

Union Calendar No. 45

105TH CONGRESS
1ST Session

H. R. 1272

[Report No. 105-62]

A BILL

To authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration, and for other purposes.

APRIL 21, 1997

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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To authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1997

Mr. SCHIFF introduced the following bill; which was referred to the Committee on Science

APRIL 21, 1997

Additional sponsors: Mr. BROWN of California, Ms. JACKSON-LEE of Texas, Mr. BARCIA, Mrs. MORELLA, Mr. PICKERING, Mr. SESSIONS, and Mr. EHLERS

APRIL 21, 1997

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 10, 1997]

A BILL

To authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration, 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 “Fire Administration Au-*
5 *thorization Act of 1997”.*

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

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

9 *(1) by striking “and” at the end of subpara-*
10 *graph (E);*

11 *(2) by striking the period at the end of subpara-*
12 *graph (F) and inserting in lieu thereof a semicolon;*
13 *and*

14 *(3) by adding at the end the following new sub-*
15 *paragraphs:*

16 *“(G) \$29,600,000 for the fiscal year ending Sep-*
17 *tember 30, 1998; and*

18 *“(H) \$30,500,000 for the fiscal year ending Sep-*
19 *tember 30, 1999.”.*

20 **SEC. 3. SUCCESSOR FIRE SAFETY STANDARDS.**

21 *The Federal Fire Prevention and Control Act of 1974*
22 *is amended—*

23 *(1) in section 29(a)(1), by inserting “, or any*
24 *successor standard thereto,” after “Association Stand-*
25 *ard 74”;*

1 (2) in section 29(a)(2), by inserting “or any suc-
2 cessor standards thereto,” after “whichever is appro-
3 priate,”;

4 (3) in section 29(b)(2), by inserting “, or any
5 successor standards thereto” after “Association Stand-
6 ard 13 or 13-R”;

7 (4) in section 31(c)(2)(B)(i), by inserting “or
8 any successor standard thereto,” after “Life Safety
9 Code),”; and

10 (5) in section 31(c)(2)(B)(ii), by inserting “or
11 any successor standard thereto,” after “Association
12 Standard 101,”.

13 **SEC. 4. TERMINATION OR PRIVATIZATION OF FUNCTIONS.**

14 *The Administrator of the United States Fire Adminis-*
15 *tration shall transmit to Congress a report providing notice*
16 *at least 60 days in advance of the termination or transfer*
17 *to a private sector entity of any significant function of the*
18 *United States Fire Administration.*

19 **SEC. 5. LIMITATIONS.**

20 (a) *PROHIBITION OF LOBBYING ACTIVITIES.*—None of
21 *the funds authorized by the amendments made by this Act*
22 *shall be available for any activity whose purpose is to influ-*
23 *ence legislation pending before the Congress, except that this*
24 *subsection shall not prevent officers or employees of the*
25 *United States or of its departments or agencies from com-*

1 *municating to Members of Congress on the request of any*
2 *Member or to Congress, through the proper channels, re-*
3 *quests for legislation or appropriations which they deem*
4 *necessary for the efficient conduct of the public business.*

5 (b) *LIMITATION ON APPROPRIATIONS.—No sums are*
6 *authorized to be appropriated to the Administrator of the*
7 *United States Fire Administration for fiscal years 1998*
8 *and 1999 for the activities for which sums are authorized*
9 *by the amendments made by this Act, unless such sums are*
10 *specifically authorized to be appropriated by the amend-*
11 *ments made by this Act.*

12 (c) *ELIGIBILITY FOR AWARDS.—*

13 (1) *IN GENERAL.—The Administrator of the*
14 *United States Fire Administration shall exclude from*
15 *consideration for grant agreements made by the Ad-*
16 *ministration after fiscal year 1997 any person who*
17 *received funds, other than those described in para-*
18 *graph (2), appropriated for a fiscal year after fiscal*
19 *year 1997, under a grant agreement from any Fed-*
20 *eral funding source for a project that was not sub-*
21 *jected to a competitive, merit-based award process.*
22 *Any exclusion from consideration pursuant to this*
23 *subsection shall be effective for a period of 5 years*
24 *after the person receives such Federal funds.*

