

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

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.

§ 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

and assist such States and political subdivisions in such planning activities, consistent with his powers and duties under this chapter.

(b) Mutual aid systems

(1) In general

The Administrator shall provide technical assistance and training to State and local fire service officials to establish nationwide and State mutual aid systems for dealing with national emergencies that—

(A) include threat assessment and equipment deployment strategies;

(B) include means of collecting asset and resource information to provide accurate and timely data for regional deployment; and

(C) are consistent with the Federal Response Plan.

(2) Model mutual aid plans

The Administrator shall develop and make available to State and local fire service officials model mutual aid plans for both intrastate and interstate assistance.

(c) “Master plan” defined

For the purposes of this section, a “master plan” is one which will result in the planning and implementation in the area involved of a general program of action for fire prevention and control. Such master plan is reasonably expected to include (1) a survey of the resources and personnel of existing fire services and an analysis of the effectiveness of the fire and building codes in such area; (2) an analysis of short and long term fire prevention and control needs in such area; (3) a plan to meet the fire prevention and control needs in such area; and (4) an estimate of cost and realistic plans for financing the implementation of the plan and operation on a continuing basis and a summary of problems that are anticipated in implementing such master plan.

(Pub. L. 93–498, §10, Oct. 29, 1974, 88 Stat. 1542; Pub. L. 106–503, title I, §110(a)(1)(A), Nov. 13, 2000, 114 Stat. 2302; Pub. L. 108–169, title II, §203(a), Dec. 6, 2003, 117 Stat. 2038.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), 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

2003—Subsecs. (b), (c). Pub. L. 108–169 added subsec. (b) and redesignated former subsec. (b) as (c).

2000—Subsecs. (b), (c). Pub. L. 106–503 redesignated subsec. (c) as (b) and struck out former subsec. (b) which required Secretary to submit to Congress a report on establishment and effectiveness of master plans four years after Oct. 29, 1974.

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.

§ 2210. Reimbursement for costs of firefighting on Federal property

(a) Filing of claims

Each fire service that engages in the fighting of a fire on property which is under the jurisdiction of the United States may file a claim with the Administrator for the amount of direct expenses and direct losses incurred by such fire service as a result of fighting such fire. The claim shall include such supporting information as the Administrator may prescribe.

(b) Determination

Upon receipt of a claim filed under subsection (a) of this section, the Administrator shall determine—

(1) what payments, if any, to the fire service or its parent jurisdiction, including taxes or payments in lieu of taxes, the United States has made for the support of fire services on the property in question;

(2) the extent to which the fire service incurred additional firefighting costs, over and above its normal operating costs, in connection with the fire which is the subject of the claim; and

(3) the amount, if any, of the additional costs referred to in paragraph (2) of this subsection which were not adequately covered by the payments referred to in paragraph (1) of this subsection.

(c) Payment

The Administrator of FEMA shall forward the claim and a copy of the Administrator’s determination under subsection (b)(3) of this section to the Secretary of the Treasury. The Secretary of the Treasury shall, upon receipt of the claim and determination, pay such fire service or its parent jurisdiction, from any moneys in the Treasury not otherwise appropriated but subject to reimbursement (from any appropriations which may be available or which may be made available for the purpose) by the Federal department or agency under whose jurisdiction the fire occurred, a sum no greater than the amount determined with respect to the claim under subsection (b)(3) of this section.

(d) Adjudication

In the case of a dispute arising in connection with a claim under this section, the United States Court of Federal Claims shall have jurisdiction to adjudicate the claim and enter judgment accordingly.