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## **Assistance to Firefighters Program: Distribution of Fire Grant Funding**

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# Assistance to Firefighters Program: Distribution of Fire Grant Funding

## Summary

The Assistance to Firefighters Program, also known as the FIRE Act grant program, was established by Title XVII of the FY2001 National Defense Authorization Act (P.L. 106-398). Currently administered by the Office of State and Local Government Coordination and Preparedness within the Department of Homeland Security (DHS), the program provides federal grants directly to local fire departments and unaffiliated Emergency Medical Services (EMS) organizations to help address a variety of equipment, training, and other firefighter-related and EMS needs.

The fire grant program is now in its fifth year. Over \$2.6 billion has been appropriated to the fire grant program since FY2001. The Fire Act statute was reauthorized in 2004 and provides overall guidelines on how fire grant money should be distributed. There is no set geographical formula for the distribution of fire grants — fire departments throughout the nation apply, and award decisions are made by a peer panel based on the merits of the application and the needs of the community. However, the law does require that fire grants should be distributed to a diverse mix of fire departments, with respect to type of department (paid, volunteer, or combination), geographic location, and type of community served (e.g. urban, suburban, or rural).

An ongoing issue likely to receive attention during the 109<sup>th</sup> Congress is the focus of the fire grant program. Activities in the preceding Congress included reauthorization of the Fire Act and enactment of the Staffing for Adequate Fire and Emergency Response (SAFER) Act. On October 28, 2004, the President signed the FY2005 National Defense Authorization Act (P.L. 108-375). Title XXXVI of P.L. 108-375 is the Assistance to Firefighters Grant Program Reauthorization Act of 2004, which reauthorizes the fire grant program through FY2009.

This report will be updated as events warrant.

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# Assistance to Firefighters Program: Distribution of Fire Grant Funding

## Background

The Assistance to Firefighters Program,<sup>1</sup> also known as the FIRE Act grant program, was established by Title XVII of the FY2001 National Defense Authorization Act (P.L. 106-398).<sup>2</sup> Currently administered by the Office of State and Local Government Coordination Preparedness (SLGCP) within the Department of Homeland Security (DHS),<sup>3</sup> the program provides federal grants directly to local fire departments and unaffiliated Emergency Medical Services (EMS) organizations to help address a variety of equipment, training, and other firefighter-related and EMS needs. On October 28, 2004, the President signed the FY2005 National Defense Authorization Act (P.L. 108-375). Title XXXVI of P.L. 108-375 is the Assistance to Firefighters Grant Program Reauthorization Act of 2004, which reauthorizes the fire grant program through FY2009.

The FIRE Act statute prescribes 14 different purposes for which fire grant money *may* be used (see 15 USC 2229(b)(3)). These are: hiring firefighters; training firefighters; creating rapid intervention teams; certifying fire inspectors; establishing wellness and fitness programs; funding emergency medical services; acquiring firefighting vehicles; acquiring firefighting equipment; acquiring personal protective equipment; modifying fire stations; enforcing fire codes; funding fire prevention programs; educating the public about arson prevention and detection; and providing incentives for the recruitment and retention of volunteer firefighters. The DHS has the discretion to decide which of those purposes will be funded for a given grant year. Since the program commenced in FY2001, the majority of fire grant funding has been used by fire departments to purchase firefighting equipment, personal protective equipment, and firefighting vehicles. At present, the program does not award funding for major building construction or for hiring of personnel.

Eligible applicants are limited primarily to fire departments (defined as an agency or organization that has a formally recognized arrangement with a state, local, or tribal authority to provide fire suppression, fire prevention and rescue services to a population within a fixed geographical area). Emergency Medical Services (EMS)

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<sup>1</sup> See CRS Report RS21302, *Assistance to Firefighters Program*, by Lennard G. Kruger.

<sup>2</sup> “Firefighter assistance” is codified as section 33 of the Federal Fire Prevention and Control Act (15 USC 2229).

