

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”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Each year in the United States, over 100
4 firefighters die in the line of duty, while an addi-
5 tional tens of thousands of firefighters are injured.

6 (2) The Federal Government has a vested inter-
7 est in protecting firefighter health and safety, as it
8 relies on local fire departments to efficiently and ef-
9 fectively implement the National Response Frame-
10 work in the response to major disasters.

11 (3) Adequate training, proper personal protec-
12 tive equipment, safe staffing levels, safe operating
13 procedures, and physical and mental fitness of fire-
14 fighters can reduce avoidable firefighter fatalities.

15 (4) The fire services, in conjunction with Gov-
16 ernment agencies and interested private-sector par-
17 ties, has partnered with standards-making bodies to
18 develop national consensus standards for safe fire
19 department operations and fire fighting capabilities.

20 (5) Such standards are widely respected and
21 promoted by all facets of the fire service to better
22 ensure firefighter health and safety.

23 (6) Through its Firefighter Fatality Investiga-
24 tion and Prevention Program, the National Institute
25 for Occupational Safety and Health has identified
26 the failure to follow specific national consensus

1 standards as a contributing factor in many fire-
2 fighter 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
10 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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