

**U.S. HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON TECHNOLOGY AND INNOVATION
COMMITTEE ON SCIENCE AND TECHNOLOGY
HEARING CHARTER**

Reauthorization of the FIRE Grant Programs
Wednesday, July 8, 2009
10:00 a.m. – 12:00 p.m.
2318 Rayburn House Office Building

I. Purpose

On Wednesday, July 8, the Subcommittee on Technology and Innovation of the Committee on Science and Technology will hold a hearing to examine the Assistance to Firefighter Grant (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER) Grant programs, together referred to as the FIRE grants, and in preparation for their reauthorization. The current authorization for AFG will expire at the end of this fiscal year; the authorization for SAFER will expire at the end of FY2010.

II. Witnesses

Panel I

Congressman Bill Pascrell is the Representative from New Jersey – 8th District.

Panel II

Mr. Timothy Manning is the Deputy Administrator of the National Preparedness Directorate at the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS).

Chief Jeffrey D. Johnson is the First Vice President of the International Association of Fire Chiefs (IAFC) and the Chief of the Tualatin Valley Fire and Rescue.

Chief Jack Carriger is the Stayton, Oregon Fire District First Vice Chairman of the National Volunteer Fire Council (NVFC).

Mr. Kevin O'Connor is the Assistant to the General President of the International Association of Fire Fighters (IAFF).

Chief Curt Varone is the Division Manager of the Public Fire Protection Division for the National Fire Protection Association (NFPA).

Mr. Ed Carlin is the Training Officer of the Spalding Rural Volunteer Fire Department in Spalding, Nebraska.

III. Hearing Issues

Congress created AFG and SAFER to increase the safety of the public, and firefighting personnel, from fire and related hazards. This hearing will examine how well FEMA has met this challenge in awarding grants to fire departments across the country, with respect to balancing the needs of career, volunteer, and combination fire departments, along with national emergency response funding priorities. In addition, the hearing will examine progress toward decreasing the number of fire fatalities, injuries, and related property loss, in both civilian and firefighter populations.

IV. Background

The AFG Program competitively awards funds to local fire departments to purchase emergency response equipment and training. SAFER, also competitively awarded, funds the hiring, recruitment, and retention of firefighting personnel. Both programs are administered by FEMA, within DHS, through the Office of Grants and Training. Since AFG began in 2001, fire departments across the country have over subscribed for the grants. For FY2008 alone, FEMA received 21,022 applications for AFG funds, with requests totaling \$3,137,121,053 and 1,314 applications for SAFER funds, with requests totaling \$583,953,578. A total of \$454,403,597 in grants was awarded for AFG in FY2008 and \$152,847,595 was awarded for SAFER in FY2008. In addition to the grants that go for equipment and personnel, FEMA also provides funding for fire prevention and safety, as well as grants to emergency medical service (EMS) providers unaffiliated with fire departments.

History of FIRE Grants

Congress created the AFG program in 2000 in response to concerns over local budget shortfalls at a time of increasing responsibilities for fire departments. Introduced as H.R. 1168, the Firefighter Investment and Response Act, the program was enacted into law in the FY2001 National Defense Authorization Act (P.L. 398, Title XVII). Congress reauthorized AFG in the FY2005 National Defense Authorization Act (P.L. 108-375, Title XXXVI) with funds authorized through FY2009.

Congress created the SAFER program amidst concern that local fire departments needed assistance in hiring, or recruiting and retaining volunteer firefighters, in order to meet national consensus standards for minimum staffing levels. The program was introduced in H.R. 3992, and later enacted in section 1057 of the FY2004 National Defense Authorization Act (P.L. 108-136). This authorization will expire in FY2010.

Current Activity for the AFG Program

Support from AFG may be used for a number of different activities. Under the existing authorization, grants may fund the purchase of firefighting equipment, protective gear, and vehicles. Permissible training activity under the grants includes terrorism incident response, arson prevention and detection, hazardous material response, and fire inspector

certification. The grants may also be used for firefighter health and safety programs and to modify fire stations to improve firefighter health and safety. FEMA must annually convene a panel of fire service organization representatives to advise the agency on priorities and grant making criteria for the following fiscal year. The program guidance from FEMA notes that “The AFG program is an important part of the Administration’s larger, coordinated effort to strengthen homeland security preparedness,” and as such, reflects the priorities of the *National Preparedness Guidelines*. DHS issued these guidelines in 2007 to coordinate and increase the level of preparedness at all levels of government to respond to catastrophic events, and terrorist attacks in particular. To help governments plan, the *Guidelines* established the *Target Capabilities List* and the *Universal Task List*¹. Similar to previous years, FY2009 AFG priorities are first responder safety, enhancing national capabilities, addressing risk, and promoting interoperability².

