

“(a) MAJOR REORGANIZATION DEFINED.—With respect to the United States Fire Administration, the term ‘major reorganization’ means any reorganization of the Administration that involves the reassignment of more than 25 percent of the employees of the Administration.

“(b) NOTICE OF REPROGRAMMING.—If any funds appropriated pursuant to the amendments made by this Act [see Short Title of 1997 Amendment note set out under section 2201 of this title] are subject to a reprogramming action that requires notice to be provided to the Committees on Appropriations of the Senate and the House of Representatives, notice of that action shall concurrently be provided to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives.

“(c) NOTICE OF REORGANIZATION.—Not later than 15 days before any major reorganization of any program, project, or activity of the United States Fire Administration, the Administrator of the United States Fire Administration shall provide notice to the Committees on Science [now Science, Space, and Technology] and Appropriations of the House of Representatives and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate.”

### § 2205. Public education

The Administrator is authorized to take such steps as the Administrator considers appropriate to educate the public and overcome public indifference as to fire, fire prevention, and individual preparedness. Such steps may include, but are not limited to, publications, audiovisual presentations, and demonstrations. Such public education efforts shall include programs to provide specialized information for those groups of individuals who are particularly vulnerable to fire hazards, such as the young and the elderly. The Administrator shall sponsor and encourage research, testing, and experimentation to determine the most effective means of such public education.

(Pub. L. 93-498, §6, Oct. 29, 1974, 88 Stat. 1537; Pub. L. 112-239, div. A, title XVIII, §1813, Jan. 2, 2013, 126 Stat. 2117.)

#### AMENDMENTS

2013—Pub. L. 112-239 substituted “to take such steps as the Administrator considers appropriate to educate the public and overcome public indifference as to fire, fire prevention, and individual preparedness.” for “to take all steps necessary to educate the public and to overcome public indifference as to fire and fire prevention.”

#### 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 National Fire Prevention and Control Administration [now United States Fire Administra-

tion] and National Academy for Fire Prevention and Control generally transferred to Federal Emergency Management Agency. For further details see Transfer of Functions note set out under section 2202 of this title.

### § 2206. National Academy for Fire Prevention and Control

#### (a) Establishment

The Administrator of FEMA shall establish, at the earliest practicable date, a National Academy for Fire Prevention and Control. The purpose of the Academy shall be to advance the professional development of fire service personnel and of other persons engaged in fire prevention and control activities.

#### (b) Superintendent

The Academy shall be headed by a Superintendent, who shall be appointed by the Administrator of FEMA. In exercising the powers and authority contained in this section the Superintendent shall be subject to the direction of the Administrator.

#### (c) Powers of Superintendent

The Superintendent is authorized to—

(1) develop and revise curricula, standards for admission and performance, and criteria for the awarding of degrees and certifications;

(2) appoint such teaching staff and other personnel as he determines to be necessary or appropriate;

(3) conduct courses and programs of training and education, as defined in subsection (d) of this section;

(4) appoint faculty members and consultants without regard to the provisions of title 5, governing appointments in the competitive service, and, with respect to temporary and intermittent services, to make appointments to the same extent as is authorized by section 3109 of title 5;

(5) establish fees and other charges for attendance at, and subscription to, courses and programs offered by the Academy. Such fees may be modified or waived as determined by the Superintendent;

(6) conduct short courses, seminars, workshops, conferences, and similar education and training activities in all parts and localities of the United States, including on-site training;

(7) enter into such contracts and take such other actions as may be necessary in carrying out the purposes of the Academy; and

(8) consult with officials of the fire services and other interested persons in the exercise of the foregoing powers.

#### (d) Program of the Academy

The Superintendent is authorized to—

(1) train fire service personnel in such skills and knowledge as may be useful to advance their ability to prevent and control fires, including, but not limited to—

(A) techniques of fire prevention, fire inspection, firefighting, and fire and arson investigation;

(B) tactics and command of firefighting for present and future fire chiefs and commanders;

(C) administration and management of fire services;

(D) tactical training in the specialized field of aircraft fire control and crash rescue;

(E) tactical training in the specialized field of fire control and rescue aboard waterborne vessels;

(F) strategies for building collapse rescue;

(G) the use of technology in response to fires, including terrorist incidents and other national emergencies;

(H) tactics and strategies for dealing with natural disasters, acts of terrorism, and other man-made disasters;

(I) tactics and strategies for fighting large-scale fires or multiple fires in a general area that cross jurisdictional boundaries;

