will recapture any funds ons in this part. eet the criteria specified in mes specified in the grant nt has not provided the apand deposit the amounts in I Flood Mitigation Fund if 44 CFR parts 13 and 14. e aware of their responsibiland financial reports to grantee must submit percosts will be governed by ar A-87 and 44 CFR part 13. not been completed within atching funds, the approved must ensure that all subor the completed project a State or a community

#### rnative procedures.

urposes of this part, alteredures are available which

allow the community to coordinate directly with FEMA in implementing the program. These alternative procedures are available in the following circumstances. Native American tribes or authorized tribal organizations may submit plans and applications to the State POC or directly to the FEMA Regional Director. If a Governor chooses not to identify a POC to coordinate the FMA, communities may also submit plans and applications to the FEMA Regional Director.

### PART 79 [RESERVED]

FEDERAL CRIME INSURANCE PROGRAM

### PARTS 80-149 [RESERVED]

# SUBCHAPTER C-FIRE PREVENTION AND CONTROL

#### Sec.

150.1 Background and purpose

PART 150—PUBLIC SAFETY AWARDS TO PUBLIC SAFETY OFFICERS

- 150.2 Definitions.
- 150.3 Nomination process.
- 0.4 Nomination and selection criteria.0.5 Joint Public Safety Awards Board.
- 1.6 Design and procurement of awards.
- 150.7 Selection process.150.8 Presentation of awards.
- 150.9 Funding.

150.10 Date of submission of nominations.

AUTHORITY: Federal Fire Prevention and Control Act of 1974, sec. 15, 15 U.S.C. 2214: Reorg. Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329, and E.O. 12127, dated Mar. 31, 1979, 3 CFR, 1979 Comp., p. 376.

SOURCE: 49 FR 39845, Oct. 11, 1984, unless otherwise noted.

### §150.1 Background and purpose.

Stat. 95, 96 (1984). The Director, FEMA. civil defense functions which then were FEMA. Since initial passage of the Act. tion Plan No. 3 of 1978 to the Director awards for public safety officers and dieral Fire Prevention and Control Act of and the Attorney General are issuing amended to delete the Secretary of Dedelegated to the Secretary of Defense merce were transferred by Reorganiza-Federal Emergency Management Agenrects the issuance of the necessary Act establishes two classes of honorary 1974 (the Act), 15 U.S.C. 2201 et seq. The issued under the authority of the Fedpartment of Justice. tory provisions for FEMA and the De-FEMA. Section 15 of the Act has been have been delegated to the Director, ey (FEMA) and the Attorney General this regulation to implement the statuing of awards. See Public Law 98-241, 98 tense from participating in the grant-The functions of the Secretary of Comjoint regulations by the Director of the The regulations in this part

### § 150.2 Definitions.

Civil defense officer (or member of a recognized civil defense or emergency preparedness organization) means any individual who is assigned to and is performing the assigned tasks of the

unit or organization which has been given a mission under the direction or operational control of a Civil Defense or Emergency Preparedness Director/Coordinator in accordance with a Federal, State or local emergency plan and sanctioned by the government concerned. This also includes emergency management officers. This includes volunteers and paid employees for any governmental entity.

Distinguished Public Safety Service Award means the Secretary's Award for Distinguished Public Safety Service, presented by either the Attorney General or the Director of FEMA to public safety officers for distinguished service in the field of public safety.

FEMA means the Federal Emergency Management Agency.

and welfare of the public from the dantion, a State, city, town, borough, paris not limited to, a Federal installaany such organization may include, but teer or paid employees. The location of gers of fire. This term includes volunproperty and maintaining the safety which has as its purpose protecting tions) in any State consisting of pertrict or other special district. ish, county, fire district, rural fire distion (including such Federal organizaless of rank or duties, of any organiza-Firefighter means a member, regardapparatus, and equipment

Joint Board means the Joint Public Safety Awards Board established by the Director of the Federal Emergency Management Agency and the Attorney General to carry out the purposes of the Federal Fire Prevention and Control Act of 1974.

Law enforcement officer means a person involved in the control or reduction of crime and juvenile delinquency or enforcement of the criminal laws. This includes, but is not limited to, police, corrections, probation, parole, and court officers, and Federal civilian officers in such capacities.

