

Cooperation.

"(d) The Secretary is authorized to request any Federal department or agency to supply such statistics, data, program reports, and other materials as he deems necessary to carry out such functions. Each such department or agency is authorized to cooperate with the Secretary and, to the extent permitted by law, to furnish such materials to the Secretary. The Secretary and the heads of other departments and agencies engaged in administering programs related to fire safety shall, to the maximum extent practicable, cooperate and consult in order to insure fully coordinated efforts.

Rules and regulations.

"(e) The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate to the administration of such functions or this section, including rules and regulations which—

Reports.

"(1) provide that a grantee will from time to time, but not less often than annually, submit a report evaluating accomplishments of activities fund

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"(2) provide for fiscal control, sound accounting [illegible] and periodic reports to the Secretary regarding the application of funds paid under section 16."

NONINTERFERENCE WITH EXISTING FEDERAL PROGRAMS

SEC. 103. Nothing contained in this title shall be deemed to repeal, supersede, or diminish existing authority or responsibility of any agency or instrumentality of the Federal Government.

AUTHORIZATION OF APPROPRIATIONS

SEC. 104. There are authorized to be appropriated, for the purposes of this Act, $5,000,000 for the period ending June 30, 1970.

TITLE II—NATIONAL COMMISSION ON FIRE PREVENTION AND CONTROL

FINDINGS AND PURPOSE

SEC. 201. The Congress finds and declares that the growing problem of the loss of life and property from fire is a matter of grave national concern; that this problem is particularly acute in the Nation's urban and suburban areas where an increasing proportion of the population resides but it is also of national concern in smaller communities and rural areas; that as population concentrates, the means for controlling and preventing destructive fires has become progressively more com- 82 STAT. 36
plex and frequently beyond purely local capabilities; and that there 82 STAT. 37
is a clear and present need to explore and develop more effective fire control and fire prevention measures throughout the country in the light of existing and foreseeable conditions. It is the purpose of this title to establish a commission to undertake a thorough study and investigation of this problem with a view to the formulation of recommendations whereby the Nation can reduce the destruction of life and property caused by fire in its cities, suburbs, communities, and elsewhere.

ESTABLISHMENT OF COMMISSION

SEC. 202. (a) There is hereby established the National Commission on Fire Prevention and Control (hereinafter referred to as the "Commission") which shall be composed of twenty members as follows: the Secretary of Commerce, the Secretary of Housing and Urban Development, and eighteen members appointed by the President. The individuals so appointed as members (1) shall be eminently well qualified by training or experience to carry out the functions of the Commission, and (2) shall be selected so as to provide representation of the views of individuals and organizations of all areas of the United States concerned with fire research, safety, control, or prevention, including representatives drawn from Federal, State, and local governments, industry, labor, universities, laboratories, trade associations, and other interested institutions or organizations. Not more than six members of the Commission shall be appointed from the Federal Government. The President shall designate the Chairman and Vice Chairman of the Commission.

(b) The Commission shall have four advisory members composed of—

(1) two Members of the House of Representatives who shall not be members of the same political party and who shall be appointed by the Speaker of the [illegible]

(2) two Members of the Senate [illegible] the same political party and who shall be appointed by the President of the Senate.

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The advisory members of the Commission shall not participate, except in an advisory capacity, in the formulation of the findings and recommendations of the Commission.

Vacancies.

(c) Any vacancy in the Commission or in its advisory membership shall not affect the powers of the Commission, but shall be filled in the same manner as the original appointment.

DUTIES OF THE COMMISSION

SEC. 203. (a) The Commission shall undertake a comprehensive study and investigation to determine practicable and effective measures for reducing the destructive effects of fire throughout the country in addition to the steps taken under sections 16 and 17 of the Act of March 3, 1901 (as added by title I of this Act). Such study and investigation shall include, without being limited to—

(1) a consideration of ways in which fires can be more effectively prevented through technological advances, construction techniques, and improved inspection procedures;

(2) an analysis of existing programs administered or supported by the departments and agencies of the Federal Government and of ways in which such programs could be strengthened so as to lessen the danger of destructive fires in Government-assisted housing and in the redevelopment of the Nation's cities and communities;

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(3) an evaluation of existing fire suppression methods and of ways for improving the same, including procedures for recruiting and soliciting the necessary personnel;

(4) an evaluation of present and future needs (including long-term needs) of training and education for fire-service personnel;

(5) a consideration of the adequacy of current fire communication techniques and suggestions for the standardization and improvement of the apparatus and equipment used in controlling fires;

(6) an analysis of the administrative problems affecting the efficiency or capabilities of local fire departments or organizations; and

(7) an assessment of local, State, and Federal responsibilities in the development of practicable and effective solutions for reducing fire losses.

(b) In carrying out its duties under this section the Commission shall consider the results of the functions carried out by the Secretary of Commerce under sections 16 and 17 of the Act of March 3, 1901 (as added by title I of this Act), and consult regularly with the Secretary in order to coordinate the work of the Commission and the functions carried out under such sections 16 and 17.

Report to President and Congress.

(c) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations not later than two years after the Commission has been duly organized.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 204. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold hearings, take testimony, and administer oat[illegible] to witnesses appearing before the Commission or [illegible]

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(b) Each department, agency, and instrumentality of the exec[illegible] branch of the Government, including an independent agency, is authorized to furnish to the Commission, upon request made by the Chairman

or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this title.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, shall have the power— 80 Stat. 443, 467. 5 USC 5101, 5331.

(1) to appoint and fix the compensation of such staff personnel as he deems necessary, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code.

COMPENSATION OF MEMBERS

SEC. 205. (a) Any member of the Commission, including a member appointed under section 202(b), who is a Member of Congress or in the executive branch of the Government shall serve without compensation in addition to that received in his regular employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by him in connection with the performance of duties vested in the Commission.

(b) Members of the Commission, other than those referred to in subsection (a), shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission. 82 STAT. 38 82 STAT. 39

EXPENSES OF THE COMMISSION

SEC. 206. There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this title.

EXPIRATION OF THE COMMISSION

SEC. 207. The Commission shall cease to exist thirty days after the submission of its report under section 203(c).

Approved March 1, 1968.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 522 accompanying H. R. 11284 (Comm. on Science and Astronautics).
SENATE REPORT No. 502 (Comm. on Commerce).
CONGRESSIONAL RECORD:
Vol. 113 (1967): Aug. 16, consid[illegible]
Vol. 114 (1968): Feb. 8, consid[illegible] amended, [illegible]
Feb. 16, Senate agreed to House amendment.

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