<sup>3</sup> Previous to FY2004, the fire grant program was administered by the U.S. Fire Administration (USFA), a component of the Emergency Preparedness and Response Directorate of DHS.

activities are eligible for fire grants, including a limited number (no more than 2% of funds allocated) to EMS organizations not affiliated with fire departments. Additionally, a separate competition is held for fire prevention and firefighter safety research and development grants, which are available to national, state, local, or community fire prevention or safety organizations (including, but not limited to, fire departments).<sup>4</sup> For official program guidelines, frequently-asked-questions, the latest awards announcements, and other information, see the Assistance to Firefighters grant program web page at [<http://www.firegrantsupport.com/>].

The fire grant program is in its fifth year. **Table 1** shows the fire grant program's appropriations history. Over \$2.6 billion has been appropriated to the fire grant program since FY2001, its first year.

**Table 1. Appropriations for Assistance to Firefighters Program, FY2001 - FY2005**

Fiscal Year	Appropriation
FY2001	\$100 million
FY2002	\$360 million
FY2003	\$745 million
FY2004	\$746 million
FY2005	\$650 million
<b>Total</b>	<b>\$2.6 billion</b>

### FY2001 Grants

On December 21, 2000, President Clinton signed into law the Consolidated Appropriations Act 2001 (H.R. 5666; P.L. 106-554). P.L. 106-554 provided \$100 million in FY2001 funding for the Assistance to Firefighters Program.

For the initial year of the program, the Federal Emergency Management Agency/U.S. Fire Administration (FEMA/USFA) received 31,295 grant applications from 18,915 fire departments, totaling \$2.99 billion in requests. Between July 23 and September 30, 2001, FEMA/USFA awarded 1,855 grants to local fire departments throughout the nation, and 31 grants to fire prevention or safety organizations, for a total of 1,886 grants worth \$96,586,668. **Table 2** provides a breakdown of FY2001 award recipients by category.

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<sup>4</sup> "Fire prevention and safety grants" are distinct from fire grants for prevention activities given exclusively to fire departments under the primary fire grant program.

**Table 2. FY2001 Fire Grant Award Recipients, By Category**

Category	Number of Awards	Amount of Awards
Training	160	\$5,199,356
Wellness & Fitness	168	\$8,256,720
Vehicles	208	\$20,412,605
Fire Prevention	209	\$9,071,484
Fire Fighting Equipment	404	\$14,919,463
Personal Protective Equipment	706	\$34,136,809
<b>Total, Fire grants</b>	<b>1,855</b>	<b>\$91,996,439</b>
Fire Prevention and Safety Grants	31	\$4,590,156
<b>TOTAL</b>	<b>1,886</b>	<b>\$96,586,668</b>

Source: U.S. Fire Administration

## FY2002 Grants

In its preliminary FY2002 budget document, “Blueprint for a New Beginning,” the Bush Administration proposed abolishing the fire grant program, arguing that it did not represent an appropriate responsibility of the federal government. After intense opposition from the fire community, the Administration reversed its position and proposed \$100 million in FY2002 for the Assistance to Firefighters Program. The November 6, 2001 House-Senate conference agreement (H.Rept. 107-272) set the Assistance to Firefighters Program at \$150 million for FY2002. The FY2002 VA-HUD appropriations act was signed into law (P.L. 107-73) on November 26, 2001. Supplemental FY2002 funding for the firefighter grant program was provided in the homeland security package contained in the FY2002 Defense Appropriations Act (P.L. 107-117, H.R. 3338), signed into law on January 10, 2002. P.L. 107-117 appropriated an additional \$210 million in FY2002 funding for the Assistance to Firefighters grant program. Thus, the total FY2002 appropriation for the fire grant program was \$360 million.

In FY2002, USFA received over 19,900 applications requesting a total of \$2.98 billion. Volunteer and combination<sup>5</sup> fire departments accounted for approximately 91% of applications, with career departments filing the remaining 9%.<sup>6</sup> In all, \$334

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<sup>5</sup> A “combination fire department” is a fire department with a mixture of paid and volunteer personnel.