(J) tactics and strategies for fighting fires occurring at the wildland-urban interface;

(K) tactics and strategies for fighting fires involving hazardous materials;

(L) advanced emergency medical services training;

(M) use of and familiarity with the Federal Response Plan;

(N) leadership and strategic skills, including integrated management systems operations and integrated response;

(O) applying new technology and developing strategies and tactics for fighting wildland fires;

(P) integrating the activities of terrorism response agencies into national terrorism incident response systems;

(Q) tactics and strategies for fighting fires at United States ports, including fires on the water and aboard vessels; and

(R) the training of present and future instructors in the aforementioned subjects;

(2) develop model curricula, training programs and other educational materials suitable for use at other educational institutions, and to make such materials available without charge;

(3) develop and administer a program of correspondence courses to advance the knowledge and skills of fire service personnel;

(4) develop and distribute to appropriate officials model questions suitable for use in conducting entrance and promotional examinations for fire service personnel; and

(5) encourage the inclusion of fire prevention and detection technology and practices in the education and professional practice of architects, builders, city planners, and others engaged in design and planning affected by fire safety problems.

**(e) Technical assistance**

The Administrator is authorized, to the extent that he determines it necessary to meet the needs of the Nation, to encourage new programs and to strengthen existing programs of education and training by local fire services, units, and departments, State and local governments, and private institutions, by providing technical assistance and advice to—

(1) vocational training programs in techniques of fire prevention, fire inspection, fire-fighting, and fire and arson investigation;

(2) fire training courses and programs at junior colleges; and

(3) four-year degree programs in fire engineering at colleges and universities.

**(f) Assistance to State and local fire service training programs**

The Administrator is authorized to provide assistance to State and local fire service training programs through grants, contracts, or otherwise. Such assistance shall not exceed 7.5 percent of the amount authorized to be appropriated in each fiscal year pursuant to section 2216 of this title.

**(g) Site selection**

The Academy shall be located on such site as the Administrator of FEMA selects, subject to the following provisions:

(1) The Administrator of FEMA is authorized to appoint a Site Selection Board consisting of the Academy Superintendent and two other members to survey the most suitable sites for the location of the Academy and to make recommendations to the Administrator of FEMA.

(2) The Site Selection Board in making its recommendations and the Administrator of FEMA in making his final selection, shall give consideration to the training and facility needs of the Academy, environmental effects, the possibility of using a surplus Government facility, and such other factors as are deemed important and relevant. The Administrator of FEMA shall make a final site selection not later than 2 years after October 29, 1974.

**(h) Construction costs**

Of the sums authorized to be appropriated for the purpose of implementing the programs of the Administration, not more than \$9,000,000 shall be available for the construction of facilities of the Academy on the site selected under subsection (g) of this section. Such sums for such construction shall remain available until expended.

**(i) Educational and professional assistance**

The Administrator is authorized to—

(1) provide stipends to students attending Academy courses and programs, in amounts up to 75 per centum of the expense of attendance, as established by the Superintendent;

(2) provide stipends to students attending courses and nondegree training programs approved by the Superintendent at universities, colleges, and junior colleges, in amounts up to 50 per centum of the cost of tuition;

(3) make or enter into contracts to make payments to institutions of higher education for loans, not to exceed \$2,500 per academic year for any individual who is enrolled on a full-time basis in an undergraduate or graduate program of fire research or engineering which is certified by the Superintendent. Loans under this paragraph shall be made on such terms and subject to such conditions as the Superintendent and each institution involved may jointly determine; and

(4) establish and maintain a placement and promotion opportunities center in cooperation with the fire services, for firefighters who wish to learn and take advantage of different or better career opportunities. Such center shall not limit such assistance to students and grad-

uates of the Academy, but shall undertake to assist all fire service personnel.

**(j) Board of Visitors**

Upon establishment of the Academy, the Administrator of FEMA shall establish a procedure for the selection of professionals in the field of fire safety, fire prevention, fire control, research and development in fire protection, treatment and rehabilitation of fire victims, or local government services management to serve as members of a Board of Visitors for the Academy. Pursuant to such procedure, the Administrator of FEMA shall select eight such persons to serve as members of such Board of Visitors to serve such terms as the Administrator of FEMA may prescribe. The function of such Board shall be to review annually the program of the Academy and to make comments and recommendations to the Administrator of FEMA regarding the operation of the Academy and any improvements therein which such Board deems appropriate. Each member of such Board shall be reimbursed for any expenses actually incurred by him in the performance of his duties as a member of such Board.