1 (2) *EXCEPTION.*—*Paragraph (1) shall not apply*
2 *to the receipt of Federal funds by a person due to the*
3 *membership of that person in a class specified by law*
4 *for which assistance is awarded to members of the*
5 *class according to a formula provided by law.*

6 (3) *DEFINITION.*—*For purposes of this sub-*
7 *section, the term “grant agreement” means a legal in-*
8 *strument whose principal purpose is to transfer a*
9 *thing of value to the recipient to carry out a public*
10 *purpose of support or stimulation authorized by a*
11 *law of the United States, and does not include the ac-*
12 *quisition (by purchase, lease, or barter) of property or*
13 *services for the direct benefit or use of the United*
14 *States Government. Such term does not include a co-*
15 *operative agreement (as such term is used in section*
16 *6305 of title 31, United States Code) or a cooperative*
17 *research and development agreement (as such term is*
18 *defined in section 12(d)(1) of the Stevenson-Wydler*
19 *Technology Innovation Act of 1980 (15 U.S.C.*
20 *3710a(d)(1))).*

21 **SEC. 6. NOTICE.**

22 (a) *NOTICE OF REPROGRAMMING.*—*If any funds au-*
23 *thorized by the amendments made by this Act are subject*
24 *to a reprogramming action that requires notice to be pro-*
25 *vided to the Appropriations Committees of the House of*

1 *Representatives and the Senate, notice of such action shall*
2 *concurrently be provided to the Committee on Science of*
3 *the House of Representatives and the Committee on Com-*
4 *merce, Science, and Transportation of the Senate.*

5 (b) *NOTICE OF REORGANIZATION.*—*The Administrator*
6 *of the United States Fire Administration shall provide no-*
7 *tice to the Committees on Science and Appropriations of*
8 *the House of Representatives, and the Committees on Com-*
9 *merce, Science, and Transportation and Appropriations of*
10 *the Senate, not later than 15 days before any major reorga-*
11 *nization of any program, project, or activity of the United*
12 *States Fire Administration.*

13 **SEC. 7. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

14 *With the year 2000 fast approaching, it is the sense*
15 *of Congress that the United States Fire Administration*
16 *should—*

17 (1) *give high priority to correcting all 2-digit*
18 *date-related problems in its computer systems to en-*
19 *sure that those systems continue to operate effectively*
20 *in the year 2000 and beyond;*

21 (2) *assess immediately the extent of the risk to*
22 *the operations of the United States Fire Administra-*
23 *tion posed by the problems referred to in paragraph*
24 *(1), and plan and budget for achieving Year 2000*
25 *compliance for all of its mission-critical systems; and*

1 (3) *develop contingency plans for those systems*
2 *that the United States Fire Administration is unable*
3 *to correct in time.*

4 **SEC. 8. BUY AMERICAN.**

5 (a) *COMPLIANCE WITH BUY AMERICAN ACT.—No*
6 *funds appropriated pursuant to the amendments made by*
7 *this Act may be expended by an entity unless the entity*
8 *agrees that in expending the assistance the entity will com-*
9 *ply with sections 2 through 4 of the Act of March 3, 1933*
10 *(41 U.S.C. 10a-10c, popularly known as the “Buy Amer-*
11 *ican Act”).*

12 (b) *SENSE OF CONGRESS.—In the case of any equip-*
13 *ment or products that may be authorized to be purchased*
14 *with financial assistance provided under the amendments*
15 *made by this Act, it is the sense of Congress that entities*
16 *receiving such assistance should, in expending the assist-*
17 *ance, purchase only American-made equipment and prod-*
18 *ucts.*

19 (c) *NOTICE TO RECIPIENTS OF ASSISTANCE.—In pro-*
20 *viding financial assistance under the amendments made by*
21 *this Act, the Administrator of the United States Fire Ad-*
22 *ministration shall provide to each recipient of the assist-*
23 *ance a notice describing the statement made in subsection*
24 *(a) by the Congress.*