



Director of Administration and Management

# ADMINISTRATIVE INSTRUCTION

**NUMBER 112**

May 18, 2011

Incorporating Change 2, February 24, 2022

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FSD, WHS

SUBJECT: Washington Headquarters Services Fire Regulations (WHSFR)

References: See Enclosure 1.

1. PURPOSE. In accordance with the authority in DoD Directive 5110.04 and DoD Instruction 5025.01 (References (a) and (b)) and the guidance in section 2674 of title 10, United States Code; the October 16, 2003 Washington Headquarters Services (WHS) memorandum; DoD Directive 4715.01E; DoD Instruction 6055.06; and the December 31, 2009 Defense Facilities Directorate memorandum (References (c) through (g)), this Administrative Instruction (AI):

a. Implements policy, establishes responsibilities, and provides procedures to prescribe the minimum requirements necessary to establish a reasonable level of fire and life safety and property protection from the hazards created by fire, explosion, and dangerous conditions within Washington Headquarters Services (WHS) facilities.

b. Adopts by reference the latest edition of the WHSFR, as published by the Office of the Pentagon Fire Marshal (OPFM) on its website at <https://fire.whs.mil>, under the delegated authority of the Director, Facilities Services Directorate (FSD).

2. APPLICABILITY. This AI:

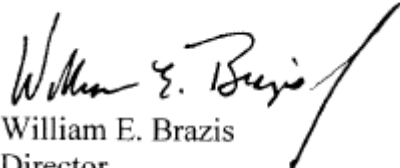
a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

b. Applies to all WHS facilities.

c. Does not apply to the Raven Rock Mountain Complex (RRMC), which falls under the purview of the RRMC Fire Chief.

3. DEFINITIONS. See Glossary.
  
4. POLICY. It is OSD policy, pursuant to References (c) through (g), that:
  - a. A fire prevention program shall be established and maintained for WHS facilities.
  
  - b. Hazardous conditions be promptly corrected or incorporated into the appropriate WHS facilities hazard abatement plan.
  
5. RESPONSIBILITIES. See Enclosure 2.
  
6. PROCEDURES. See Enclosure 3 for procedures regarding the authority, use, revision, and appeals of the WHSFRs. See Enclosure 4 for procedures for changing the WHSFRs.
  
7. RELEASABILITY. **Cleared for public release.** This AI is available on the DoD Issuances Website at <https://www.esd.whs.mil/DD/>.
  
8. SUMMARY OF CHANGE 2. The changes to this issuance are administrative and, in accordance with the January 19, 2022 WHS memorandum (Reference (h)):
  - a. Correct WHS approval authorities in the issuance purpose statement.
  
  - b. Update authorities from the Chief Management Officer of the Department of Defense to the Director of Administration and Management (DA&M) in accordance with:
    - (1) Section 901 of Public Law 116-283 (Reference (i)), which eliminated the position of the Deputy Chief Management Officer of the Department of Defense effective January 1, 2021.
  
    - (2) The January 11, 2021 Deputy Secretary of Defense Memorandums (References (j) and (k)), which implemented Reference (i) and reestablished the DA&M.
  
  - c. Update organizational titles and references and correct minor errors.

9. EFFECTIVE DATE. This AI is effective May 18, 2011.



William E. Brazis  
Director  
Washington Headquarters Services

Enclosures

1. References
2. Responsibilities
3. Procedures and Authorities for Enforcement
4. Procedures for Changing the WHSFRs

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5110.04, "Washington Headquarters Services (WHS)," March 27, 2013
- (b) DoD Instruction 5025.01, "DoD Issuances Program," August 1, 2016, as amended
- (c) Section 2674 of title 10, United States Code
- (d) Director, Washington Headquarters Services Memorandum, "Oversight of Safety, Occupational Health, Fire Safety, Energy Management, and Environmental Compliance for the Pentagon Reservation and WHS-Managed Facilities," October 16, 2003<sup>1</sup>
- (e) DoD Directive 4715.01E, "Environment, Safety, and Occupational Health (ESOH)," March 19, 2005, as amended
- (f) DoD Instruction 6055.06, "DoD Fire and Emergency Services (F&ES) Program," October 3, 2019
- (g) Director, Defense Facilities Directorate Memorandum, "Delegation of Authority for Pentagon Reservation Fire Regulations (PRFRs)," December 31, 2009<sup>1</sup>
- (h) Washington Headquarters Services Memorandum, "Administrative Changes to Administrative Instructions," January 19, 2022
- (i) Public Law 116-283, "William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021," January 1, 2021
- (j) Deputy Secretary of Defense Memorandum, "Disestablishment of the Chief Management Officer of the DoD and Realignment of Functions and Responsibilities," January 11, 2021
- (k) Deputy Secretary of Defense Memorandum, "Re-establishment of the Assistant to the Secretary of Defense for Intelligence Oversight and the Director of Administration and Management," January 11, 2021

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<sup>1</sup> Available from the Office of the Director, WHS Facilities Services Directorate.

