

Federal Emergency Management Agency, DHS

§2.1

§ 1.17 Petitions for reconsideration.

Petitions for reconsideration of a final rule will not be considered. Such petitions, if filed, will be treated as petitions for rulemaking in accordance with §1.18.

§ 1.18 Petition for rulemaking.

(a) Any interested person may petition the Director for the issuance, amendment, or repeal of a rule. For purposes of this section the term *person* includes a Federal, State or local government or government agency. Each petition shall:

(1) Be submitted to the Rules Docket Clerk;

(2) Set forth the substance of the rule or amendment proposed or specify the rule sought to be repealed or amended;

(3) Explain the interest of the petitioner in support of the action sought; and

(4) Set forth all data and arguments available to the petitioner in support of the action sought.

(b) No public procedures will be held directly on the petition before its disposition. If the Director finds that the petition contains adequate justification, a rulemaking proceeding will be initiated or a final rule will be issued as appropriate. If the Director finds that the petition does not contain adequate justification, the petition will be denied by letter or other notice, with a brief statement of the ground for denial. The Director may consider new evidence at any time; however, repetitious petitions for rulemaking will not be considered.

PART 2—ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Subpart A—Organization, Functions, and Delegations of Authority

GENERAL

Sec.

- 2.1 Purpose.
- 2.2 Organization of FEMA.
- 2.3 Exercise of authority.
- 2.4 General limitations and reservations.
- 2.5 Delegations not included.
- 2.6 Redlegation of authority.
- 2.7 General delegations.
- 2.8 Designation of subordinates to act.

FEMA OFFICES

- 2.11 Office of the Director.
- 2.12 Office of the Inspector General.
- 2.13 Office of the General Counsel.
- 2.14 Office of Congressional and Governmental Affairs.
- 2.15 Office of Emergency Information and Public Affairs.
- 2.16 Office of Policy and Assessment.
- 2.17 Office of Human Resources Management.
- 2.18 Office of Equal Rights.
- 2.19 Office of Financial Management.
- 2.20 Office of Regional Operations.
- 2.21 Ombudsman. [Reserved]
- 2.22 Regional Offices.

ADMINISTRATIONS

- 2.31 Federal Insurance Administration.
- 2.32 United States Fire Administration.

DIRECTORATES

- 2.41 Mitigation Directorate.
- 2.42 Preparedness, Training, and Exercises Directorate.
- 2.43 Response and Recovery Directorate.
- 2.44 Operations Support Directorate.

Subpart B [Reserved]

Subpart C—OMB Control Numbers

- 2.80 Purpose.
- 2.81 OMB control numbers assigned to information collections.

AUTHORITY: 5 U.S.C. 552; Reorganization Plan No. 3 of 1978, 5 U.S.C. App. 1; E.O. 12127, 3 CFR, 1979 Comp., p. 376; E.O. 12148, as amended, 3 CFR, 1979 Comp., p. 412.

SOURCE: 59 FR 26133, May 19, 1994, unless otherwise noted.

Subpart A—Organization, Functions, and Delegations of Authority

GENERAL

§2.1 Purpose.

This part describes the organization of the Federal Emergency Management Agency (FEMA), and the general course and method by which its functions are administered. It provides for the exercise by officials of FEMA of authorities that are vested in the Director specifically by statute, as head of an agency, or as a consequence of a law authorizing such exercise. It also provides for exercise of authorities that have been transferred to the Director by Reorganization Plan or delegated to

§ 2.2

44 CFR Ch. I (10–1–03 Edition)

the Director by Executive Order or other appropriate document.

§ 2.2 Organization of FEMA.

(a) The Director is the head of FEMA. All authorities of FEMA are either vested in the Director by statute or have been transferred to or delegated to the Director. Notwithstanding any delegation by the Director to a subordinate officer of FEMA, the Director may also exercise such authority.

(b) FEMA is composed of the Offices, Administrations, and Directorates, the responsibilities of which are described in §§ 2.11 through 2.44.