**(k) Accreditation**

The Superintendent is authorized to establish a Committee on Fire Training and Education which shall inquire into and make recommendations regarding the desirability of establishing a mechanism for accreditation of fire training and education programs and courses, and the role which the Academy should play if such a mechanism is recommended. The Committee shall consist of the Superintendent as Chairman and eighteen other members appointed by the Administrator from among individuals and organizations possessing special knowledge and experience in the field of fire training and education or related fields. The Committee shall submit to the Administrator within two years after its appointment, a full and complete report of its findings and recommendations. Upon the submission of such report, the Committee shall cease to exist. Each appointed member of the Committee shall be reimbursed for expenses actually incurred in the performance of his duties as a member.

**(l) Admission**

The Superintendent is authorized to admit to the courses and programs of the Academy individuals who are members of the firefighting, rescue, and civil defense forces of the Nation and such other individuals, including candidates for membership in these forces, as he determines can benefit from attendance. Students shall be admitted from any State, with due regard to adequate representation in the student body of all geographic regions of the Nation. In selecting students, the Superintendent may seek nominations and advice from the fire services and other organizations which wish to send students to the Academy. The Superintendent shall offer, at the Academy and at other sites, courses and training assistance as necessary to accommodate all geographic regions and needs of career and volunteer firefighters.

**(m) On-site training**

**(1) In general**

Except as provided in paragraph (2), the Administrator may enter into a contract with nationally recognized organizations that have established on-site training programs that comply with national voluntary consensus standards for fire service personnel to facilitate the delivery of the education and training programs outlined in subsection (d)(1) directly to fire service personnel.

**(2) Limitation**

**(A) In general**

The Administrator may not enter into a contract with an organization described in paragraph (1) unless such organization provides training that—

- (i) leads to certification by a program that is accredited by a nationally recognized accreditation organization; or
- (ii) the Administrator determines is of equivalent quality to a fire service training program described by clause (i).

**(B) Approval of unaccredited fire service training programs**

The Administrator may consider the fact that an organization has provided a satisfactory fire service training program pursuant to a cooperative agreement with a Federal agency as evidence that such program is of equivalent quality to a fire service training program described by subparagraph (A)(i).

**(3) Restriction on use of funds**

The amounts expended by the Administrator to carry out this subsection in any fiscal year shall not exceed 7.5 per centum of the amount authorized to be appropriated in such fiscal year pursuant to section 2216 of this title.

**(n) Triennial report**

In the first annual report filed pursuant to section 2215 of this title for which the deadline for filing is after the expiration of the 18-month period that begins on October 8, 2008, and in every third annual report thereafter, the Administrator shall include information about changes made to the National Fire Academy curriculum, including—

- (1) the basis for such changes, including a review of the incorporation of lessons learned by emergency response personnel after significant emergency events and emergency preparedness exercises performed under the National Exercise Program; and
- (2) the desired training outcome of all such changes.

(Pub. L. 93-498, §7, Oct. 29, 1974, 88 Stat. 1537; Pub. L. 106-503, title I, §110(a)(2)(B)(ii), Nov. 13, 2000, 114 Stat. 2302; Pub. L. 108-169, title II, §204(a), (d), Dec. 6, 2003, 117 Stat. 2039; Pub. L. 110-376, §4(a)-(c), Oct. 8, 2008, 122 Stat. 4057, 4058; Pub. L. 112-239, div. A, title XVIII, §1802(b)(1), Jan. 2, 2013, 126 Stat. 2100.)

AMENDMENTS

2013—Subsecs. (a), (b), (g), (j). Pub. L. 112-239 substituted “Administrator of FEMA” for “Director” wherever appearing.

2008—Subsec. (c)(6). Pub. L. 110-376, §4(b)(1), inserted “, including on-site training” after “United States”.

Subsec. (d)(1)(H). Pub. L. 110-376, §4(a)(1), amended subpar. (H) generally. Prior to amendment, subpar. (H) read as follows: “response, tactics, and strategies for dealing with terrorist-caused national catastrophes;”.

Subsec. (d)(1)(I), (J). Pub. L. 110-376, §4(a)(5), added subpars. (I) and (J). Former subpars. (I) and (J) redesignated (M) and (N), respectively.

Subsec. (d)(1)(K). Pub. L. 110-376, §4(a)(5), added subpar. (K). Former subpar. (K) redesignated (O).

Pub. L. 110-376, §4(a)(2), substituted “wildland” for “forest”.

Subsec. (d)(1)(L). Pub. L. 110-376, §4(a)(5), added subpar. (L). Former subpar. (L) redesignated (P).

