

(Pub. L. 93-498, §24, as added Pub. L. 95-422, §3(a), Oct. 5, 1978, 92 Stat. 932; amended Pub. L. 103-254, §4, May 19, 1994, 108 Stat. 682; Pub. L. 106-503, title I, §110(a)(1)(C), (D), Nov. 13, 2000, 114 Stat. 2302.)

AMENDMENTS

2000—Pub. L. 106-503 struck out subsec. (a) designation and struck out subsec. (b) which required the Administrator to submit a report to Congress by Mar. 15, 1979, on ways to assist the States and local jurisdictions with arson control.

1994—Subsec. (a)(2). Pub. L. 103-254 inserted before semicolon at end “, with particular emphasis on the needs of volunteer firefighters for improved and more widely available arson training courses”.

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Functions of Administrator of United States Fire Administration under this section and section 2221 of this title to remain vested in Administrator and not to be transferred to Director of Federal Emergency Management Agency, pursuant to Reorg. Plan No. 3 of 1978, §§201, 301, June 19, 1978, 43 F.R. 41944, 92 Stat. 3788, set out as a note under section 2201 of this title, effective Apr. 1, 1979, pursuant to Ex. Ord. No. 12127, §1-103(a), Mar. 31, 1979, 44 F.R. 19367.

§ 2221. Arson prevention grants

(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) of this section.

(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 May 19, 1994, the Administrator shall submit a report to Congress that—

- (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 May 19, 1994, 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.

(Pub. L. 93-498, §25, as added Pub. L. 103-254, §3, May 19, 1994, 108 Stat. 679.)

PRIOR PROVISIONS

A prior section 2221, Pub. L. 93-498, §25, as added Pub. L. 95-422, §4, Oct. 5, 1978, 92 Stat. 933, authorized sale by United States Fire Administrator of former Marjorie Webster Junior College facility, located in Washington, D.C., which had previously been purchased as site for National Academy for Fire Prevention and Control, prior to repeal by Pub. L. 97-80, title II, §202(b), Nov. 20, 1981, 95 Stat. 1083.

§§ 2222, 2223. Repealed. Pub. L. 106-503, title I, § 110(a)(1)(B), Nov. 13, 2000, 114 Stat. 2302

Section 2222, Pub. L. 93-498, §26, as added Pub. L. 96-121, §4, Nov. 16, 1979, 93 Stat. 864, related to an effectiveness study concerning smoke detectors, heat detectors, and sprinkler suppression systems.

Section 2223, Pub. L. 93-498, §27, as added Pub. L. 96-121, §5, Nov. 16, 1979, 93 Stat. 865, related to a firefighter safety study.

§ 2223a. Review

The Administrator of the United States Fire Administration (hereafter in sections 2223a to 2223e of this title referred to as the “Administrator”) shall conduct a review of existing response information used by emergency response personnel at the State and local levels to evaluate its accuracy and consistency, and to determine whether it is properly expressed. Such information should clearly communicate to emergency response personnel the probable hazards which they must contend with in an emergency situation involving hazardous materials, and the appropriate response to those hazards.

(Pub. L. 101-446, §2, Oct. 22, 1990, 104 Stat. 1045.)

CODIFICATION

Section was enacted as part of the Firefighters’ Safety Study Act, and not as part of the Federal Fire Prevention and Control Act of 1974 which comprises this chapter.

SHORT TITLE

Section 1 of Pub. L. 101-446 provided that: “This Act [enacting this section and sections 2223b to 2223e of this title] may be cited as the ‘Firefighters’ Safety Study Act.’”

§ 2223b. Working group

For the purpose of carrying out section 2223a of this title, the Administrator shall establish a working group which shall, at a minimum, consist of—

- (1) program officials from each of—
 - (A) the Environmental Protection Agency;
 - (B) the National Oceanic and Atmospheric Administration;
 - (C) the Department of Transportation;
 - (D) the Occupational Safety and Health Administration; and
 - (E) the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice,

who develop and disseminate hazardous materials identification and response data, and who collect, collate, analyze, and disseminate hazardous materials incident data;

(2) State and local operational officials with emergency response or relevant regulatory responsibilities; and

(3) representatives of companies engaged in the manufacture and processing of chemicals.