

Public Law 103-254
103d Congress

An Act

To establish a program of grants to states for arson research, prevention, and control, and for other purposes.

May 19, 1994
[H.R. 1727]

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 "Arson Prevention Act of 1994".

SEC. 2. FINDINGS.

Congress finds that—

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

(2) arson is a leading cause of fire deaths, accounting for approximately 700 deaths annually in the United States, and is the leading cause of property damage due to fire in the United States;

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

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

(5) there is a need for expanded training programs for arson investigators;

(6) there is a need for improved programs designed to enable volunteer firefighters to detect arson crimes and to preserve evidence vital to the investigation and prosecution of arson cases;

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

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

Arson
Prevention Act
of 1994.
15 USC 2201
note.
15 USC 2201
note.

SEC. 3. ARSON PREVENTION GRANTS.

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

"SEC. 25. ARSON PREVENTION GRANTS.

15 USC 2221.

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

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

“(2) OFFICE.—The term ‘Office’ means the Office of Fire Prevention and Arson Control of the United States Fire Administration.

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

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

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

“(2) To provide resources for the formation of arson task forces or interagency organizational arrangements involving police and fire departments and other relevant local agencies, such as a State arson bureau and the office of a fire marshal of a State.

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

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

“(A) training courses for fire departments in arson case management, including standardization of investigative techniques and reporting methodology;

“(B) the preparation of arson unit management guides; and

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

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

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

“(7) To combat drug-related arson and to advance research at the State and local levels on the causes and prevention of drug-related arson.

“(8) To combat domestic violence as a cause of arson and to advance research at the State and local levels on the prevention of arson arising from domestic violence.

“(9) To combat arson in rural areas and to improve the capability of firefighters to identify and prevent arson initiated fires in rural areas and public forests.

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

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

“(B) innovative courses developed with the Academy and made available to volunteer firefighters through

regional delivery methods, including teleconferencing and satellite delivered television programs.

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

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

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

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

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

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

“(f) EXTENSION.—A grant awarded under this section may be extended for one or more additional periods, at the discretion of the Administrator, subject to the availability of appropriations.

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

“(h) CONSULTATION AND COOPERATION.—In carrying out this section, the Administrator shall consult and cooperate with other Federal agencies to enhance program effectiveness and avoid duplication of effort, including the conduct of regular meetings initiated by the Administrator with representatives of other Federal agencies concerned with arson and concerned with efforts to develop a more comprehensive profile of the magnitude of the national arson problem.

“(i) ASSESSMENT.—Not later than 18 months after the date of enactment of this subsection, the Administrator shall submit a report to Congress that—

Reports.

“(1) identifies grants made under this section;

“(2) specifies the identity of grantees;

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

“(4) contains a preliminary assessment of the effectiveness of the grant program under this section.

“(j) REGULATIONS.—Not later than 90 days after the date of enactment of this subsection, the Administrator shall issue regulations to implement this section, including procedures for grant applications.

“(k) ADMINISTRATION.—The Administrator shall directly administer the grant program required by this section, and shall not enter into any contract under which the grant program or any portion of the program will be administered by another party.

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

“(1) SENSE OF CONGRESS.—It is the sense of Congress that any recipient of a grant under this section should purchase,

when available and cost-effective, American made equipment and products when expending grant monies.

“(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In allocating grants under this section, the Administrator shall provide to each recipient a notice describing the statement made in paragraph (1) by the Congress.”.

SEC. 4. VOLUNTEER FIREFIGHTER TRAINING.

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

SEC. 5. CPR TRAINING.

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

15 USC 2228.

“SEC. 32. CPR TRAINING.

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

SEC. 6. FEDERAL EMPLOYEE HOUSING EXCEPTIONS.

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

(1) in subparagraph (A), by striking “No Federal” and inserting in lieu thereof “Except as otherwise provided in this paragraph, no Federal”; and

(2) by adding at the end the following new subparagraphs:

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

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

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

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

“(h) In addition to any other amounts that are authorized to be appropriated to carry out this Act, there are authorized to be appropriated to carry out this Act—

“(1) \$500,000 for fiscal year 1995 for basic research on the development of an advanced course on arson prevention;

“(2) \$2,000,000 for fiscal year 1996 for the expansion of arson investigator training programs at the Academy under section 24 and at the Federal Law Enforcement Training Center, or through regional delivery sites;

“(3) \$4,000,000 for each of fiscal years 1995 and 1996 for carrying out section 25, except for salaries and expenses for carrying out section 25; and

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

SEC. 8. SUNSET.

Notwithstanding any other provision of this Act, no funds are authorized to be appropriated for any fiscal year after fiscal year 1996 for carrying out the programs for which funds are authorized by this Act, or the amendments made by this Act.

15 USC 2216
note.

Approved May 19, 1994.

LEGISLATIVE HISTORY—H.R. 1727 (S. 798):

HOUSE REPORTS: No. 103-172 (Comm. on Science, Space, and Technology).

SENATE REPORTS: No. 103-204 accompanying S. 798 (Comm. on Commerce, Science and Transportation).

CONGRESSIONAL RECORD:

Vol. 139 (1993): July 26, considered and passed House.

Nov. 22, considered and passed Senate, amended, in lieu of S. 798.

Vol. 140 (1994): Apr. 26, House concurred in Senate amendment with an amendment.

May 6, Senate concurred in House amendment.