

approval no later than December 1, 2000. The medal and certificate shall be prepared by the Department of Justice.

SEC. 5. The Medal may be given posthumously.

WILLIAM J. CLINTON.

### § 2215. Reports to Congress and President

The Administrator of FEMA shall report to the Congress and the President not later than ninety calendar days following the year ending September 30, 1980 and similarly each year thereafter on all activities relating to fire prevention and control, and all measures taken to implement and carry out this chapter during the preceding calendar year. Such report shall include, but need not be limited to—

(a) a thorough appraisal, including statistical analysis, estimates, and long-term projections of the human and economic losses due to fire;

(b) a survey and summary, in such detail as is deemed advisable, of the research and technology program undertaken or sponsored pursuant to this chapter;

(c) a summary of the activities of the Academy for the preceding 12 months, including, but not limited to—

(1) an explanation of the curriculum of study;

(2) a description of the standards of admission and performance;

(3) the criteria for the awarding of degrees and certificates; and

(4) a statistical compilation of the number of students attending the Academy and receiving degrees or certificates;

(d) a summary of the activities undertaken to assist the Nation's fire services;

(e) a summary of the public education programs undertaken;

(f) an analysis of the extent of participation in preparing and submitting Fire Safety Effectiveness Statements;

(g) a summary of outstanding problems confronting the administration of this chapter, in order of priority;

(h) such recommendations for additional legislation as are deemed necessary or appropriate; and

(i) a summary of reviews, evaluations, and suggested improvements in State and local fire prevention and building codes, fire services, and any relevant Federal or private codes, regulations, and fire services.

(Pub. L. 93-498, §16, Oct. 29, 1974, 88 Stat. 1545; Pub. L. 96-472, title II, §202, Oct. 19, 1980, 94 Stat. 2260; Pub. L. 106-503, title I, §110(a)(2)(B)(vi), Nov. 13, 2000, 114 Stat. 2302; Pub. L. 112-239, div. A, title XVIII, §1802(b)(1), Jan. 2, 2013, 126 Stat. 2100.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 93-498, Oct. 29, 1974, 88 Stat. 1535, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2201 of this title and Tables.

#### AMENDMENTS

2013—Pub. L. 112-239 substituted "Administrator of FEMA" for "Director" in introductory provisions.

2000—Pub. L. 106-503 substituted "Director" for "Secretary" in introductory provisions.

1980—Pub. L. 96-472 substituted "ninety calendar days following the year ending September 30, 1980 and similarly each year thereafter" for "June 30 of the year following October 29, 1974, and each year thereafter".

#### 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 Administration] 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.

### § 2216. Authorization of appropriations

(a) There are authorized to be appropriated to carry out the foregoing provisions of this chapter, except as otherwise specifically provided, with respect to the payment of claims, under section 2210 of this title, an amount not to exceed \$25,210,000 for the fiscal year ending September 30, 1980, which amount includes—

(1) \$4,781,000 for programs which are recommended in the report submitted to the Congress by the Administrator pursuant to section 2220(b)(1)<sup>1</sup> of this title;

(2) \$9,430,000 for the National Academy for Fire Prevention and Control;

(3) \$307,000 for adjustments required by law in salaries, pay, retirement, and employee benefits;

(4) \$500,000 for additional rural firefighting technical assistance and information activities;

(5) \$500,000 for the study required by section 2222<sup>1</sup> of this title; and

(6) \$110,000 for the study required by section 2223<sup>1</sup> of this title.

(b) There are authorized to be appropriated for the additional administrative expenses of the Federal Emergency Management Agency, which are related to this chapter and which result from Reorganization Plan Numbered 3 of 1978 (submitted June 19, 1978) and related Executive orders, an amount not to exceed \$600,000 for the fiscal year ending September 30, 1980.