(c) The Executive Board of FEMA consists of the senior managers appointed by the President and confirmed by the Senate as well as representatives of the Regional Directors and other senior managers as the Director shall designate from time to time. The principal function of the Executive Board is to review the Agency's overall direction, performance, and policies. The Executive Board will hold regular meetings on a quarterly basis and may hold special meetings at the discretion of the Director.

§ 2.3 Exercise of authority.

Exercise of the authority delegated by this subpart or redelegated pursuant to this subpart is subject to the direction, control, and authority of the Director, and is governed by applicable laws, Executive Orders, Federal agency regulations or issuances applicable to FEMA. Such exercise is also governed by regulations issued by FEMA, and by policies, objectives, directives, manuals, instructions, plans, standards, procedures and limitations issued from time to time by or on behalf of the Director.

§ 2.4 General limitations and reservations.

(a) All powers and duties not delegated by the Director in this subpart, nor otherwise provided for in Title 44, are reserved to the Director.

(b) The following specific authorities are reserved to the Director:

(1) Certain authorities relating to reporting to Congress and the President including those under:

(i) Section 16 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2215);

(ii) Section 1320 of the National Flood Insurance Act (42 U.S.C. 4027);

(iii) Section 1234 of the National Housing Act (12 U.S.C. 1749bbb–10d);

(iv) Section 406 of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2258);

(v) Section 5(b)(1)(D) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(1)(D)); and

(vi) Section 2–105 of Executive Order 12148 of July 20, 1979.

(2) Authorities connected with declaration of major disasters and emergencies, and with delegations to other agencies including:

(i) The authority to make recommendations to the President concerning the determination that an emergency exists pursuant to section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191);

(ii) The authority to make recommendations to the President concerning the issuance of a major disaster declaration pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(iii) Provision is made in § 2.11 of this part for the Deputy Director to exercise the authorities set out in this paragraph when the Director is unavailable due to illness or incapacity.

(3) Authorities relating to voluntary agreements under section 708 of the Defense Production Act (50 U.S.C. App. 2158) delegated to the Director in section 501 of Executive Order 10480.

(4) Authority to make the determination concerning Federal operation of the program and the report to Congress under section 1340 of the National Flood Insurance Act (42 U.S.C. 4071).

(5) Authority to appoint Federal Coordinating Officers under section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

§ 2.5 Delegations not included.

Other delegations of authority have been and will be made in other FEMA regulations and by internal FEMA directives that concern internal FEMA

policies and operations. These are valid delegations. Without in any way limiting the number of those delegations, and without describing all of them in this listing which is not complete, they include those:

(a) Delegations concerning Federal personnel matters such as those concerning appointing authority, compensation, and so on. These are considered internal personnel rules and are not published in this chapter but are published in a FEMA Instruction.

(b) Delegation to the General Counsel as Ethics Counselor under 5 CFR part 2638.

(c) Delegations under parts 5 and 6 of this subchapter relating to the Freedom of Information Act and Privacy Act.

(d) Delegations to several officials relating to authentication of records under 44 CFR 5.82.

(e) Delegations to the General Counsel and Chief Financial Officer with respect to claims under part 11 of this subchapter.

(f) Delegations to classify information originally as Secret or Confidential.

(g) Delegations to make certifications and findings under the Regulatory Flexibility Act, 5 U.S.C. 601-612; the National Environmental Policy Act, 42 U.S.C. 4321-4335; the Paperwork Reduction Act, 44 U.S.C. 3501-3520; E.O. 12612 of October 26, 1987, 3 CFR, 1987 Comp., p. 252; E.O. 12778 of October 23, 1991, 3 CFR, 1991 Comp., p. 359; E.O. 12866 of September 30, 1993, 3 CFR, 1993 Comp., p. 638; and any other certifications or findings required by existing or future laws, executive orders, or other authorities;

(h) Delegations concerning environmental matters under part 10 of this subchapter; and

(i) Delegations concerning floodplain management and wetlands protection matters under part 9 of this subchapter.

§2.6 Redlegation of authority.