<sup>6</sup> Department of Homeland Security, Office of Inspections, Evaluations, and Special Reviews, *A Review of the Assistance to Firefighters Grant Program*, OIG-ISP-01-03, (continued...)

million in grant money was awarded in FY2002 in four broad program areas: fire operations and firefighter safety; firefighting vehicles; emergency medical services; and fire prevention programs. USFA began announcing FY2002 awards on July 11, 2002.<sup>7</sup> **Table 3** provides a breakdown of FY2002 award recipients by category.

**Table 3. FY2002 Awards Recipient, By Category**

Category	Number of Awards	Amount of Awards
Fire Operations & Firefighter Safety	4,731	\$281,091,066
Fire Prevention	215	\$10,926,998
Firefighting Vehicles	315	\$39,277,630
Emergency Medical Services	53	\$3,069,736
<b>Total, Fire Grants</b>	<b>5,314</b>	<b>\$334,365,430</b>
Fire Prevention and Safety Grants	51	\$4,806,165
<b>TOTAL</b>	<b>5,365</b>	<b>\$339,171,595</b>

Source: U.S. Fire Administration

### FY2003 Grants

The President's FY2003 budget proposal sought to transfer \$150 million of funding for the Assistance to Firefighter Program into FEMA's newly formed Office of National Preparedness, where the fire grant program would be incorporated into the President's proposed \$3.5 billion First Responder grant program. The 107<sup>th</sup> Congress was not able to complete passage of the VA-HUD-Independent Agencies appropriation for FY2003. In the 108<sup>th</sup> Congress, the FY2003 Omnibus Appropriations (P.L. 108-7;H.J.Res 2) was signed into law on February 20, 2003, and provides \$745 million to the Assistance to Firefighters Program. P.L. 108-7 established a separate appropriations account for the program — "Firefighter Assistance Grants."

The FY2003 grant application period began on March 10, 2003, and ended on April 11, 2003. About 19,950 applications were received, requesting approximately \$2.5 billion in funding (including both the federal and nonfederal share). Approximately \$2 billion in federal funding was requested. The first round of awards was announced on June 12, 2003; the final round (35<sup>th</sup> Round) was announced on March 5, 2004 (see **Table 4**). Separate fire prevention and safety

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<sup>6</sup> (...continued)  
September 2003, p. 39.

<sup>7</sup> For award totals and recipients, see [<http://www.usfa.fema.gov/fire-service/grants/afgp/awards/2002awards/02awards.shtml>].

awards (totaling \$27.5 million) were also awarded. The first round of fire prevention and safety awards was announced on April 9, 2004.

**Table 4. FY2003 Award Recipients, By Category**

Category	Number of Awards	Amount of Awards
Fire Operations & Firefighter Safety	6,901	\$492,671,198
Fire Prevention	295	\$14,070,509
Firefighting Vehicles	1,367	\$184,233,676
Emergency Medical Services	67	\$4,145,676
<b>Total, Fire grants</b>	<b>8,630</b>	<b>\$695,121,059</b>
Fire Prevention and Safety Grants	398	\$19,469,083
<b>TOTAL</b>	<b>9,028</b>	<b>\$714,590,142</b>

Source: U.S. Fire Administration

## FY2004 Grants

The Administration's FY2004 budget requested \$500 million for the Assistance to Firefighters Program. The budget proposal sought to fund the fire grant program as part of the \$3.5 billion Office for Domestic Preparedness, located within the Department of Homeland Security's Directorate of Border and Transportation Security. The FY2004 Department of Homeland Security Appropriations Act P.L. 108-90) funded fire grants at \$746 million for FY2004, and provided fire grant funding as a separate appropriation within the Office for Domestic Preparedness. The Conference Report (H.Rept. 108-280) specified that DHS shall "continue current administrative practices in a manner identical to the current fiscal year, including a peer review process of applications, granting funds directly to local fire departments, and the inclusion of the United States Fire Administration during grant administration."