Nominating official means the head of a Federal government department or agency, or his delegatee(s), the governor or other head of a State, or the chief executive or executives of any

Federal Emergency Management Agency, DHS

dent's Award for Outstanding Public Safety Service, presented by the President of the United States to public contributions to public safety. in the line of duty or for outstanding safety officers for extraordinary valor President's Award means the Presi-

serving a public agency, with or withcivil defense officer (or member of a out compensation, as a firefighter, a recognized civil defense or emergency tions or court officer. enforcement officer, including a correcpreparedness organization), or a law Public safety officer means a person

Trust Territory of the Pacific Islands Columbia, the Commonwealth of Puerof the United States. and any other territory or possession Islands, Guam, American Samoa, the Northern Mariana Islands, the Virgin State means any State, the District of the Commonwealth of the

### § 150.3 Nomination process.

the Executive Secretary, Joint Public Safety Awards Board, National Emershall also be forwarded, depending on MD 21727. Copies of all nominations gency Training Center, Emmitsburg, guished Public Safety Service Award to for the President's Award or Distin-Officers shall submit their nominations nating Firefighters and Civil Defense the category of the nominee, as fol-(a) The Nominating Officials nomi-

#### (1) Firefighter:

FEMA, Attention: Superintendent, National Fire Academy, Emmitsburg, MD 21727

paredness organization): recognized civil defense or emergency pre-(2) Civil defense officer (or member of a

FEMA, Attention: Superintendent, Emergency Management Institute, Emmitsburg

- Justice, Washington, DC 20530. Distinguished Public Safety Service Awards to: Assistant Attorney General nations for the President's Award or court officers shall submit their nominating law enforcement, corrections or for Administration, U.S. Department of (b) The Nominating Officials nomi-
- mitted in writing in accordance with (c) All nominations shall be sub-

ered as having been made for the folthe requirements prescribed in this secnominations may be made by February any received thereafter will be considyear shall be made before November 15; tion is made. Nominations for each the act or acts for which the nominaticable date after the performance of tion and \$150.4 at the earliest praclowing year. However, for the year 1983

quest for recognition of the public safe-ty officer through the presentation of valor, and the dates relating thereto distinguished service or extraordinary scribing the outstanding contribution, didate performs his/her duties, the name, address and telephone number of tion, title and address, and public agenthe name of the candidate, his/her posi-Safety Service Award should include Award or the Distinguished Public nee's accomplishment should also be lished factual accounts of the nomieither of the awards. Copies of any pubconcise and specific to justify the re-The description should be sufficiently the nominating official, a summary decy served, the locale where the can-(d) Nominations for the President's

attached when available. other provisions of this part. Approved priate time in accordance with the community. However, nominating offitions of interest to the public safety et under Control No. 3067-0150. by the Office of Management and Budg but may nominate at the most approcials need not wait for such invitation or by notice in apporpriate publica-The invitation shall be issued by letter guished Public Safety Service Award. behalf of the Attorney General and the Director of FEMA, for the Distinissued by the Joint Board for nominations for the President's Award and, on (e) An annual invitation shall be

[49 FR 39845, Oct. 11, 1984, as amended at 50 FR 3350, Jan. 24, 1985]

### §150.4 Nomination and selection criteria.

Safety Service Award shall be made on the following uniform criteria. the basis of, and in conformity with Award of the Distinguished Public (a) Nominations for the President's

accompanying the nomination for this (1) President's Award. Documentation

> nominee unquestionably but also deserves greater public recguished Public Safety Service Award standards established for the Distin-Award must indicate not only that the (see paragraph (a)(2) of this section), onstrated unique qualities of courage. imagination or ability, which have rebecause he/she has demmeets

ability or has resulted in a significant clearly show that the public safety offieffort which far exceeds the expected complished through an originality of contribution to the public safety acmarked by courage, imagination or cer's qualifying service or act Award. Nomination for this award shall duties assigned to the nominee. quality of performance of the normal the public safety. (2) Distinguished Public Safety Service

er it is being submitted for the President's Award or the Distinguished Public Safety Award. (b) A nomination shall specify wheth-