ENCLOSURE 2

RESPONSIBILITIES

1. DIRECTOR, WHS. The Director, WHS, under the authority, direction, and control of the DA&M, shall:

- a. Oversee the WHS facilities fire prevention program and related fire regulations.
- b. Monitor implementation of this AI, continually evaluate the effectiveness of the WHSFRs, and advise the DA&M accordingly.
- c. Authorize entry into any WHS facility space for the purpose of fire and life safety inspection.

2. DIRECTOR, FSD. The Director, FSD, under the authority, direction, and control of the Director, WHS, shall:

- a. Serve as the primary authority for fire safety for WHS facilities as delegated by Reference (d).
- b. Implement this AI.
- c. Approve, adopt, and continually evaluate the effectiveness of the WHSFR and advise the Director, WHS, accordingly.
- d. Appoint a Pentagon Fire Marshal.
- e. Oversee the establishment of the WHSFR and provide for their administration.
- f. Provide for reasonable interpretation of the provisions of the WHSFR and rule on appeals from decisions of the Pentagon Fire Marshal. This includes, but is not limited to, ensuring that the intent of the WHSFR is complied with and that public safety is secured; being permitted to grant alternatives or modifications of the WHSFR as deemed appropriate; and having the authority to waive the requirements of the WHSFR.

3. PENTAGON FIRE MARSHAL. The Pentagon Fire Marshal, under the authority, direction, and control of the Director, FSD, shall:

- a. Implement, publish, and evaluate the WHSFR and advise the Director, FSD, concerning their effectiveness.

b. Serve as the authority having jurisdiction (AHJ) for the WHSFR. The AHJ shall be permitted to delegate to other qualified individuals powers necessary for the administration and enforcement of the WHSFR.

c. Interpret the provisions of the WHSFR and make and enforce rules and supplemental regulations in order to carry out the application and intent of its provisions.

d. Rule on appeals from decisions of the assistant fire marshals, fire inspectors, fire protection engineers, or safety inspectors. This includes ensuring the intent of the WHSFR is complied with, public safety is secured, and alternatives or modifications of the WHSFR are granted as appropriate. However, the Pentagon Fire Marshal shall not have the authority to waive the requirements of the WHSFR.

e. Have technical and administrative oversight of fire and life safety inspections, surveys, investigations, and training conducted by WHS, FSD assistant fire marshals, fire inspectors, fire protection engineers, and safety inspectors, working for or with the OPFM.

f. Manage and provide oversight of the training programs required by the WHSFR.

4. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:

a. Authorize the entry of authorized fire inspectors into DoD Component-controlled or occupied space at reasonable times to examine any building, structure, vehicle, or premises to conduct fire safety inspections.

b. Ensure hazardous conditions are promptly corrected or incorporated into the appropriate WHS facility hazard abatement plan.

c. Ensure that DoD Component fire safety representatives are assigned and trained to conduct annual fire and life safety inspections of WHS facility space controlled or occupied by their own Component as required by the WHSFR.

d. Ensure that every entity or person, whether DoD or non-DoD, authorized to use WHS facility space controlled or occupied by the DoD Component follows the WHSFR.

ENCLOSURE 3

PROCEDURES AND AUTHORITIES FOR ENFORCEMENT

1. WHSFRs. The applicable set of WHSFR shall be the latest edition available on the OPFM Website at <https://fire.whs.mil>. Procedures for changing the WHSFR are found in Enclosure 4.

2. APPEALS. Any person shall be permitted to appeal a decision of the AHJ to the Director, FSD, when one or more of the following conditions exist:

- a. The codes or ordinances described in the WHSFR have been incorrectly interpreted.
- b. The codes or ordinances described in the WHSFR do not fully apply.
- c. A decision is unreasonable or arbitrary as it applies to alternatives or new materials.

3. AUTHORITIES

a. Director, FSD. The Director, FSD, shall issue credentials to persons authorized to inspect WHS facilities and vehicles according to this AI.

b. AHJ. The AHJ is authorized to:

(1) Inspect, at all reasonable times, any WHS facility for dangerous or hazardous conditions or materials as set forth in the WHSFR.

(2) Order any DoD personnel to remove or remedy such dangerous or hazardous condition or material. Any DoD personnel failing to comply with such order shall be in violation of the WHSFR.

(3) Enter and examine WHS facilities or vehicles to conduct fire and life safety inspections. Before entering, the AHJ shall obtain the consent of the DoD Component controlling or occupying the space or obtain authorization from the Director, WHS, except in those instances where an imminent danger to life or property exists.

(4) Immediately abate conditions determined to be hazardous to life and property.

(5) Investigate the cause, origin, and circumstances of any fire, explosion, release of hazardous materials, or other hazardous condition. Should the incident be determined to be suspicious or criminal in nature, the AHJ will cooperate with and support other duly sworn investigators and investigative agencies charged with investigative duties in such matters.