(a) It is FEMA's policy that the authorities delegated by this chapter should, whenever appropriate, be re-delegated to the manager or official who has immediate responsibility for the action. Authority delegated by this

chapter, unless otherwise specifically provided, may be redelegated in whole or in part provided any such redelegation is in writing and approved by the officer to whom the authority is initially delegated. This restriction does not apply to a temporary redelegation of authority to a principal deputy or first assistant to be exercised during the absence of the delegating official.

(b) The authority to issue regulations having general applicability and future effect designed to implement, interpret or prescribe law or policy, and which are to be published in the FEDERAL REGISTER, may be delegated or redelegated only to positions for which it is required that the incumbent be confirmed by the United States Senate. This does not prohibit an acting official from issuing regulations. This paragraph does not apply to rules issued under parts 64, 65, 67, or 70 of this title.

§2.7 General delegations.

(a) This section sets forth general delegations to the officers or employees named in paragraph (b) of this section.

(b) The officers authorized to exercise authorities in paragraph (c) of this section are:

- (1) Deputy Director;
- (2) Chief of Staff;
- (3) Inspector General;
- (4) General Counsel;
- (5) Director of the Office of Congressional and Governmental Affairs;
- (6) Director of the Office of Emergency Information and Public Affairs;
- (7) Director of the Office of Policy and Assessment;
- (8) Director of the Office of Human Resources Management;
- (9) Director of the Office of Equal Rights;
- (10) Chief Financial Officer;
- (11) Director of the Office of Regional Operations;
- (12) Regional Directors;
- (13) Federal Insurance Administrator;
- (14) United States Fire Administrator;
- (15) Associate Director for Mitigation;
- (16) Associate Director for Preparedness, Training, and Exercises;

§2.8

44 CFR Ch. I (10–1–03 Edition)

(17) Associate Director for Response and Recovery; and

(18) Associate Director for Operations Support.

(c) Each officer named in paragraph (b) of this section is authorized to:

(1) Approve official travel as temporary duty travel on official business and allowable expenses incidental thereto for employees of their respective organizational units, in accordance with the Federal Travel Regulations; except that travel to and from points outside of the United States is subject to prior notification to the Director and foreign travel (i.e., travel outside the United States and its insular areas) is subject to prior approval of the Director. However, no officer or employee may approve his or her own travel. Travel of officers named in paragraph (b) of this section is approved by the Deputy Director or the Chief of Staff, except that travel of a Regional Director may be approved by the Deputy Regional Director for that Region.

(2) Approve travel advances of funds through disbursing officers or imprest fund cashiers for employees of the respective organizational units who are entitled to per diem or mileage allowance or subsistence expenses in accordance with the Federal Travel Regulations.

(3) Approve travel vouchers for employees of their respective organizational units.

(4) Approve travel by employees of their respective organizations at the invitation and expense of parties outside of the Federal Government, with the concurrence of the Designated Agency Ethics Officer (DAEO) or a Deputy DAEO;

(5) Approve funding requisitions;

(6) As appropriate, issue final agency decisions on individual or class complaints of discrimination because of race, color, national origin, religion, sex, disability, age, or economic status.

(7) Promulgate internal guidance to cover areas of assigned responsibilities.

(8) Approve training costing less than \$2500 (all expenses) or training of less than 80 hours in duration, whichever is more restrictive, except that this authority does not include authority to approve training involving the use of

facilities of foreign governments or international organizations, which must be approved by the Director; or the authority to approve acceptance by employees of contributions or awards from non-Government organizations, whether in cash or in kind, which must be approved by the Director.

(9) Adjust working hours for individual employees when there is special justification therefor that it is in the interest of FEMA or to accommodate individual needs of employees for legitimate reasons where the work of the agency will not be impeded.

(10) Approve incentive awards to subordinates, Public Service Awards, cash awards of \$1,500 or less for individuals and quality within-grade salary increases.

(11) Enter into and administer funded and unfunded memoranda of understanding with respect to assigned duties.

(12) Classify documents derivatively, based on the original classification by other Federal agencies or the Director.

