## 110TH CONGRESS 2D SESSION

# H. R. 5686

To direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

### IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2008

Mr. Perlmutter (for himself, Mr. Andrews, Mr. Braley of Iowa, Ms. Clarke, Mr. Ellison, Mr. Etheridge, Mr. Fossella, Mr. Gene Green of Texas, Mr. Grijalva, Mrs. Lowey, Mrs. Maloney of New York, Mr. McCaul of Texas, Mr. McGovern, Mr. Nadler, Mr. Ross, Mr. Scott of Georgia, Mr. Sires, and Mr. Terry) introduced the following bill; which was referred to the Committee on Science and Technology

# A BILL

To direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national consensus standards and any barriers to achieving compliance with such standards, 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 "Firefighter Fatality
- 5 Reduction Act of 2008".

#### SEC. 2. FINDINGS.

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2	Congress	makes	tne	TOIL	owing	findi	ngs:
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- (1) Each year in the United States, over 100 firefighters die in the line of duty, while an additional tens of thousands of firefighters are injured.
- (2) The Federal Government has a vested interest in protecting firefighter health and safety, as it relies on local fire departments to efficiently and effectively implement the National Response Framework in the response to major disasters.
- (3) Adequate training, proper personal protective equipment, safe staffing levels, safe operating procedures, and physical and mental fitness of firefighters can reduce avoidable firefighter fatalities.
- (4) The fire services, in conjunction with Government agencies and interested private-sector parties, has partnered with standards-making bodies to develop national consensus standards for safe fire department operations and fire fighting capabilities.
- (5) Such standards are widely respected and promoted by all facets of the fire service to better ensure firefighter health and safety.
- (6) Through its Firefighter Fatality Investigation and Prevention Program, the National Institute for Occupational Safety and Health has identified the failure to follow specific national consensus

- standards as a contributing factor in many firefighter deaths.
- 3 (7) A comprehensive accounting of fire depart-
- 4 ment compliance with national consensus standards
- 5 would help policy makers seeking to enhance public
- 6 safety and reduce avoidable firefighter fatalities.

### 7 SEC. 3. SURVEY BY THE DEPARTMENT OF HOMELAND SE-

- 8 CURITY.
- 9 (a) Survey Required.—Not later than 120 days
- 10 after enactment of this bill, the Secretary of Homeland
- 11 Security shall begin to conduct a survey of each career,
- 12 volunteer, or combination fire department located in the
- 13 United States in order to ascertain whether each such fire
- 14 department is in compliance with national consensus
- 15 standards.
- 16 (b) Contents of Survey.—The survey required
- 17 under subsection (a) shall ascertain, for each fire depart-
- 18 ment in the United States, compliance with national con-
- 19 sensus standards for staffing, training, safe operations,
- 20 personal protective equipment, and fitness.
- 21 (c) Report.—Not later than two years after the date
- 22 of enactment of this Act, the Secretary shall submit to
- 23 Congress a report on the findings of the survey required
- 24 under subsection (a). Such report shall include an ac-

1	counting of fire department compliance with national con-
2	sensus standards as described under subsection (b).
3	SEC. 4. ESTABLISHMENT OF TASK FORCE TO ENHANCE
4	FIREFIGHTER SAFETY.
5	(a) Establishment.—Not later than 120 days after
6	the date on which the Secretary of Homeland Security
7	submits the report to Congress required under section
8	3(c), the Secretary shall establish a task force to be known
9	as the "Task Force to Enhance Firefighter Safety" (here-
10	inafter in this section referred to as the "Task Force").
11	(b) Membership.—
12	(1) In general.—Members of the Task Force
13	shall be appointed by the Secretary from among the
14	general public and shall include—
15	(A) representatives of national organiza-
16	tions representing firefighters and fire chiefs;
17	(B) individuals representing standards-set-
18	ting and accrediting organizations, including
19	representatives from the voluntary consensus
20	codes and standards development community;
21	and
22	(C) other individuals as the Secretary de-
23	termines to be appropriate.
24	(2) Representatives of other depart-
25	MENTS AND AGENCIES.—The Secretary may invite

- 1 representatives of other departments and agencies of
- 2 the United States that have an interest in the fire
- 3 service to participate in the meetings and other ac-
- 4 tivities of the Task Force.
- 5 (3) Number; terms of service; pay and al-
- 6 LOWANCES.—The Secretary shall determine the
- 7 number, terms of service, and pay and allowances of
- 8 members of the Task Force appointed by the Sec-
- 9 retary, except that a term of service of any such
- member may not exceed two years.
- 11 (c) Responsibilities.—The Task Force shall de-
- 12 velop a plan to enhance firefighter safety by increasing
- 13 fire department compliance with national consensus stand-
- 14 ards for staffing, training, safe operations, personal pro-
- 15 tective equipment, and fitness. In developing such plan,
- 16 the Task Force shall consider ways in which the Federal
- 17 Government, States, and localities can promote, encour-
- 18 age, or require fire departments to comply with national
- 19 consensus standards.
- 20 (d) Report to Congress.—Not later than one year
- 21 after the date on which the Secretary establishes the Task
- 22 Force, the Task Force shall submit to Congress and the
- 23 Secretary a report containing the findings and rec-
- 24 ommendations of the Task Force together with the plan
- 25 described in subsection (c).

# 1 SEC. 5. NATIONAL CONSENSUS STANDARDS DEFINED.

- 2 For the purposes of this Act, the term "national con-
- 3 sensus standards" means the latest edition of the national
- 4 consensus standards for staffing, training, safe operations,
- 5 personal protective equipment, and fitness available on the
- 6 date of the enactment of this Act.

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