(6) Take custody of all physical evidence relating to the cause of any fire, explosion, release of hazardous materials, or other hazardous condition. Preserve or protect such evidence until custody can be transferred to other duly sworn investigators or investigative agencies in suspicious or criminal incidents.

(7) Limit access to the area around the sites of emergencies or other similar situations.

(8) Order an operation, use, or work stopped and the immediate evacuation of any occupied building or area when such building or area has hazardous conditions that present an imminent danger to life or property.

(9) Order work being done by contractor personnel stopped when the AHJ determines that such work is:

(a) Creating an imminent danger to life or property. Such work shall immediately stop until the AHJ authorizes it to proceed.

(b) Contrary to the WHSFR and after consultation with the appropriate contracting officer or contracting officer representative.

(10) Require that safety plans (such as emergency response, evacuation, accident prevention, or any other type of fire or life safety plans) and specifications be submitted to OPFM to ensure compliance with the WHSFR and other applicable codes and standards.

(11) Require standby fire department personnel or an approved fire watch when potentially hazardous conditions or a reduction in a life safety feature exists. This may be due to the type of performance, display, exhibit, occupancy, contest, or activity being conducted; an impairment to a fire protection feature; or the number of persons present at an event. Such standby fire department personnel or fire watch personnel shall be subject to the AHJ's orders at all times and shall be identifiable and remain on duty during the times when such activities are being conducted, when the places where the activities are being held are open to the public, or as required by the AHJ.

(12) Approve permits, certificates, and approvals pertaining to conditions, operations, or materials hazardous to life or property.



ENCLOSURE 4

PROCEDURES FOR CHANGING THE WHSFR

1. Any individual or DoD Component subject to the regulations wishing to propose a change to the current edition of WHSFR shall submit a WHS Form 12, "WHS Fire Regulations and Building Code Proposal" to the OPFM between January 2 and the close of business on June 30. The form can be found in the WHS Forms inventory at <https://www.esd.whs.mil/Directives/forms/> or on the OPFM website at <https://fire.whs.mil>.
2. Between July 1 and August 15 of each year, the OPFM will review all proposals submitted during the proposal period and vote to accept, accept in part, accept in concept, or reject any proposal.
3. Proposed changes to the WHSFR and OPFM recommended actions will be posted as a Report on Proposals to the OPFM website at <https://fire.whs.mil> for public comment between August 15 and September 30. Comments on proposals are to be made using WHS Form 13, "WHS Fire Regulations and Building Code Comment on Proposals." The form can be found in the WHS Forms inventory at <https://www.esd.whs.mil/Directives/forms/> or on the OPFM website.
4. Between October 1 and October 31 of each year, the OPFM will review all comments on proposals. Upon review, the OPFM will make final recommendations for proposed changes to the Director, FSD, and post a Report on Comments on the OPFM website on November 1.
5. The Director, FSD, will approve any changes and updates to the WHSFR in December of each year to enact the latest edition to become effective on January 1 of the new year.
6. The Director, FSD, at their discretion, may institute a tentative interim amendment (TIA) to the WHSFR if an imminent danger to life or property exists. Determination of an imminent danger to life or property shall include, but not be limited to, one or more of the following:
  - a. The WHSFR document contains an error or an omission.
  - b. The WHSFR document contains a conflict within the document.
  - c. The proposed TIA intends to correct a previously unknown existing hazard.
  - d. The proposed TIA intends to offer individuals or DoD Components subject to the regulations a benefit that would lessen a recognized (known) hazard or ameliorate a continuing dangerous condition or situation.

GLOSSARY

PART I. ACRONYMS AND ABBREVIATIONS

AHJ	authority having jurisdiction
AI	Administrative Instruction
DA&M	Director of Administration and Menegement
FSD	Facilities Services Directorate
OPFM	Office of the Pentagon Fire Marshal
RRMC	Raven Rock Mountain Complex
TIA	tentative interim amendment
WHS	Washington Headquarters Services
WHSFR	Washington Headquarters Services Fire Regulations

PART II. DEFINITIONS

These terms and their definitions are for the purpose of this AI:

AHJ. An organization, office, or individual responsible for enforcing the requirements of a code or standard or for approving equipment, materials, an installation, or a procedure.

DoD Component fire safety representatives. DoD Component staff assigned and trained to conduct fire and life safety self-inspections of Component controlled and occupied spaces.

National Capital Region. The geographical area identified in section 2674(f)(2) of Reference (c).

WHS facilities. Facilities that are controlled, owned, or leased by WHS in the National Capital Region.

WHSFR. An extensive compilation of provisions that prescribes minimum requirements necessary to establish a reasonable level of fire and life safety and property protection from the hazards created by fire, explosion, and dangerous conditions that is suitable for adoption as a fire prevention code.