(c) There are authorized to be appropriated to carry out this chapter, except as otherwise specifically provided with respect to the payment of claims under section 2210 of this title, an amount not to exceed \$23,814,000 for the fiscal year ending September 30, 1981, which amount includes—

<sup>1</sup> See References in Text note below.

(1) not less than \$1,100,000 for the first year of a three-year concentrated demonstration program of fire prevention and control in two States with high fire death rates;

(2) not less than \$2,575,000 for rural fire prevention and control; and

(3) not less than \$4,255,000 for research and development for the activities under section 278f of this title at the Fire Research Center of the National Institute of Standards and Technology, of which not less than \$250,000 shall be available for adjustments required by law in salaries, pay, retirement, and employee benefits.

The funds authorized in paragraph (3) shall be in addition to funds authorized in any other law for research and development at the Fire Research Center.

(d) Except as otherwise specifically provided with respect to the payment of claims under section 2210 of this title, to carry out the purposes of this chapter, there are authorized to be appropriated—

(1) \$20,815,000 for the fiscal year ending September 30, 1982, and \$23,312,800 for the fiscal year ending September 30, 1983, which amount shall include—

(A) such sums as may be necessary for the support of research and development at the Fire Research Center of the National Institute of Standards and Technology under section 278f of this title, which sums shall be in addition to those funds authorized to be appropriated under the National Bureau of Standards Authorization Act for fiscal years 1981 and 1982; and

(B) \$654,000 for the fiscal year ending September 30, 1982, and \$732,480 for the fiscal year ending September 30, 1983, for executive direction by the Federal Emergency Management Agency of program activities for which appropriations are authorized by this subsection; and

(2) such further sums as may be necessary in each of the fiscal years ending September 30, 1982, and September 30, 1983, for adjustments required by law in salaries, pay, retirement, and employee benefits incurred in the conduct of activities for which funds are authorized by paragraph (1) of this subsection.

The funds authorized under section 278f of this title shall be in addition to funds authorized in any other law for research and development at the Fire Research Center of the National Institute of Standards and Technology.

(e) Except as otherwise specifically provided with respect to the payment of claims under section 2210 of this title, to carry out the purposes of this chapter, there are authorized to be appropriated—

(1) \$15,720,000 for the fiscal year ending September 30, 1984, and \$20,983,000 for the fiscal year ending September 30, 1985; and

(2) such further sums as may be necessary in each of the fiscal years ending September 30, 1984, and September 30, 1985, for adjustments required by law in salaries, pay, retirement, and employee benefits incurred in the conduct of activities for which funds are authorized by paragraph (1) of this subsection.

The funds authorized under this subsection shall be in addition to funds authorized in any other law for research and development at the Fire Research Center of the National Institute of Standards and Technology.

(f) Except as otherwise specifically provided with respect to the payment of claims under section 2210 of this title, to carry out the purposes of this chapter, there are authorized to be appropriated \$22,037,000 for the fiscal year ending September 30, 1986 and \$18,300,000 for the fiscal year ending September 30, 1987.

(g)(1) Except as otherwise specifically provided with respect to the payment of claims under section 2210 of this title, there are authorized to be appropriated to carry out the purposes of this chapter—

(A) \$63,000,000 for fiscal year 2005, of which \$2,266,000 shall be used to carry out section 2207(f) of this title;

(B) \$64,850,000 for fiscal year 2006, of which \$2,334,000 shall be used to carry out section 2207(f) of this title;

(C) \$66,796,000 for fiscal year 2007, of which \$2,404,000 shall be used to carry out section 2207(f) of this title;

(D) \$68,800,000 for fiscal year 2008, of which \$2,476,000 shall be used to carry out section 2207(f) of this title;

(E) \$70,000,000 for fiscal year 2009, of which \$2,520,000 shall be used to carry out section 2207(f) of this title;

(F) \$72,100,000 for fiscal year 2010, of which \$2,595,600 shall be used to carry out section 2207(f) of this title;