§2.8 Designation of subordinates to act.

Each officer named in §2.7(b) shall:

(a) Submit to the Director, for approval, a list of three or more subordinates to act for such officer during his or her absence; and

(b) Ensure that each Division Director, Branch Chief, or head of any other organizational unit under that officer's authority designate one or more subordinate employees to serve as acting head of the unit during the absence of the head of a unit or during a vacancy in the position.

FEMA OFFICES

§2.11 Office of the Director.

The Deputy Director is the first assistant to the Director under the Vacancies Act, 5 U.S.C. 3341 *et seq.*, and acts in place of the Director when the Director is not available because of illness or incapacity. The Deputy Director is the Chief Operating Officer of the Agency, with the duties and powers set forth in Presidential Memorandum of October 1, 1993, "Implementing Reform in the Executive Branch." The Deputy Director is authorized to exercise the

Federal Emergency Management Agency, DHS

§2.13

duties and powers of the Director as necessary to carry out the responsibilities of the Chief Operating Officer and to act in place of the Director in the Director's unavailability.

§2.12 Office of the Inspector General.

(a) *Mission.* The Office of the Inspector General serves FEMA as an independent unit to promote economy, efficiency, and effectiveness; to prevent waste, fraud, and abuse; and to keep the Congress and the Director fully informed on these subjects.

(b) *Functions.* The principal functions of the Office of the Inspector General are:

(1) Performance of all audit functions relating to programs and operations of FEMA;

(2) Inspection of agency activities to identify actual or potential fraud, waste, abuse, or mismanagement and to develop recommendations for corrective action;

(3) Investigation of allegations of illegal, unethical, or other activities that may lead to civil or criminal liability on the part of FEMA or its employees, contractors, or program participants; and

(4) Referral of potential criminal prosecutions to the Department of Justice, under 28 U.S.C. 535.

(c) *Authority.* The position of Inspector General of FEMA is created by statute (The Inspector General Act of 1978, as amended, 5 U.S.C. App. 3 §§1-15). The Inspector General is authorized to exercise the duties and powers set forth in that statute.

§2.13 Office of the General Counsel.

(a) *Mission.* The Office of the General Counsel renders legal advice and assistance on all matters related to Agency programs and operation, and conducts the Agency's ethics program and Freedom of Information Act/Privacy Act program.

(b) *Functions.* The principal functions of the Office of the General Counsel are:

(1) Rendering legal opinions and advice with respect to the duties, powers, and responsibilities of the Director, FEMA, and other Agency officers and employees and the applications of statutes, rules and regulations, other ad-

ministrative issuances, and judicial precedents to Agency operations;

(2) Review for legal sufficiency of all Agency documents requiring legal interpretation or opinion.

(3) Establishment of Agency policy for and conduct of all appearances on behalf of FEMA in litigation or administrative proceedings and hearings;

(4) Liaison to the Department of Justice except when otherwise provided by the Office of the Inspector General.

(5) Coordination of the FEMA regulatory program, including liaison to the Office of Management and Budget and the Office of the Federal Register;

(6) Operation of the FEMA legislative reference program, including liaison to the Office of Management and Budget and allied legislative proposals; and

(7) Operation of FEMA's ethics program and Freedom of Information Act and Privacy Act program.

(c) *Delegated authorities.* The General Counsel is authorized to exercise the duties and powers of the Director to:

(1) Accept service of process on behalf of the Agency, and on behalf of its officials and employees in connection with performance of their official duties;

(2) Determine the agency's position with respect to litigation and refer matters directly to the Attorney General for prosecution or for initiation of litigation;

(3) Determine the government's position in connection with any dispute before a Board of Contract Appeals, including the authority to settle or adjust any such claim.