The grants are peer-reviewed. Peer reviewers score the applications according to the clarity of the proposed project/purchase and accompanying budget, the organization’s financial need, the cost-benefit of the proposed project/purchase, and the degree to which the proposed project/purchase enhances daily operations or the department’s ability to protect life and property. The authorizing legislation requires that FEMA take into account the cost-to-benefit ratio when considering applications and making awards. The FEMA grant guidance to fire departments notes that “DHS will provide a higher level of consideration to departments with significant levels of incidents and to departments that protect large populations relative to other applicants, regardless of the type of community served.” Therefore lower call volumes and smaller communities receive lower priority. The authorizing legislation requires that volunteer departments, which typically serve rural areas, receive funding in proportion to the percentage of the U.S. population they serve (approximately 55 percent). There is no other specific guidance on geographic distribution of the funds, other than a directive that they be dispersed to a diverse mix of type (volunteer, career, or combination), geographic location, and composition of community served (urban, suburban, or rural).

In addition to the FEMA guidance for the program, departments must also meet certain legislative requirements. Local fire departments applying for a grant must provide matching funds in accordance with the population of the community they serve (see Table 1). Other restrictions in the program include a cap per fiscal year relative to the size of the community (see Table 2), a 25 percent cap on total appropriated funds available for fire vehicles, and a 3.5 percent floor on funds that must be used for EMS training and equipment.

¹ *Department of Homeland Security National Preparedness Guidelines*, September 2007 (http://www.dhs.gov/xlibrary/assets/National_Preparedness_Guidelines.pdf)

² *Fiscal Year 2009 Assistance to Firefighters Grants Guidance and Application Kit*, April 2009 (<http://www.firegrantsupport.com/docs/2009AFGguidance.pdf>).

Table 1: Matching Funds in relation to size of population

Size of Population	Size of Matching Funds
Less than 20,000	5%
Between 20,000 and 50,000	10%
More than 50,000	20%

Table 2: Cap restrictions in relation to size of population

Size of Population	Size of Cap per fiscal year
Less than 500,000	\$1,000,000
Between 500,000 and 1,000,000	\$1,750,000
More than 1,000,000	\$2,750,000

Current Activity for the Fire Prevention and Safety Grants Program

Under current statute, a minimum of five percent of AFG funding must be used for Fire Safety and Prevention (FP&S) Grants. In the 1970's, the President's National Commission on Fire Prevention and Control released *America Burning*, which cited the death rate from fires in the U.S. at 12,000 people per year. The NFPA reports that the current average is 3,760 deaths per year, and at least \$10 billion per year in total property damage. While the number of deaths has decreased significantly since the 1970s, a report by the National Academy of Public Administration (NAPA) notes that the decline in fire fatality rate slowed or ended in the late 1990s. The report also notes that fatality rates vary dramatically across demographic groups: African-Americans are three times more likely than whites to die in residential fires; males are 78 percent more likely to die in fires than females; and those with less than a high school education are five times as likely as those with some college education to die in residential fires.

FP&S grants fund fire prevention programs at both local fire departments and other related community organizations. The authorization sets aside a minimum of five percent of AFG funds for FP&S grants, and sets a cap of \$1,000,000 per grant per fiscal year. FEMA guidance for FP&S supports activities in two categories: "(1) activities designed to reach high-risk target groups and mitigate incidences of deaths and injuries caused by fire and related hazards; and (2) research and development activities aimed at improvements of firefighter safety". For 2006 and 2007, the two years for which the breakout for research and prevention grants were reported by FEMA, 33 and 38 percent, respectively, went toward firefighter safety research. Most research was performed at universities.

Current Activity for the SAFER Program

SAFER grants may be used to hire new personnel and to provide funding for recruitment and retention of firefighters for volunteer and combination departments. Ten percent of the total SAFER funding is reserved for recruitment and retention. The majority of funds assist local departments in paying the salaries of new firefighters, hired to bring local departments into compliance with safe staffing minimums established in national voluntary consensus standards. The original legislative requirement includes an

escalating local match, with the department providing 10 percent of the salary and related costs of the firefighter for the first year of the grant, 20 percent the second year, 50 percent the third, and 70 percent in the fourth. The department is also required to retain the firefighter for at least one more year following the fourth year of the grant.

Regardless of matching funds, the current law sets a cap (adjusted annually for inflation, starting from \$100,000 in 2005, set at \$108,380 for 2008) on the total amount of money the grant can pay over the four year span for each firefighter. Ten percent of the hiring funds must go to volunteer, or mostly volunteer departments (mostly volunteer departments are defined as those where 50 percent of the personnel do not receive financial compensation for their services).