(G) \$74,263,000 for fiscal year 2011, of which \$2,673,468 shall be used to carry out section 2207(f) of this title;

(H) \$76,490,890 for fiscal year 2012, of which \$2,753,672 shall be used to carry out section 2207(f) of this title;

(I) \$76,490,890 for fiscal year 2013, of which \$2,753,672 shall be used to carry out section 2207(f) of this title;

(J) \$76,490,890 for fiscal year 2014, of which \$2,753,672 shall be used to carry out section 2207(f) of this title;

(K) \$76,490,890 for fiscal year 2015, of which \$2,753,672 shall be used to carry out section 2207(f) of this title;

(L) \$76,490,890 for fiscal year 2016, of which \$2,753,672 shall be used to carry out section 2207(f) of this title; and

(M) \$76,490,890 for fiscal year 2017, of which \$2,753,672 shall be used to carry out section 2207(f) of this title.

(2) Of the amounts referred to in paragraph (1), not more than \$4,150,000 is authorized to be appropriated for each fiscal year for National Emergency Training Center site administration.

(h) In addition to any other amounts that are authorized to be appropriated to carry out this chapter, there are authorized to be appropriated to carry out this chapter—

(1) \$500,000 for fiscal year 1995 for basic research on the development of an advanced course on arson prevention;

(2) \$2,000,000 for fiscal year 1996 for the expansion of arson investigator training programs at the Academy under section 2220 of this title and at the Federal Law Enforcement

Training Center, or through regional delivery sites;

(3) \$4,000,000 for each of fiscal years 1995 and 1996 for carrying out section 2221 of this title, except for salaries and expenses for carrying out section 2221 of this title; and

(4) \$250,000 for each of the fiscal years 1995 and 1996 for salaries and expenses for carrying out section 2221 of this title.

(Pub. L. 93-498, §17, Oct. 29, 1974, 88 Stat. 1545; Pub. L. 94-411, §1(a), Sept. 13, 1976, 90 Stat. 1254; Pub. L. 95-422, §1(a), Oct. 5, 1978, 92 Stat. 932; Pub. L. 96-121, §1, Nov. 16, 1979, 93 Stat. 863; Pub. L. 96-472, title II, §201, Oct. 19, 1980, 94 Stat. 2260; Pub. L. 97-80, title II, §201, Nov. 20, 1981, 95 Stat. 1081; Pub. L. 98-241, title II, §201, Mar. 22, 1984, 98 Stat. 95; Pub. L. 99-97, Sept. 26, 1985, 99 Stat. 465; Pub. L. 99-359, §1, July 8, 1986, 100 Stat. 764; Pub. L. 100-418, title V, §5115(c), Aug. 23, 1988, 102 Stat. 1433; Pub. L. 100-476, §1, Oct. 6, 1988, 102 Stat. 2304; Pub. L. 102-522, title I, §101, Oct. 26, 1992, 106 Stat. 3410; Pub. L. 103-254, §7, May 19, 1994, 108 Stat. 682; Pub. L. 105-108, §2, Nov. 20, 1997, 111 Stat. 2264; Pub. L. 106-503, title I, §102, Nov. 13, 2000, 114 Stat. 2298; Pub. L. 108-169, title I, §103, Dec. 6, 2003, 117 Stat. 2036; Pub. L. 110-376, §3, Oct. 8, 2008, 122 Stat. 4057; Pub. L. 112-239, div. A, title XVIII, §1814, Jan. 2, 2013, 126 Stat. 2118.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93-498, Oct. 29, 1974, 88 Stat. 1535, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2201 of this title and Tables.

Section 2220(b)(1) of this title, referred to in subsec. (a)(1), was repealed by Pub. L. 106-503, title I, §110(a)(1)(D), Nov. 13, 2000, 114 Stat. 2302.