(4) Consider, compromise and settle tort claims against FEMA, but any award, compromise, or settlement of more than \$25,000 requires the prior written approval of the Attorney General or designee;

(5) Serve as the Designated Agency Ethics Officer;

(6) Make technical corrections to all FEMA documents, including rules and regulations submitted to the FEDERAL REGISTER;

(7) Consider, compromise and settle personnel claims of less than \$15,000 against FEMA;

(8) Waive claims of the United States against a person arising out of pay and allowances to an employee of FEMA in amounts of not more than \$1,500, and in

§ 2.14

accordance with the requirements of 5 U.S.C. 5584, and the implementing regulations and standards of the Comptroller General; and

(9) Enter into ratification agreements at the direction of the Department of Justice in order to insure that FEMA's subrogation interest will be represented.

§ 2.14 Office of Congressional and Governmental Affairs.

(a) *Mission.* The Office of Congressional and Governmental Affairs coordinates FEMA's ongoing emergency management relationships with the Congress, public interest groups, and State and local organizations.

(b) *Functions.* The principal functions of the Office of Congressional and Governmental Affairs are:

(1) Liaison with Congress, the Office of Management and Budget, and the White House on legislative matters directly affecting FEMA;

(2) Advising the Director and other FEMA officials on actions pending or anticipated in Congress;

(3) Liaison with Federal Coordinating Officers following declarations of disasters or emergencies under the Stafford Act, on matters requiring coordination with Congress; and

(4) Liaison with FEMA's constituencies on FEMA legislative matters.

(c) *Delegated authorities.* The Director of the Office of Congressional and Governmental Affairs is authorized to exercise the duties and powers of the Director in the Director's capacity as agency head in support of the functions listed in paragraph (b) of this section.

§ 2.15 Office of Emergency Information and Public Affairs.

(a) *Mission.* The Office of Emergency Information and Public Affairs informs the public about FEMA's programs and activities, both in time of disaster and in other times.

(b) *Functions.* The principal functions of the Office of Emergency Information and Public Affairs are:

(1) Gathering and dissemination of information about FEMA's programs and activities;

(2) Liaison with news media;

(3) Management of Joint Information Centers during disasters.

(c) *Delegated authorities.* The Director of the Office of Emergency Information and Public Affairs is authorized to exercise the duties and powers of the Director in the Director's capacity as agency head as set forth in paragraph (b) of this section.

§ 2.16 Office of Policy and Assessment.

(a) *Mission.* The Office of Policy and Assessment manages and facilitates policy development, strategic planning, planning, performance standards and assessment, innovation, and organizational development to achieve FEMA's overall mission.

(b) *Functions.* The principal functions of the Office of Policy and Assessment are:

(1) Facilitation of the development and implementation of Agency policy, including systematic review and evaluation of that policy;

(2) Development and coordination of FEMA's strategic planning process;

(3) Development of standards and mechanisms for evaluation of Agency performance;

(4) Development and implementation of a system for identifying shortfalls in Agency programs and performance and for monitoring progress towards their remediation;

(5) Oversight of FEMA's implementation of the Government Performance and Results Act of 1993, Pub. L. 103–62, 107 Stat. 285.

(6) Oversight of implementation of FEMA's environmental responsibilities;

(7) Support of the FEMA Executive Board;

(8) Oversight of, and provision of guidance for, FEMA's renewal and participation in the Reinvention Laboratory process; and

(9) Facilitating institutional change and innovation.

(c) *Delegated authorities.* The Director of the Office of Policy and Assessment is authorized to exercise the duties and powers of the Director in the Director's capacity as agency head in support of the functions listed in paragraph (b) of this section.

Federal Emergency Management Agency, DHS

§ 2.19

§ 2.17 Office of Human Resources Management.

(a) *Mission.* The Office of Human Resources Management provides and maintains a workforce capable of carrying out FEMA's mission.

(b) *Functions.* The principal functions of the Office of Human Resources Management are:

- (1) Administration of FEMA's classification and position management programs;
 - (2) Recruitment and placement of employees;
 - (3) Administration of compensation and leave programs;
 - (4) Management of FEMA's disaster personnel program;
 - (5) Administration of workforce and workplace programs;
 - (6) Management of FEMA's labor relations, employee relations, and employee benefit programs;
 - (7) Administration of performance management and incentive awards programs;
 - (8) Establishment and maintenance of personnel records; and
 - (9) Coordination of affirmative employment programs with the Office of Equal Rights and support of FEMA's Offices, Administrations, and Directorates in meeting their affirmative actions goals.
- (c) *Delegated authorities.* The Director of the Office of Human Resources Management is authorized to exercise the duties and powers of the Director in the Director's capacity as agency head in support of the functions listed in paragraph (b) of this section.

