

(B) If an applicant for a grant under section 2229 of this title proposes to purchase, with assistance provided under the grant, new equipment or systems that do not meet or exceed applicable voluntary consensus standards, the applicant shall include in the application an explanation of why such equipment or systems will serve the needs of the applicant better than equipment or systems that do meet or exceed such standards.

(C) In making a determination whether or not to waive the requirement under subparagraph (A) with respect to a specific standard, the Administrator shall, to the greatest extent practicable—

(i) consult with grant applicants and other members of the fire services regarding the impact on fire departments of the requirement to meet or exceed the specific standard;

(ii) take into consideration the explanation provided by the applicant under subparagraph (B); and

(iii) seek to minimize the impact of the requirement to meet or exceed the specific standard on the applicant, particularly if meeting the standard would impose additional costs.

(D) Applicants that apply for a grant under the terms of subparagraph (B) may include a second grant request in the application to be considered by the Administrator in the event that the Administrator does not approve the primary grant request on the grounds of the equipment not meeting applicable voluntary consensus standards.

**(g) Coordination**

In establishing and conducting programs under this section, the Administrator shall take full advantage of applicable technological developments made by other departments and agencies of the Federal Government, by State and local governments, and by business, industry, and nonprofit associations.

**(h) Publication of research results**

**(1) In general**

For each fire-related research program funded by the Administration, the Administrator shall make available to the public on the Internet website of the Administration the following:

(A) A description of such research program, including the scope, methodology, and goals thereof.

(B) Information that identifies the individuals or institutions conducting the research program.

(C) The amount of funding provided by the Administration for such program.

(D) The results or findings of the research program.

**(2) Deadlines**

**(A) In general**

Except as provided in subparagraph (B), the information required by paragraph (1) shall be published with respect to a research program as follows:

(i) The information described in subparagraphs (A), (B), and (C) of paragraph (1)

with respect to such research program shall be made available under paragraph (1) not later than 30 days after the Administrator has awarded the funding for such research program.

(ii) The information described in subparagraph (D) of paragraph (1) with respect to a research program shall be made available under paragraph (1) not later than 60 days after the date such research program has been completed.

**(B) Exception**

No information shall be required to be published under this subsection before the date that is 1 year after October 8, 2008.

(Pub. L. 93-498, §8, Oct. 29, 1974, 88 Stat. 1540; Pub. L. 108-169, title II, §202, Dec. 6, 2003, 117 Stat. 2037; Pub. L. 110-376, §§6, 9(b), Oct. 8, 2008, 122 Stat. 4059, 4061.)

AMENDMENTS

2008—Subsec. (c)(2) to (5). Pub. L. 110-376, §9(b), added par. (2) and redesignated former pars. (2) to (4) as (3) to (5), respectively.

Subsec. (d). Pub. L. 110-376, §6(a), amended subsec. (d) generally. Prior to amendment, text read as follows: “The Administrator is authorized to assist the Nation’s fire services, directly or through contracts, grants, or other forms of assistance, to sponsor and encourage research into approaches, techniques, systems, and equipment to improve fire prevention and control in the rural and remote areas of the Nation.”

Subsec. (h). Pub. L. 110-376, §6(b), added subsec. (h).

2003—Subsecs. (e) to (g). Pub. L. 108-169 added subsecs. (e) and (f) and redesignated former subsec. (e) as (g).

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.

**§ 2208. National Fire Data Center**

**(a) Functions**

The Administrator shall operate, directly or through contracts or grants, an integrated, comprehensive National Fire Data Center for the selection, analysis, publication, and dissemination of information related to the prevention, occurrence, control, and results of fires of all types. The program of such Data Center shall be designed to (1) provide an accurate nationwide analysis of the fire problem, (2) identify major

problem areas, (3) assist in setting priorities, (4) determine possible solutions to problems, and (5) monitor the progress of programs to reduce fire losses. To carry out these functions, the Data Center shall gather and analyze—