Subsec. (d)(1)(M). Pub. L. 110-376, §4(a)(4), redesignated subpar. (I) as (M). Former subpar. (M) redesignated (Q).

Pub. L. 110-376, §4(a)(3), struck out “response” before “tactics”.

Subsec. (d)(1)(N) to (R). Pub. L. 110-376, §4(a)(4), redesignated subpars. (J) to (N) as (N) to (R), respectively.

Subsec. (f). Pub. L. 110-376, §4(b)(2), which directed substitution of “7.5 percent” for “4 percent”, was executed by making the substitution for “4 per centum” to reflect the probable intent of Congress.

Subsecs. (m), (n). Pub. L. 110-376, §4(b)(3), (c), added subsecs. (m) and (n).

2003—Subsec. (d)(1)(F) to (N). Pub. L. 108-169, §204(a), added subpars. (F) to (M) and redesignated former subpar. (F) as (N).

Subsec. (I). Pub. L. 108-169, §204(d), inserted at end “The Superintendent shall offer, at the Academy and at other sites, courses and training assistance as necessary to accommodate all geographic regions and needs of career and volunteer firefighters.”

2000—Subsecs. (a), (b), (g), (j). Pub. L. 106-503 substituted “Director” for “Secretary” wherever appearing.

#### TRANSFER OF FUNCTIONS

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#### CONSULTATION ON FIRE ACADEMY CLASSES

Pub. L. 108-169, title II, §204(b), Dec. 6, 2003, 117 Stat. 2039, provided that: “The Superintendent of the National Fire Academy may consult with other Federal, State, and local agency officials in developing curricula for classes offered by the Academy.”

#### COORDINATION WITH OTHER PROGRAMS TO AVOID DUPLICATION

Pub. L. 108-169, title II, §204(c), Dec. 6, 2003, 117 Stat. 2039, provided that: “The Administrator of the United States Fire Administration shall coordinate training

provided under section 7(d)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2206(d)(1)) with the Attorney General, the Secretary of Health and Human Services, and the heads of other Federal agencies—

“(1) to ensure that such training does not duplicate existing courses available to fire service personnel; and

“(2) to establish a mechanism for eliminating duplicative training programs.”

#### LIMITATIONS ON AUTHORITY OF SUPERINTENDENT OF FIRE ACADEMY; EXCLUSIVE CONTROL AND DIRECTION OF UNITED STATES FIRE ADMINISTRATOR

Pub. L. 101-507, title III, Nov. 5, 1990, 104 Stat. 1377, provided that: “The Superintendent of the Fire Academy, in exercising the powers and authority provided by section 7 of the Federal Fire Prevention Control Act of 1974 [15 U.S.C. 2206], shall be subject to the exclusive direction of the Administrator, United States Fire Administration: *Provided*, That all funds appropriated by this or any other Act, with respect for any fiscal year, or otherwise made available, for the National Fire Academy in Emmitsburg, Maryland, or any Fire Academy field programs, shall be placed under the exclusive control of the United States Fire Administration.”

### § 2207. Fire technology

#### (a) Development

The Administrator shall conduct a continuing program of development, testing, and evaluation of equipment for use by the Nation’s fire, rescue, and civil defense services, with the aim of making available improved suppression, protective, auxiliary, and warning devices incorporating the latest technology. Attention shall be given to the standardization, compatibility, and interchangeability of such equipment. Such development, testing, and evaluation activities shall include, but need not be limited to—

(1) safer, less cumbersome articles of protective clothing, including helmets, boots, and coats;

(2) breathing apparatus with the necessary duration of service, reliability, low weight, and ease of operation for practical use;

(3) safe and reliable auxiliary equipment for use in fire prevention, detection, and control, such as fire location detectors, visual and audio communications equipment, and mobile equipment;

(4) special clothing and equipment needed for forest fires, brush fires, oil and gasoline fires, aircraft fires and crash rescue, fires occurring aboard waterborne vessels, and in other special firefighting situations;

(5) fire detectors and related equipment for residential use with high sensitivity and reliability, and which are sufficiently inexpensive to purchase, install, and maintain to insure wide acceptance and use;

(6) in-place fire prevention systems of low cost and of increased reliability and effectiveness;

(7) methods of testing fire alarms and fire protection devices and systems on a non-interference basis;

(8) the development of purchase specifications, standards, and acceptance and validation test procedures for all such equipment and devices; and

(9) operation tests, demonstration projects, and fire investigations in support of the activities set forth in this section.