§ 2.18 Office of Equal Rights.

(a) *Mission.* The Office of Equal Rights assists management in fulfilling its responsibilities to ensure Equal Rights for all employees and applicants for employment, and to guarantee protection for the civil rights of every American receiving assistance from FEMA.

(b) *Functions.* The principal functions of the Office of Equal Rights are:

- (1) Development, in coordination with Agency management, of multi-year Affirmative Employment Plans and annual updates covering women, minority group members, and persons with disabilities;

- (2) Training regarding Equal Rights and Civil Rights and Responsibilities;

- (3) Investigation and non-adjudicatory resolution of complaints of discrimination and referral of unresolved complaints to the Equal Employment Opportunity Commission or the Department of Justice; and

- (4) Ensuring compliance with Civil Rights guidance in FEMA's programs and operations.

(c) *Delegated authorities.* The Director of the Office of Equal Rights is authorized to exercise the duties and powers of the Director as set forth in:

- (1) E.O. 12336, as amended;
- (2) E.O. 12250;
- (3) E.O. 12067, as amended;
- (4) E.O. 11478, as amended;
- (5) E.O. 11141; and
- (6) E.O. 11063, as amended.

§ 2.19 Office of Financial Management.

(a) *Mission.* The Office of Financial Management promotes sound financial management and accountability throughout the Agency by providing financial guidance, information, and services to FEMA management, its employees, and the Agency's customers.

(b) *Functions.* This office reports directly to the Director of FEMA regarding financial management matters and is headed by the Chief Financial Officer. The principal functions of the Office of Financial Management are:

- (1) Oversight of all financial management activities relating to the programs and operations of the Agency, including fund manager for all Agency funds;
- (2) Development, operation, and maintenance of an integrated Agency accounting and financial management system, including internal and external financial reporting;
- (3) Oversight of the Agency's internal control guidance and review program;
- (4) Direction, management, and provision of policy guidance and oversight of Agency financial management personnel, activities, and operations;
- (5) Preparation of the annual report described in 31 U.S.C. 902(a)(6) to the Director of FEMA and to the Office of Management and Budget;
- (6) Oversight of and responsibility for the formulation and execution of the

Agency's budget and accounts for actual expenditures;

(7) Preparation and submission of timely performance reports to the Director of FEMA and operating units;

(8) Review, on a biennial basis, of the fees, royalties, rents, and other charges imposed by the Agency for services and things of value it provides, and recommendation of revision of those charges to reflect costs incurred by the Agency in providing those services and things of value.

(c) *Authority.* The position of Chief Financial Officer was created by statute (Agency Chief Financial Officers Act, as amended, 31 U.S.C. 901-1114, 3511-3521). The Chief Financial Officer is authorized to exercise the duties and powers set forth in that statute. The Chief Financial Officer is specifically authorized to:

(1) Supervise the activities and functions of the Office of the Financial Management and oversee all financial management activities relating to the programs and operations of the Agency.

(2) Direct, manage, and provide policy guidance and oversight of the Agency financial management personnel, activities and operations.

(3) Establish and maintain an integrated Agency accounting and financial management system, including financial reporting and internal controls, that—

(i) Complies with applicable accounting principles, standards, and requirements and standards prescribed by the Office of Management and Budget, the General Accounting Office, and the Department of the Treasury;

(ii) Provides for complete, reliable and timely information, that is prepared on a uniform basis, and that is responsive to the financial management needs of the Agency; and,

(iii) Complies with any other requirements applicable to such systems.

(4) Prepare and submit a financial statement that conforms to the requirements of 31 U.S.C. 902 and 3515. Develop and implement the 5-year financial management plan as required by 31 U.S.C. 902(a)(5).