In response to concerns that current economic conditions would hinder the ability of communities to provide matching funds, and thus discourage departments from applying for existing SAFER funds, the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) included a provision waiving the matching requirements for SAFER grants awarded in FY2009. The waiver was similarly permitted for FY2010. Amidst further concerns that grant requirements prevented struggling communities from applying for funds, the Supplemental Appropriations Act of 2009 (P.L. 111-32) included a provision allowing the Secretary of Homeland Security to waive the following requirements: that the grants be used only to hire *new* firefighters, that they not supplant local funding, that the department commit to at least one additional year of funding beyond the term of the grant, and that the federal funding shall not exceed the cap set in statute.

Like AFG funding, SAFER awards are also made via a peer-review process. FEMA also convenes a panel of fire service organization representatives to offer recommendations on the program criteria for each grant year. FEMA's FY2008 program guidance for SAFER (FY2009 is not yet available) states that, "As a result of the enhanced staffing, a SAFER grantee's response time should be sufficiently reduced with an appropriate number of trained personnel assembled at the incident scene." FEMA accords higher consideration to departments with higher call volumes and serving large populations in making staffing award decisions. For the recruitment and retention grants, volunteer, or mostly volunteer departments, receive higher consideration.

Funding Levels for the Grant Programs

AFG: In total, since FY2001, \$5.2 billion³ has been appropriated for the AFG program. The table on the next page shows the authorized and appropriated levels for the AFG program since FY2006.

³ This does not include appropriations from the American Recovery and Reinvestment Act of 2009

Table 3: AFG Authorized and Appropriated Funding

FY	Authorized	Appropriated
2006	\$950 million	\$539 million
2007	\$1 billion	\$547 million
2008	\$1 billion	\$560 million
2009	\$1 billion	\$565 million*, **
2010	\$0	\$380 million***

*FY2009 estimated

**The American Recovery and Reinvestment Act provided an additional \$210,000,000

***House passed H.R.2892, the Department of Homeland Security Appropriations Act of 2010

SAFER: In total, since FY2005, \$1.1 billion has been appropriated for the SAFER program.⁴ The table below shows the authorized and appropriated levels for the SAFER program since FY2006.

Table 4: SAFER Authorized and Appropriated Funding

FY	Authorized	Appropriated
2006	\$1,061 million	\$109 million
2007	\$1,093 million	\$115 million
2008	\$1,126 million	\$190 million
2009	\$1,159 million	\$210 million*
2010	\$1,194 million	\$420 million**

*FY2009 estimated

** House passed H.R.2892, the Department of Homeland Security Appropriations Act of 2010

The grants are given out to all-volunteer departments, all-career departments, and combination volunteer/career departments in an approximate proportion to the amount of grant requests they receive from these types of departments. In FY2008, 48 percent of AFG money went to all-volunteer fire departments, 27 percent went to combination volunteer/career fire departments, and 19 percent went to all-career departments. The remaining 6 percent went to paid on-call departments. Career firefighters are more common in urban areas and volunteer firefighters are more common in rural areas; however, there is a differential in the correlation. Sixty-seven percent of AFG money went to rural departments in FY2008 while 20 percent went to suburban departments and 13 percent went to urban departments. More than 60 percent of all applications are for fire trucks and engines, only 25 percent of the appropriated funds may be used for that purpose. Firefighting equipment and personal protective gear are also heavily requested.

In FY2007, 2 percent of FP&S money went to all-volunteer fire departments, 5 percent went to career departments, 5 percent went to combination departments, and 88 percent went to other community organizations. In FY2007, FEMA received 2,561 applications

⁴ SAFER was not appropriated in FY2004

for FP&S funds, with requests totaling \$330,719,746. A total of \$33,887,071 was awarded.⁵

In FY2008, 32.4 percent of SAFER applications came from all-volunteer fire departments, 48.0 percent came from combination volunteer/career fire departments, and 17.4 percent came from all-career fire departments. The remaining 2.1 percent came from Statewide and Local Volunteer Firefighter Interest Organizations.⁶

Review of AFG

In 2007, at the request of the Department of Homeland Security, NAPA reviewed the performance of the AFG program and offered recommendations for its improvement⁷. The report recommends that AFG should convert from primarily funding basic firefighting and EMS needs to prioritizing grant applications that would more likely increase preparedness for catastrophic events. The report also recommends the program should prioritize applications that fund mitigation capabilities, including public education, and applications that target places and people at greatest risk from fire. The report further recommends that the program should work with DHS to build a national network of response capabilities that can be deployed quickly where needed.

⁵ FY2008 award numbers are not available

⁶ <http://www.firegrantsupport.com/docs/2008SAFERApps.pdf>

⁷ National Academy of Public Administration, *Assistance to Firefighters Grant Program: Assessing Performance*, April 2007