### §150.5 Joint Public Safety Awards Board.

Board (Joint Board) is hereby estabney General by administering the procare Federal employees and are of apshall consist of ten representatives who ess of nomination for the President's the Director of FEMA and the Attorshall be named by and represent the shall be named by and represent the grades GM-14 or above). Five persons propriate rank (at or equivalent to fice of the President. The Joint Board lection process with the Executive Of-Award and by participating in the selished to fulfill the responsibilities of one of their number to act as the chairserving on the Joint Board shall select Director of FEMA, and five persons person. Attorney General. The representatives (a) A Joint Public Safety Awards

regular duties and without additional compensation. Consistent with the re-Board shall serve in addition to their assure the timely presentation of these procedures by which the selections for of the Joint Board shall establish the quirements of this part, the members the President's Award shall be made to (b) Representatives on the Joint

ecutive Secretary shall per Secretary of the Joint Boar Center employee shall act as for the purpose of receiving receipt of all nominations an Board's responsibilities, inc thereon, from members of munication of nomination in functions as are appropria §150.5(e). The Executive Secr be appointed by the Associat Training and Fire Programs (c) A National Emergency community

sulted in outstanding contributions to

ognition

nees determined by it to me and shall recommend to th nominations for the Preside then recommend to the Pres gether with reasons therefore eration for the President's February 1 of each year, t FEMA, and the Attorney nominees determined by the rector and the Attorney Ge before March 29, 1985. the reasons the President's Award, tions for 1983 shall be subm (d) The Joint Board shall therefor.

comments themselves shall the national public safety persons representing a cros Both the request for comme the Board for the Presiden comment upon nomination (e) The Joint Board may r

[49 FR 39845, Oct. 11, 1984, as a FR 3350, Jan. 24, 1985]

#### §150.6 Design and proct awards.

and medal for the Presiden and the Executive Office o with the Department of the accordance with applicabl curement of the appropria dent in regard to the desi regulations. (a) The Joint Board sh

avoid distinctly different of Justice shall be coordin of the various public safety Awards of FEMA and the for Distinguised Public Sa (b) Insofar as practicable

### § 150.7 Selection process.

cedures of §150.5. ance with the requirements of §150.3, the criteria in §150.4(a)(1), and the pro-President (or his designee) in accordfor the President's Award shall be reviewed, and winners selected by the (a) President's Award. Nominations

comments themselves shall be made in Both the request for comments and the community comment upon the nominasegment of the national public safety that persons representing the relevant the Director of FEMA may request requirements of §150.3 and the criteria evaluation and selection of the nomition and accompanying documentation. nominations, the Attorney General or prescribed in §150.4(a)(2). In reviewing nees to be made in accordance with the the Attorney General shall cause an this Award, the Director of FEMA or Award. Upon receipt of nominations for (b) Distinguished Public Safety Service

by the Joint Board or who are not rec-Safety Service Award. by the appropriate authority for nomident shall be automatically considered ommended to or selected by the Presinot to meet the criteria for the Award (c) Individuals nominated for the President's Award who are considered for the Distinguished Public

for the President's Award is merited. General determines that consideration Director of FEMA or the Attorney Award may be considered by the Joint Board for the President's Award if the tinguished Public Safety (d) Individuals nominated for the Dis-Service

### § 150.8 Presentation of awards.

calendar year. dent's Awards given out during any There shall not be more twelve Presitive Office of the President directs. place and circumstances as the Execu-Award shall be made at such time, (a) Presentation of the President's

during any calendar year on the number of these awards made Director of FEMA or the Attorney General determines. There is no limit Director of FEMA or a designee at such made by the Attorney General or the Public Safety Service Award shall be time, place and circumstances as the (b) Presentation of the Distinguished

#### § 150.9 Funding.

volved in designing and striking the medal to be presented in conjunction with the President's Award shall be ment officer, then such cost shall be the award recipient is a law enforcefirefighter or a civil defense officer. If be borne by FEMA if the recipient is a medal and printing the certificate shall cerned. The cost of producing prorated among (a) President's Award. The costs inthe agencies con-

borne by the Department of Justice (b) Distinguished Public Safety Service priate Agency. this Award shall be borne by the appro-Award. All expenses in connection with

### §150.10 Date of submission of nomina

Act). acts, services or contributions occurcurring within two years preceding the years before the effective date of the ring on or after October 29, 1972 (two 28, 1985 cut-off date may be made for tions submitted prior to the February §150.3(c) of this part. However, nomina-November 15 cut-off date described in for acts, services, or contributions oc-Nominations may only be submitted

[50 FR 3350, Jan. 24, 1985]

## PART 151—REIMBURSEMENT COSTS OF FIREFIGHTING FEDERAL PROPERTY

### Subpart A—Purpose, Scope, Definitions

Purpose.

Scope. Definitions.

#### Subpart B—Submission, Determination, Appea

151.12 Determination of amount authorized for payment Submission of claims.

151.13 Reconsideration of amount author ized for payment.

151.14 Adjudication.

### Subpart C—Administration, Penalties

[Reserved]

151.21 151.22 151.23 Penalties. Audits.

Fire Prevention and Control Act of 1974 (15 AUTHORITY: Secs. 11 and 21(b)(5), Federal

> U.S.C. 2210 and 2218(b)(5)); Reorganization Plan No. 3 of 1978 (3 CFR, 1978 Comp., p. 379) and E.O. 12127, dated Mar. 31, 1979 (3 CFR. 1979 Comp., p. 376).

otherwise noted. SOURCE: 49 FR 5929, Feb. 16, 1984, unless

#### Subpart A—Purpose, Scope, Definitions

### §151.01 Purpose.

erty which is under the jurisdiction of the United States may file a claim gages in the fighting of a fire on prop-Section 11 of the Federal Fire Prevention and Control Act of 1974, progency Management Agency for the with the Director of the Federal Emervides that "each fire service that enand appeal of claims under section 11. governs the submission, determination implements section 11 of the Act and result of fighting such fire." This part losses incurred by such fire service as a amount of direct expenses and direct

#### §151.02 Scope.

cy of the United States for the propable, this intent will normally govern aid agreement, defined in §151.03) for States. Section 11 requires that certain under the jurisdiction of the United fighting a fire on property which is tion 11 and this part for the direct exclaims for reimbursement under secpayments (including the value of servwise proper situations. However, any erty upon which the fire occurred, re-Where a mutual aid agreement is in efthe provision of fire protection, and it is the intent of the parties that reiminto a contract (which is not a mutual from the application of that formula. Where the United States has entered ordinarily pay the amount resulting and that the Treasury Department will payments be deducted from those costs mal operating costs incurred while firefighting costs over and above norpenses and losses which are additional during the term of the agreement (or imbursement will be available in otherfect between the claimant and an agenbursement under section 11 is unavailfire occurred, if no term is discernible) the Federal fiscal year in which the ices) rendered under the agreement Fire services, in any State, may file

shall be deducted from the claimed, pursuant to §151.12.

### § 151.03 Definitions.

U.S.C. 2201 et seq. Prevention and Control Act of (a) The Act means the Fede

arise out of response of person and above normal operating cost containment, ventilation, salv tinguishment, overhaul, and of firefighting as performed by a responsible Federal officia surance, disability, death, litig Not included are administra ated with emergency medical This would also include costs tion of the equipment for furt and rescue, exposure protecti apparatus to the site of the fire service. Such costs would r ordinarily associated with the reasonable and authorized (or of the Act and this part. with processing claims under s penses, costs of employee ben fire service in connection wit to the extent normally render health care, and the costs as (b) Additional firefighting co

Federal Emergency Manageme (c) Director means the Direct

cy, or his/her designee. (d) Claimant means a fire se

costs, or depreciation (if based pended, and the depreciated expenses and losses which whave been incurred had not the defined in paragraph (g) of this station, report in-service and : the first of the following: alarm and would normally ce mally be incurred after the fir: penses as defined herein wo than hours of use during fi nary wages of firefighters, does not include such costs as equipment destroyed or dam overtime pay, the cost of sup aries for specially employed p question taken place. This incl further operations, or comm (e) Direct expenses and losse

combustible dusts or solids, cluding scorch burns and expl structive or uncontrolled bur liquids, and gases. The definit (f) Fire means any instance

sponse to another incident.