During FY2004, the fire grant program was administered by the Office for Domestic Preparedness. Funding was available in three categories: fire operations and firefighter safety, fire prevention, and firefighting vehicles. Grants for preparedness for weapons of mass destruction (WMD) incidents was specifically added in all three categories. ODP plans to direct grant money to "WMD Priority Communities" — primarily high-threat urban areas.<sup>8</sup>

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<sup>8</sup> Office of Domestic Preparedness, Department of Homeland Security, 2004 Assistance to Firefighters Grant Program, Workshop for New Applicants, power point presentation available at [<http://www.firegrantsupport.com/present.aspx>]



The application period for the FY2004 grants opened on March 1 and closed on April 2, 2004. Over 20,000 applications were received, requesting approximately \$2.664 billion in funding (including both the federal and nonfederal share). Approximately \$2.345 billion in federal funding was requested. To date, 7809 awards have been made, totaling \$679,305,159. The Fire Prevention and Safety grant program issued 532 awards totaling \$35,234, 823.

## **FY2005 Grants**

For FY2005, the Administration requested \$500 million for the fire grant program. The House passed the FY2005 Homeland Security Appropriations Act (H.R. 4567) on June 18, 2004. H.R. 4567 sought to provide \$600 million for firefighter grants in FY2005, while funding the program within the Office for State and Local Government Coordination and Preparedness (OSLGCP). In its bill report (H.Rept. 108-541), the House Appropriations Committee expressed concern over language in the Administration proposal that would shift the grant to terrorism, and the proposed deletion of several eligible activities for fire grants, specifically, wellness and fitness programs, emergency medical services, fire prevention programs, public education programs, and modifications of facilities for health and safety of personnel. The Committee also emphasized that fire grants must continue to be administered in a manner identical to FY2003, including a peer review process of applications, granting funds directly to local fire departments, and the inclusion of the United States Fire Administration during grant administration.

On June 17, 2004, the Senate Appropriations Committee reported S. 2537 (S.Rept. 108-280), its version of the FY2005 Homeland Security Appropriations bill. The Senate Appropriations Committee recommended \$700 million for fire grants in FY2005, and, like the House, sought to fund the program under the OSLGCP. Also similar to the House version, the Senate bill did not include bill language, requested in the Administration proposal, which would refocus the program on enhancing terrorism preparedness. The Committee directed DHS “to continue the present practice of funding applications according to local priorities and those established by the USFA.” The Senate passed its version of the FY2005 Homeland Security Appropriations bill on September 14, 2004. During floor consideration of the bill, an addition of \$50 million was approved for fire grants, bringing the Senate level to \$750 million.

The Conference Agreement on H.R. 4567 (H.Rept. 108-774) set the fire grants program at \$650 million for FY2005. The Conferees reiterated concerns over the Administration’s proposal to shift grant focus from all-hazards to terrorism, and directed that all currently eligible activities should continue to be funded. The Conference Report stated that the fire grant program should be administered by the Office of State and Local Government Coordination and Preparedness, and that the USFA should be included in the grant administration process. The House approved the Conference Report on October 9, 2004; it was approved by the Senate on October 11. The bill was signed into law (P.L. 108-334) on October 18, 2004.

The application period for the FY2005 Assistance to Firefighters Grant Program opened on March 7, 2005 and closed on April 8, 2005. Fire departments can apply for grants in one of two programmatic areas: Operations and Firefighter Safety and

Firefighting Vehicle Acquisition. Unaffiliated EMS organizations can apply for grants in either EMS Operations and Safety or EMS Vehicle Acquisition. All applications are evaluated by peer review, although requests for equipment or training related to chemical, biological, radiological, nuclear, or explosive devices (CBRNE) and interoperable communications must undergo additional state technical review. The Fire Prevention and Safety grant program, is accepting applications September 6 through October 7, 2005. For official program guidelines, frequently-asked-questions, and other information, see the Assistance to Firefighters grant program web page at [<http://www.firegrantsupport.com>].