(5) Develop the Agency's financial management plans and budgets, and review legislative proposals and other

programmatic proposals to provide advice to the Director on the financial implications of such proposals.

(6) Develop and implement Agency asset management systems, including systems for cash management, credit management, debt collection, and property and inventory management and control.

(7) Review on a biennial basis the fees, royalties, rents and other charges imposed by the Agency for services and things of value it provides, and make recommendations to the Director on revising those charges to reflect actual costs incurred by the Agency in providing those services and things of value. Premiums and other policy holder charges that relate to the issuance of policies (National Flood Insurance and Crime Insurance programs) are set by the Federal Insurance Administrator pursuant to Federal law and regulation.

(8) Develop, operate and maintain an Administrative Fund Control System that provides, for accurate and timely data on the status of each account. This Administrative Fund Control System shall comply with appropriate statutory requirements and regulations issued by General Accounting Office, Office of Management and Budget, the Department of the Treasury, and other central administrative agencies.

(9) Establish and maintain the appropriate accounts designated by the Department of the Treasury, the General Accounting Office, and Office of Management and Budget and such subsidiary records as may be necessary for accounting, audit and management purposes. Establish and maintain controls for appropriations and other special limitations required by law. Maintain reliable accounting records that will be the basis for preparing and supporting the budget requests of the Agency, controlling the execution of the budget and providing financial information required by law and regulation.

(10) Oversee the implementation of internal control systems that conform with rules, circulars, and other directives issued by General Accounting Office, Office of Management and Budget, and the Department of the Treasury. Report to the Director, as required by

Federal Emergency Management Agency, DHS

§ 2.22

law and regulation, whether the Agency's internal control systems and other financial systems and processes comply with applicable law and regulation.

(11) Develop and implement administrative standards and cost principles for the Agency's assistance programs in conformity with rules, circulars, and other directives that are issued by the General Accounting Office, the Office of Management and Budget, and the Department of the Treasury.

(12) Develop and maintain procedures for approving requisitions for disbursing funds, reports of current accounts rendered by disbursing officers, and other financial and accounting documents involving FEMA, the General Accounting Office, the Department of the Treasury, and the Office of Management and Budget.

(13) Certify to the General Accounting Office any charge against any officer or agent entrusted with public property, arising from any loss and accruing by this person's fault, to the Government as to the property so entrusted to this person.

(14) Approve all expenditures and receipt all vouchers and other documents necessary to carry out FEMA's appropriations and programs.

(15) Certify that all required documents, information and approvals respecting fiscal transactions are present; verify or cause to be verified the accuracy of the financial computations, the consistency of the information included in the various documents; and determine, or cause to be determined, that the financial transactions of the Agency are in strict accordance with the law, regulations and decisions.

(16) Authorize officers and employees to certify vouchers.

(17) Receive and credit amounts received to the applicable appropriation of FEMA or to the miscellaneous receipts account.

(18) Request cashier designation and resolution from the Department of the Treasury, and designate cashiers to serve in FEMA.

(19) Approve invitational travel for the Office of Financial Management.

(20) Have access to records and documents as required by 31 U.S.C. 902(b) (1)(A), (1)(B), and (1)(C). Access to

records and documents is subject to the limitations in 31 U.S.C. 902(b)(2).

§ 2.20 Office of Regional Operations.

(a) *Mission.* The Office of Regional Operations coordinates FEMA's policies, programs, and administrative and management guidance with Regional Directors and ensures that regional implementation is consistent with the Director's goals.

(b) *Functions.* The principal functions of the Office of Regional Operations are:

(1) Liaison between the Regional Directors and the Director, Associate Directors, Administrators, and Office Directors;

(2) Advising the Director, Associate Directors, Administrators, and Office Directors on regional matters; and

(3) Providing guidance to Regional Directors on policy, programs, operations, and administrative matters.

(c) *Delegated authorities.* The Director of the Office of Regional Operations is authorized to exercise the duties and powers of the Director in the Director's capacity as agency head in support of the functions listed in paragraph (b) of this section.