Sections 2222 and 2223 of this title, referred to in subsec. (a)(5), (6), respectively, were repealed by Pub. L. 106-503, title I, §110(a)(1)(B), Nov. 13, 2000, 114 Stat. 2302.

Reorganization Plan Numbered 3 of 1978, referred to in subsec. (b), is set out in the Appendix to Title 5, Government Organization and Employees.

The National Bureau of Standards Authorization Act for fiscal years 1981 and 1982, referred to in subsec. (d)(1)(A), is Pub. L. 96-461, Oct. 15, 1980, 94 Stat. 2049, which enacted section 278g of this title, amended sections 278d and 278h of this title, and enacted provisions set out as notes under section 278g of this title. For complete classification of this Act to the Code, see Tables.

#### AMENDMENTS

2013—Subsec. (g)(1)(E) to (M). Pub. L. 112-239 added subpars. (I) to (M) and realigned margins in subpars. (E) to (H).

2008—Subsec. (g)(1)(E) to (H). Pub. L. 110-376 added subpars. (E) to (H).

2003—Subsec. (g)(1). Pub. L. 108-169 added subpars. (A) to (D) and struck out former subpars. (A) to (K) which authorized appropriations for fiscal years 1989 to 2003.

2000—Subsec. (g)(1)(I) to (K). Pub. L. 106-503 added subpars. (I) to (K).

1997—Subsec. (g)(1)(G), (H). Pub. L. 105-108 added subpars. (G) and (H).

1994—Subsec. (h). Pub. L. 103-254 added subsec. (h).

1992—Subsec. (g)(1)(D) to (F). Pub. L. 102-522 added subpars. (D) to (F).

1988—Subsecs. (c)(3), (d), (e). Pub. L. 100-418 substituted “National Institute of Standards and Technology” for “National Bureau of Standards” wherever appearing.

Subsec. (g). Pub. L. 100-476 added subsec. (g).

1986—Subsec. (f). Pub. L. 99-359 substituted “are” for “is” and inserted “and \$18,300,000 for the fiscal year ending September 30, 1987”.

1985—Subsec. (f). Pub. L. 99-97 added subsec. (f).

1984—Subsec. (e). Pub. L. 98-241 added subsec. (e).

1981—Subsec. (d). Pub. L. 97-80 added subsec. (d).

1980—Subsec. (c). Pub. L. 96-472 added subsec. (c).

1979—Subsec. (a). Pub. L. 96-121 designated existing provisions as subsec. (a), substituted provisions authorizing to be appropriated an amount not to exceed \$25,210,000 for fiscal year ending Sept. 30, 1980, for provisions authorizing appropriations not to exceed \$3,750,000 for the transitional fiscal quarter of July 1, 1976 through Sept. 30, 1976, not to exceed \$15,000,000 for fiscal year ending Sept. 30, 1977, not to exceed \$20,000,000 for fiscal year ending Sept. 30, 1978, and not to exceed \$24,352,000 for fiscal year ending Sept. 30, 1979, and added pars. (1) to (6).

Subsec. (b). Pub. L. 96-121 added subsec. (b).

1978—Pub. L. 95-422 substituted “except as otherwise specifically provided, with respect to the payment of claims, under section 2210 of this title” for “except section 2210 of this title”, struck out “and” after “September 30, 1977”, and inserted provision authorizing appropriation of not to exceed \$24,352,000 for fiscal year ending Sept. 30, 1979.

1976—Pub. L. 94-411 substituted provisions authorizing to be appropriated not to exceed \$3,750,000 for the transitional fiscal quarter of July 1, 1976, through Sept. 30, 1976, not to exceed \$15,000,000 for fiscal year ending Sept. 30, 1977, and not to exceed \$20,000,000 for fiscal year ending Sept. 30, 1978, for provisions authorizing to be appropriated such sums as are necessary, not to exceed \$10,000,000 for fiscal year ending June 30, 1975, and not to exceed \$15,000,000 for fiscal year ending June 30, 1976.

#### TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the Federal Law Enforcement Training Center of the Department of the Treasury to the Secretary of Homeland Security, and for treatment of related references, see sections 203(4), 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.

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 Administration] 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.

#### ARSON PREVENTION GRANTS; TERMINATION OF APPROPRIATIONS

Pub. L. 103-254, §8, May 19, 1994, 108 Stat. 683, provided that: “Notwithstanding any other provision of this Act [see Short Title of 1994 Amendment note set out under section 2201 of this title], no funds are authorized to be

appropriated for any fiscal year after fiscal year 1996 for carrying out the programs for which funds are authorized by this Act, or the amendments made by this Act.”

#### § 2217. Public access to information

Copies of any document, report, statement, or information received or sent by the Administrator of FEMA or the Administrator shall be made available to the public pursuant to the provisions of section 552 of title 5: *Provided*, That, notwithstanding the provisions of subsection (b) of such section and of section 1905 of title 18, the Administrator of FEMA may disclose information which concerns or relates to a trade secret—

- (1) upon request, to other Federal Government departments and agencies for official use;
- (2) upon request, to any committee of Congress having jurisdiction over the subject matter to which the information relates;
- (3) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceedings; and
- (4) to the public when he determines such disclosure to be necessary in order to protect health and safety after notice and opportunity for comment in writing or for discussion in closed session within fifteen days by the party to which the information pertains (if the delay resulting from such notice and opportunity for comment would not be detrimental to health and safety).

(Pub. L. 93-498, §20, Oct. 29, 1974, 88 Stat. 1547; Pub. L. 106-503, title I, §110(a)(2)(B)(viii), Nov. 13, 2000, 114 Stat. 2302; Pub. L. 112-239, div. A, title XVIII, §1802(b)(1), Jan. 2, 2013, 126 Stat. 2100.)

#### AMENDMENTS

2013—Pub. L. 112-239 substituted “Administrator of FEMA” for “Director” in two places in introductory provisions.

2000—Pub. L. 106-503 substituted “Director” for “Secretary” in two places in introductory provisions.

#### 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 Administration] 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.

#### § 2218. Administrative provisions

##### (a) Assistance to Administrator

Each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized and directed to furnish to the Administrator, upon written request, on a reimbursable basis or otherwise, such assistance as the Administrator deems necessary to carry out his functions and duties pursuant to this chapter, including, but not limited to, transfer of personnel with their consent and without prejudice to their position and ratings.

##### (b) Powers of Administrator

With respect to this chapter, the Administrator is authorized to—

- (1) enter into, without regard to section 6101 of title 41<sup>1</sup> such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of this chapter;
- (2) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 1342 of title 31;
- (3) purchase, lease, or otherwise acquire, own, hold, improve, use, or deal in and with any property (real, personal, or mixed, tangible or intangible), or interest in property, wherever situated; and sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of property and assets;
- (4) procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, but at rates not to exceed the daily equivalent of the maximum annual rate of basic pay then in effect for grade GS-15 of the General Schedule (5 U.S.C. 5332(a)) for qualified experts; and
- (5) establish such rules, regulations, and procedures as are necessary to carry out the provisions of this chapter.

##### (c) Audit

The Administrator of FEMA and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipients of contracts, grants, or other forms of assistance that are pertinent to its activities under this chapter for the purpose of audit or to determine if a proposed activity is in the public interest.

##### (d) Inventions and discoveries

All property rights with respect to inventions and discoveries, which are made in the course of or under contract with any government agency pursuant to this chapter, shall be subject to the basic policies set forth in the President’s Statement of Government Patent Policy issued August 23, 1971, or such revisions of that statement of the policy as may subsequently be promulgated and published in the Federal Register.

##### (e) Coordination

###### (1) In general

To the extent practicable, the Administrator shall use existing programs, data, informa-

<sup>1</sup> So in original. Probably should be followed by a comma.