## Program Evaluation

On May 13, 2003, the USFA released the first independent evaluation of the Assistance to Firefighters Program. Conducted by the U.S. Department of Agriculture's Leadership Development Academy Executive Potential Program, the survey study presented a number of recommendations and concluded overall that the program was "highly effective in improving the readiness and capabilities of firefighters across the nation."<sup>9</sup> Another evaluation of the fire grant program was released by the DHS Office of Inspector General in September 2003. The report concluded that the program "succeeded in achieving a balanced distribution of funding through a competitive grant process,"<sup>10</sup> and made a number of specific recommendations for improving the program.

The Administration's FY2005 budget proposal was accompanied by program evaluations called the Program Assessment Rating Tool (PART). PART gave the fire grant program a rating of "Results Not Demonstrated," and found that "the program is unfocused and has not been able to demonstrate its impact on public safety, though the grant administration process is generally well-managed."<sup>11</sup>

## Distribution of Fire Grants

The Fire Act statute provides overall guidelines on how fire grant money will be distributed and administered. The law directs that volunteer departments receive a proportion of the total grant funding that is not less than the proportion of the U.S. population that those departments protect (currently 55%). The Assistance to Firefighters Grant Program Reauthorization Act of 2004 (Title XXXVI of P.L.108-375) raised award caps and lowered nonfederal matching requirements (based on recipient community population), extended eligibility to nonaffiliated emergency medical services (i.e. ambulance services not affiliated with fire departments), and expanded the scope of grants to include firefighter safety R&D.

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<sup>9</sup> For full report see [<http://www.usfa.fema.gov/downloads/pdf/affgp-fy01-usda-report.pdf>].

<sup>10</sup> Department of Homeland Security, Office of Inspections, Evaluations, and Special Reviews, "A Review of the Assistance to Firefighters Grant Program," OIG-ISP-01-03, September 2003, p. 3. Available at [[http://www.dhs.gov/interweb/assetlibrary/OIG\\_Review\\_Fire\\_Assist.pdf](http://www.dhs.gov/interweb/assetlibrary/OIG_Review_Fire_Assist.pdf)].

<sup>11</sup> *Budget of the United States Government, FY2005*, p. 177.

There is no set geographical formula for the distribution of fire grants — fire departments throughout the nation apply, and award decisions are made by a peer panel based on the merits of the application and the needs of the community. However, the law does require that fire grants should be distributed to a diverse mix of fire departments, with respect to type of department (paid, volunteer, or combination), geographic location, and type of community served (e.g. urban, suburban, or rural).<sup>12</sup> The Fire Act’s implementing regulation provides that:

In a few cases, to fulfill our obligations under the law to make grants to a variety of departments, we may also make funding decisions using rank order as the preliminary basis, and then analyze the type of fire department (paid, volunteer, or combination fire departments), the size and character of the community it serves (urban, suburban, or rural), and/or the geographic location of the fire department. In these instances where we are making decisions based on geographic location, we will use States as the basic geographic unit.<sup>13</sup>

According to the FY2005 Program Guidance for the Assistance to Firefighters Program, career (paid) departments will compete against other career departments for up to 45% of the available funding, while volunteer and combination departments will compete for at least 55% of the available funding. However, given that less than 10% of fire grant applications are historically received from career departments, funding levels are likely not to reach the 45% ceiling for career departments.<sup>14</sup> Additionally, each fire department that applies is classified as either urban, suburban, or rural. The Bush Administration’s Program Assessment Rating Tool (PART) that accompanied the FY2005 budget proposal noted that in FY2002, 9% of fire grant funds went to urban areas, 20% to suburban areas, and the rest (71%) went to rural areas.

Finally, in an effort to maximize the diversity of awardees, the geographic location of an applicant (using states as the basic geographic unit) is used as a deciding factor in cases where applicants have similar qualifications.<sup>15</sup> **Table 6** shows a state-by-state breakdown of fire grant funding for FY2001 through FY2004. **Table 7** provides an in-depth look at the FY2004 grants, showing, for each state, the number of fire departments in each state,<sup>16</sup> the number of fire grant applications, the total amount requested, the total amount awarded, and the amount of funds awarded as a percentage of funds requested. As **Table 7** shows, fire departments in a given state cumulatively averaged about 30% of the funds they requested in FY2004.

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<sup>12</sup> 15 U.S.C. 2229(b)(9)

<sup>13</sup> 44 CFR Part 152.6(c)

<sup>14</sup> Department of Homeland Security, *2005 Program Guidance for the Assistance to Firefighters Grant Program*, February 2005, p. 33.

<sup>15</sup> *Ibid*, p. 34.

<sup>16</sup> The fire grant program sets a limit of one application per fire department. Thus, the number of fire departments in a state plays a major factor in the number of fire grant applications submitted and the amount of total funding awarded within a given state. For example, because Pennsylvania has — by far — the largest number of fire departments, it is not surprising that it leads the nation in the number of fire grants applications and the amount of funding awarded.

## Activities in the 108<sup>th</sup> Congress

**Fire Act Reauthorization.** The authorization for the original Fire Act (Section 33 of the Federal Fire Prevention and Control Act, 15 USC 2229) extended through FY2004. On April 1, 2004, Representative Boehlert introduced H.R. 4107 — the Assistance to Firefighters Grant Reauthorization Act of 2004. H.R. 4107 would have extended the authorization (at a yearly level of \$900 million) through FY2007. The USFA Administrator was specifically designated as the entity who shall administer the program. Additionally, H.R. 4107 sought to increase the current award caps for grant recipients, while reducing required cost-sharing nonfederal matches. Of perhaps greatest controversy was a provision which would prohibit grant recipients from discriminating against or prohibiting firefighters from engaging in volunteer firefighting activities in other jurisdictions during off-duty hours. The House Committee on Science held a hearing on H.R. 4107 on May 12, 2004.

On May 11, 2004, the Senate version of the fire grant reauthorization was introduced by Senator Dodd. S. 2411, the Assistance to Firefighters Act of 2004, would have authorized the fire grant program through FY2010 and designated the Secretary of the Department of Homeland Security as the program's administering authority. Unlike the House bill, S. 2411 did not contain a provision on volunteer firefighter discrimination. On June 17, 2004, the text of S. 2411 was adopted as an amendment (offered by Senator Dodd) to the FY2005 National Defense Authorization Act (S. 2400, Division D, Sections 4001-4013). On June 23, 2004, S. 2400 was passed by the Senate and incorporated into the House-passed Defense Authorization bill (H.R. 4200). The Senate Committee on Commerce, Science and Transportation held a hearing on S. 2411 on July 8, 2004.

On October 9, 2004 the House and Senate approved the Conference Agreement on H.R. 4200 (H.Rept. 108-767). Title XXXVI of H.R. 4200 (Assistance to Firefighters Grant Program Reauthorization Act of 2004) reauthorizes the fire grant program at \$900 million for FY2005, \$950 million for FY2006, and \$1 billion for each of the fiscal years 2007 through 2009. Award caps are raised, nonfederal matching requirements are lowered, eligibility is extended to include nonaffiliated emergency medical services (i.e. ambulance services not affiliated with fire departments), and the scope of grants is expanded to include firefighter safety R&D. H.R. 4200 does not contain the provision on volunteer firefighter discrimination. The reauthorization legislation designates the USFA Administrator as the administering authority of the fire grant program. H.R. 4200 was signed into law (P.L. 108-375) by the President on October 28, 2004. **Table 5** provides a summary of key provisions.

**Table 5. Major Provisions of the Assistance to Firefighters Grant Program Reauthorization Act**

<b>Assistance to Firefighters Grant Program Reauthorization Act of 2004, Section XXXVI of P.L. 108-375, FY05 National Defense Authorization Act</b>
Places program under the authority of the USFA Administrator
Grant recipient limits: \$2.75 million — populations over 1 million \$1.75 million — 500K to 1 million \$1 million — under 500K DHS can waive these limits in instances of extraordinary need
Nonfederal match requirements: 20% for populations over 50K 10% for populations 20K to 50K 5% for populations less than 20K No match requirement for prevention and firefighter safety grants
Authorized for five years: FY2005 — \$900 million FY2006 — \$950 million FY2007 — \$1 billion FY2008 — \$1 billion FY2009 — \$1 billion
Expands grant eligibility to emergency medical service squads, not less than 3.5% of fire grant money for EMS, but no more than 2% for nonaffiliated EMS
Provides grants for firefighter health and safety R&D
Requires the USFA Administrator to convene an annual meeting of non-federal fire service experts to recommend criteria for awarding grants and administrative changes
Requires fire service peer review of grant applications
Requires the USFA, in conjunction with the National Fire Protection Association, to conduct a \$300,000, 18-month study on the fire grant program and the need for federal assistance to state and local communities to fund firefighting and emergency response activities

**SAFER Act.** In the first session of the 108<sup>th</sup> Congress, Congress enacted the Staffing for Adequate Fire and Emergency Response (SAFER) Act as Section 1057 of the FY2004 National Defense Authorization Act (P.L. 108-136; signed into law November 24, 2003). The SAFER Act authorizes federal grants of over \$1 billion per year through 2010 directly to career fire departments for the hiring of personnel, and to volunteer fire departments for recruitment and retention. The SAFER Act gives the U.S. Fire Administrator authority to issue four-year grants for new hires, with the condition that the recipient fire department must assume an increasing percentage of the cost in each year. No money was appropriated for SAFER grants in FY2004.

Whether the SAFER Act should be funded has proven controversial. The Bush Administration requested no funding for SAFER grants in FY2005. While

firefighters argued that inadequate state and local budgets leave many fire departments critically understaffed and in need of federal assistance, the Administration argued that funding local firefighter hiring was not an appropriate federal role. On June 17, 2004, Representative Curt Weldon offered a floor amendment to the FY2005 Homeland Security Appropriations bill (H.R. 4567) which would have provided \$50 million for SAFER grants in FY2005. The amendment was adopted and the bill was subsequently passed by the House on June 18, 2004. On September 14, 2004, the Senate adopted an amendment offered by Senator Dodd to H.R. 4567 which would have provide \$100 million for the SAFER Act. The final Conference Agreement on H.R. 4567 (H.Rept. 108-774) provides SAFER Act grants with \$65 million for FY2005. The FY2005 Homeland Security Appropriations bill (P.L. 108-334) was signed by the President on October 18, 2004.

## **Issues in the 109<sup>th</sup> Congress**

An ongoing issue likely to receive attention during the 109<sup>th</sup> Congress is the focus of the fire grant program. Similar to the FY2005 proposal, the Administration's FY2006 budget proposal seeks to shift the priority of the fire grant program to terrorism preparedness. The Administration's FY2006 budget proposal – which requests \$500 million for fire grants in FY2006, a cut of 23% from the FY2005 appropriated level – would place priority on grant applications enhancing terrorism capabilities. Grants would be available only for training, vehicles, firefighting equipment, and personal protective equipment. Under the budget proposal, activities such as wellness/fitness and fire station modification would not be funded. Activities such as prevention, public fire safety education and awareness, and fire code enforcement would be funded under the separate fire prevention and firefighter safety grant program.

Firefighting groups question this proposed shift, arguing that the original purpose of the Fire Act (enhancing basic firefighting needs) should not be compromised or diluted. Firefighting groups also argue that the Administration's proposed FY2006 budget for fire grants (\$500 million), a cut of 23% from the FY2005 level, does not adequately meet the needs of fire departments. For information on House and Senate actions regarding the FY2006 appropriations for the fire grant program, see CRS Report RS21302, *Assistance to Firefighters Program*.

A related issue continues to be the role of the U.S. Fire Administration in the administration of the fire grant program. At its inception, the program was administered by the USFA/FEMA and focused on enhancing the basic needs of fire departments across the nation. In the FY2004 budget request, as part of its effort to consolidate terrorism preparedness grants under a single entity, the Administration proposed to relocate the fire grant program within the Office for Domestic Preparedness (ODP), whose mission is to provide state and local governments with assistance to improve their readiness for terrorism incidents. The FY2004 DHS Appropriations Act (P.L. 108-90) acceded to the Administration's request, and relocated the fire grants to ODP. The Conferees directed that DHS shall "continue current administrative practices in a manner identical to the current fiscal year, including a peer review process of applications, granting funds directly to local fire

departments, and the inclusion of the United States Fire Administration during grant administration.”