- (1) information on the frequency, causes, spread, and extinguishment of fires;
- (2) information on the number of injuries and deaths resulting from fires, including the maximum available information on the specific causes and nature of such injuries and deaths, categorized by the type of fire, and information on property losses;
- (3) information on the occupational hazards faced by firefighters, including the causes of deaths and injuries arising, directly and indirectly, from firefighting activities, including—
  - (A) all injuries sustained by a firefighter and treated by a doctor, categorized by the type of firefighter;
  - (B) all deaths sustained while undergoing a pack test or preparing for a work capacity;
  - (C) all injuries or deaths resulting from vehicle accidents; and
  - (D) all injuries or deaths resulting from aircraft crashes;
- (4) information on all types of firefighting activities, including inspection practices;
- (5) technical information related to building construction, fire properties of materials, and similar information;
- (6) information on fire prevention and control laws, systems, methods, techniques, and administrative structures used in foreign nations;
- (7) information on the causes, behavior, and best method of control of other types of fire, including, but not limited to, forest fires, brush fires, fire underground, oil blow-out fires, and water-borne fires; and
- (8) such other information and data as is deemed useful and applicable.

**(b) Methods**

In carrying out the program of the Data Center, the Administrator is authorized to—

- (1) develop standardized data reporting methods;
- (2) encourage and assist Federal, State, local, and other agencies, public and private, in developing and reporting information; and
- (3) make full use of existing data gathering and analysis organizations, both public and private, including the Center for Firefighter Injury Research and Safety Trends.

**(c) Dissemination of fire data**

The Administrator shall insure dissemination to the maximum extent possible of fire data collected and developed by the Data Center, and shall make such data, information, and analysis available in appropriate form to Federal agencies, State and local governments, private organizations, industry, business, and other interested persons.

**(d) National Fire Incident Reporting System update**

The Administrator shall update the National Fire Incident Reporting System to ensure that the information in the system is available, and can be updated, through the Internet and in real time.

**(e) Medical privacy of firefighters**

The collection, storage, and transfer of any medical data collected under this section shall be conducted in accordance with—

- (1) the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note; Public Law 104-191); and
- (2) other applicable regulations, including parts 160, 162, and 164 of title 45, Code of Federal Regulations (as in effect on March 12, 2019).

(Pub. L. 93-498, §9, Oct. 29, 1974, 88 Stat. 1541; Pub. L. 110-376, §5, Oct. 8, 2008, 122 Stat. 4059; Pub. L. 112-239, div. A, title XVIII, §1815, Jan. 2, 2013, 126 Stat. 2118; Pub. L. 116-9, title I, §1114(g), Mar. 12, 2019, 133 Stat. 617.)

AMENDMENTS

2019—Subsec. (a)(2). Pub. L. 116-9, §1114(g)(1)(A), inserted “, categorized by the type of fire” after “such injuries and deaths”.

Subsec. (a)(3). Pub. L. 116-9, §1114(g)(1)(B), substituted “activities, including—” for “activities;” and added subpars. (A) to (D).

Subsec. (b)(3). Pub. L. 116-9, §1114(g)(2), inserted “, including the Center for Firefighter Injury Research and Safety Trends” after “public and private”.

Subsec. (e). Pub. L. 116-9, §1114(g)(3), added subsec. (e).

2013—Subsec. (d). Pub. L. 112-239 struck out par. (1) designation and heading and par. (2). Prior to amendment, text of par. (2) read as follows: “Of the amounts made available pursuant to subparagraphs (E), (F), and (G) of section 2216(g)(1) of this title, the Administrator shall use not more than an aggregate amount of \$5,000,000 during the 3-year period consisting of fiscal years 2009, 2010, and 2011 to carry out the activities required by paragraph (1).”

2008—Subsec. (b)(2). Pub. L. 110-376, §5(b), substituted “assist Federal, State,” for “assist State.”

Subsec. (d). Pub. L. 110-376, §5(a), added subsec. (d).

TRANSFER OF FUNCTIONS

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**§ 2209. Master plans**

**(a) Encouragement by Administrator**

The establishment of master plans for fire prevention and control are the responsibility of the States and the political subdivisions thereof. The Administrator is authorized to encourage