§ 2.21 Ombudsman. [Reserved]

§ 2.22 Regional Offices.

(a) *Mission.* The Regional Offices implement FEMA's policies and programs at the regional level.

(b) *Functions.* The principal functions of the Regional Offices are:

(1) Liaison, within the regions, with other Federal agencies, State and local governments, voluntary and other private organizations, and the public;

(2) Recommendations to the Director on implementation of policy and improvement of the administration of FEMA's programs;

(3) Administration of Comprehensive Cooperative Agreements, grants, and other financial assistance to State and local governments;

(4) Response to disasters and emergencies declared under the Stafford Act, through Regional Response Teams;

(5) Recovery activities under the Stafford Act;

§2.31

(6) Implementation of floodplain management aspects of the National Flood Insurance Program;

(7) Management of training and field exercises; and

(8) Technical assistance to Federal agencies, State and local governments, and voluntary and other private organizations regarding emergency response planning, preparedness, mitigation, response, and recovery.

(c) *Delegated authorities.* In general, Regional Directors are authorized, within their respective regions, to exercise the duties and powers of the Administrators and Associate Directors as set forth in §§2.32 through 2.44. However, the authorities of the Earthquake Hazards Reduction Act of 1977, as amended, 42 U.S.C. 7701 *et seq.*, are not delegated to Regional Directors (except for the authority of 42 U.S.C. 7704(b)(2)(A)(i), which is delegated). In addition, the authorities of the Federal Insurance Administrator as set forth in §2.31 are not delegated to the Regional Directors.

ADMINISTRATIONS

§2.31 Federal Insurance Administration.

(a) *Mission.* The Federal Insurance Administration markets, issues, and services insurance policies under the National Flood Insurance Program (NFIP) and the Federal Crime Insurance Program (FCIP), with assistance from private insurance companies and servicing contractors.

(b) *Functions.* The principal functions of the Federal Insurance Administration are:

(1) Establishment of regulations, policy guidelines, standard contracts of insurance, and insurance rates for the NFIP and FCIP;

(2) Establishment of policy, plans, and procedures for evaluation, payment, and review of insurance claims;

(3) Oversight of servicing contracts for the NFIP and FCIP and the issuance and servicing of flood insurance policies by Write-Your-Own (WYO) carriers;

(4) Studies of the costs and feasibility of proposed extensions of the National Flood Insurance Program or of the proposed establishment of Federal insur-

44 CFR Ch. I (10–1–03 Edition)

ance programs for other natural hazards; and

(5) Administration of the National Flood Insurance Fund and National Insurance Development Fund.

(c) *Delegated authorities.* The Federal Insurance Administrator is authorized to exercise the duties and powers of the Director as set forth in section 1–104 of E.O. 12127 insofar as it pertains to the marketing, issuance, and servicing of insurance under the NFIP and FCIP.

§2.32 United States Fire Administration.

(a) *Mission.* The United States Fire Administration works to reduce deaths, injuries, and property loss caused by fires in the United States.

(b) *Functions.* The principal functions of the United States Fire Administration are:

(1) Education of the public about fire problems and high fire risk behaviors;

(2) Providing training and technical assistance to fire and emergency services providers in incident response, mitigation and management;

(3) Collection and analysis of fire incident information;

(4) Investigation of technologies, equipment, and strategies for fire and emergency services providers;

(5) Coordination with State and local fire and emergency agencies concerning arson investigation and mitigation, use of building and fire codes, fire protection and multi-agency cooperation; and

(6) Management and operation of the National Emergency Training Center, Emmitsburg, Maryland.

(c) *Delegated authorities.* The United States Fire Administrator is authorized to exercise the duties and powers of the Director as set forth in section 1–103 of E.O. 12127.

DIRECTORATES

§2.41 Mitigation Directorate.

(a) *Mission.* The Mitigation Directorate administers programs to reduce or eliminate loss of life and property from natural and technological hazards.

(b) *Functions.* The principal functions of the Mitigation Directorate are: