

struct, or restore such facilities, such Federal agency is authorized to repair, reconstruct, or restore such facilities to the extent necessary to place them in a reasonably usable condition and to use therefor any available funds not otherwise immediately required: *Provided, however,* That the President shall first determine that the repair, reconstruction, or restoration is of such importance and urgency that it cannot reasonably be deferred pending the enactment of specific authorizing legislation or the making of an appropriation therefor. If sufficient funds are not available to such Federal agency for use in repairing, reconstructing, or restoring such facilities as above provided, the President is authorized to transfer to such Federal agency funds made available under this chapter in such amount as he may determine to be warranted in the circumstances. If said funds are insufficient for this purpose, there is authorized to be appropriated to any Federal agency repairing, reconstructing, or restoring facilities under authority of this section such sum or sums as may be necessary to reimburse appropriated funds to the amount expended therefrom. (Sept. 30, 1950, ch. 1125, § 8, 64 Stat. 1111.)

§ 1855f. Utilization of services and facilities of other agencies; employment of temporary personnel; incurring of obligations; reimbursement.

In carrying out the purposes of this chapter, any Federal agency is authorized to accept and utilize with the consent of any State or local government, the services and facilities of such State or local government, or of any agencies, officers, or employees thereof. Any Federal agency, in performing any activities under section 1855b of this title, is authorized to employ temporarily additional personnel without regard to the civil-service laws and the Classification Act of 1949, as amended, and to incur obligations on behalf of the United States by contract or otherwise for the acquisition, rental, or hire of equipment, services, materials, and supplies for shipping, drayage, travel and communication, and for the supervision and administration of such activities. Such obligations, including obligations arising out of the temporary employment of additional personnel, may be incurred by any agency in such amount as may be made available to it by the President out of the funds specified in section 1855g of this title. The President may, also, out of such funds, reimburse any Federal agency for any of its expenditures under section 1855b of this title in connection with a major disaster, such reimbursement to be in such amounts as the President may deem appropriate. (Oct. 28, 1949, ch. 782, title XI, § 1106 (a), 63 Stat. 972; Sept. 30, 1950, ch. 1125, § 7, 64 Stat. 1111.)

REFERENCES IN TEXT

The civil-service laws, referred to in the text, are classified generally to Title 5, Executive Departments and Government Officers and Employees.

The Classification Act of 1949, referred to in the text, is classified to chapter 21 of Title 5.

CODIFICATION

"Classification Act of 1949" was substituted for "Classification Act of 1928" on authority of act Oct. 28, 1949.

§ 1855g. Appropriations; reports.

There is authorized to be appropriated to the President a sum or sums, not exceeding \$5,000,000 in

the aggregate, to carry out the purposes of this chapter. The President shall transmit to the Congress at the beginning of each regular session a full report covering the expenditure of the amounts so appropriated with the amounts of the allocations to each State under this chapter. The President may from time to time transmit to the Congress supplemental reports in his discretion, all of which reports shall be referred to the Committees on Appropriations and the Committees on Public Works of the Senate and the House of Representatives. (Sept. 30, 1950, ch. 1125, § 8, 64 Stat. 1111.)

Chapter 15A.—RECIPROCAL FIRE PROTECTION AGREEMENTS

Sec.

1856. Definitions.

1856a. Authority to enter into reciprocal agreement; waiver of claims; reimbursement; ratification of prior agreements.

1856b. Emergency assistance.

1856c. Service in line of duty.

1856d. Funds.

§ 1856. Definitions.

As used in this chapter—

(a) The term "agency head" means the head of any executive department, military department, agency, or independent establishment in the executive branch of the Government;

(b) The term "fire protection" includes personal services and equipment required for fire prevention, the protection of life and property from fire, and fire fighting; and

(c) The term "fire organization" means any governmental entity or public or private corporation or association maintaining fire protection facilities within the United States, its Territories and possessions, and any governmental entity or public or private corporation or association which maintains fire protection facilities in any foreign country in the vicinity of any installation of the United States. (May 27, 1955, ch. 105, § 1, 69 Stat. 66.)

§ 1856a. Authority to enter into reciprocal agreement; waiver of claims; reimbursement; ratification of prior agreements.

(a) Each agency head charged with the duty of providing fire protection for any property of the United States is authorized to enter into a reciprocal agreement, with any fire organization maintaining fire protection facilities in the vicinity of such property, for mutual aid in furnishing fire protection for such property and for other property for which such organization normally provides fire protection. Each such agreement shall include a waiver by each party of all claims against every other party for compensation for any loss, damage, personal injury, or death occurring in consequence of the performance of such agreement. Any such agreement may provide for the reimbursement of any party for all or any part of the cost incurred by such party in furnishing fire protection for or on behalf of any other party.

(b) Any agreement heretofore executed which would have been authorized by this chapter, if this chapter had been in effect on the date of execution thereof, is ratified and confirmed. (May 27, 1955, ch. 105, § 2, 69 Stat. 66.)

§ 1856b. Emergency assistance.

In the absence of any agreement authorized or ratified by section 1856a of this title, each agency head is authorized to render emergency assistance in extinguishing fires and in preserving life and property from fire, within the vicinity of any place at which such agency maintains fire-protection facilities, when the rendition of such assistance is determined, under regulations prescribed by the agency head, to be in the best interest of the United States. (May 27, 1955, ch. 105, § 3, 69 Stat. 67.)

§ 1856c. Service in line of duty.

Any service performed under section 1856a or section 1856b of this title, by any officer or employee of the United States or any member of any armed force of the United States shall constitute service rendered in line of duty in such office, employment, or force. The performance of such service by any other individual shall not constitute such individual an officer or employee of the United States for the purposes of the Federal Employees' Compensation Act, as amended. (May 27, 1955, ch. 105, § 4, 69 Stat. 67.)

REFERENCES IN TEXT

The Federal Employees' Compensation Act, referred to in the text, is classified to sections 751—756, 757—781, 783—791 and 793 of Title 5, Executive Departments and Government Officers and Employees.

§ 1856d. Funds.

Funds available to any agency head for fire protection on installations or in connection with activities under the jurisdiction of such agency may be used to carry out the purposes of this chapter. All sums received by any agency head for fire protection rendered pursuant to this chapter shall be covered into the Treasury as miscellaneous receipts. (May 27, 1955, ch. 105, § 5, 69 Stat. 67.)

Chapter 15B.—AIR POLLUTION CONTROL**Sec.**

1857. Congressional findings; purposes of chapter.

1857a. Cooperative activities.

- (a) Interstate cooperation; uniform State laws; State compacts.
- (b) Federal cooperation.
- (c) Consent of Congress to compacts.

1857b. Research and development program; powers and duties of Secretary.

- (a) Research, investigations, experiments, train, demonstrations, surveys and studies; technical services and financial assistance; specific problems of air pollution; sulfur extraction research program.
- (b) Availability of information and recommendations; cooperative activities; research grants, etc.; contract; training; fellowships; collection and dissemination of basic data on chemical, physical and biological effects of air quality; process, method and device development.
- (c) Results of other scientific studies; criteria reflecting latest scientific knowledge: availability, revisions; recommendations of criteria of air quality.

1857c. Grants for air pollution control programs.

- (a) Amount; limitations; "regional air pollution control program" defined.
- (b) Terms and conditions; regulations; factors for consideration; expenditure and consultation requirements.
- (c) State expenditure limitation.

Sec.

1857d. Enforcement measures against air pollution.

- (a) Air pollution subject to abatement.
- (b) Encouragement of municipal, State and interstate action.
- (c) Notification of interstate and intrastate pollution; conference of municipal, State and interstate agencies; conference for interstate pollution called by Secretary: agency cooperation on surveys or studies; persons in attendance at conference; notice of conference date; summary of conference discussions.
- (d) Recommendations of Secretary for remedial action by agencies; commencement of recommended action.
- (e) Public hearings: place, notice, evidence; hearing board: number, membership, findings as to occurrence of pollution and progress toward abatement, recommendations to Secretary of measures reasonable and suitable to secure abatement; Secretary's transmission of findings and recommendations for abatement within reasonable time.
- (f) Judicial proceedings to secure abatement of the pollution.
- (g) Federal court proceedings; evidence; jurisdiction of court.
- (h) Compensation and travel expenses for members of hearing board.
- (i) Information reports: filing with Secretary, form, contents, oath, time for filing, divulgence of trade secrets, confidential information; defaults; forfeitures: payments into Treasury, civil actions, venue, remission or mitigation, duty of United States attorneys.

1857e. Automotive vehicle exhaust and fuel pollution.

- (a) Technical committee for development of exhaust control devices and pollution free fuels; membership; representation of Government and industries; meetings; functions.
- (b) Reports to Congress.

1857f. Control of air pollution from Federal facilities.

- (a) Federal cooperation.
- (b) Classification of potential pollution sources; permits for discharge of such pollution: period; revocation; submission of plans, specifications and other information; conditions; reports to Congress.

1857g. Administration.

- (a) Regulations; delegation of powers of Secretary.
- (b) Detail of Public Health Service personnel to air pollution control agencies; payment of salaries and allowances.
- (c) Payments under grants: installments; advances or reimbursement.

1857h. Definitions.

1857i. Application to other laws; nonduplication of appropriations.

1857j. Records and audit.

1857k. Separability of provisions.

1857l. Appropriations.

§ 1857. Congressional findings; purposes of chapter.**(a) The Congress finds—**

- (1) that the predominant part of the Nation's population is located in its rapidly expanding metropolitan and other urban areas, which generally cross the boundary lines of local jurisdictions and often extend into two or more States;
- (2) that the growth in the amount and complexity of air pollution brought about by urbanization, industrial development, and the increasing use of motor vehicles, has resulted in mounting dangers to the public health and welfare, including injury to agricultural crops and livestock,