On January 26, 2004, then-DHS Secretary Ridge informed Congress of his intention to consolidate ODP, including the Assistance to Firefighters Program, into the Office of State and Local Government Coordination Preparedness (OSLGCP). The FY2005 Homeland Security appropriations act (P.L. 108-334) places the fire grant program within OSLGCP. However, the Assistance to Firefighters Grant Program Reauthorization Act of 2004 (P.L. 108-375) designates administration of the fire grant program to USFA. According to the FY2006 budget request, the fire grant program will be administered by the OSLGCP “in cooperation with the USFA.”

On July 13, 2005, DHS Secretary Michael Chertoff announced a restructuring of DHS, effective October 1, 2005. Under the restructuring plan, the fire grants (as well as the SAFER grants) will be administered by the Office of Grants and Training in the new DHS Directorate for Preparedness. Meanwhile, two bills (H.R. 3816, H.R. 3659), introduced in September 2005 to reestablish FEMA in the wake of Hurricane Katrina, contain language that would transfer firefighter assistance grants back to FEMA.

Another issue is the role of the federal government in assisting fire departments to hire personnel. Firefighters have argued that inadequate state and local budgets leave many fire departments critically understaffed, and that federal assistance is needed. On the other hand, the Administration has argued that funding the hiring of firefighters is not an appropriate federal role.

No money was appropriated for SAFER grants in FY2004, and the Administration requested no funding for SAFER grants in FY2005. The final Conference Agreement on P.L. 108-334 (H.Rept. 108-774) provided SAFER Act grants with \$65 million for FY2005.

The FY2005 SAFER program will provide funding to support hiring of firefighters and recruitment and retention of volunteers. The application period began on May 31 and ended on June 28, 2005. The program is administered by the Department of Homeland Security’s Office of State and Local Government Coordination and Preparedness (SLGCP) in cooperation with the USFA. For SAFER program guidance and application information, see [<http://www.firegrantsupport.com/safer/>].

The Administration is requesting no funding of the SAFER grants for FY2006. The House-passed FY2006 Homeland Security Appropriations bill (H.R. 2360) would provide \$75 million for SAFER grants in FY2006. The Senate-passed H.R. 2360 would provide \$115 million.

**Table 6. State-by-State Distribution of Fire Grants,  
FY2001-FY2004**  
(millions of dollars)

	<b>FY2001</b>	<b>FY2002</b>	<b>FY2003</b>	<b>FY2004</b>	<b>Total</b>
Alabama	3.085	12.503	23.329	25.097	64.014
Alaska	1.303	2.641	5.242	2.522	11.708
Arizona	1.37	3.6	7.490	9.808	22.268
Arkansas	1.337	4.635	10.675	13.680	30.327
California	5.905	18.978	30.060	29.793	84.736
Colorado	1.003	3.968	6.168	5.585	16.724
Connecticut	1.828	4.675	10.841	9.991	27.335
Delaware	0.132	0.372	1.096	1.755	3.355
District of Columbia	0	0.22	0	0	0.22
Florida	2.865	10.16	16.344	15.969	45.338
Georgia	2.375	6.079	13.791	11.857	34.102
Hawaii	0	1.182	0.947	0.864	2.993
Idaho	0.916	2.744	6.001	4.828	14.489
Illinois	2.417	13.398	28.810	27.238	71.863
Indiana	2.703	8.739	20.456	18.646	50.544
Iowa	1.301	7.284	16.087	16.430	41.102
Kansas	1.153	5.118	10.850	10.211	27.332
Kentucky	2.215	7.896	19.832	16.150	46.093
Louisiana	3.344	10.084	12.248	11.101	36.777
Maine	1.296	4.319	10.323	10.031	25.969
Maryland	0.739	4.08	8.153	10.227	23.199
Massachusetts	2.301	8.386	15.715	13.958	40.36
Michigan	2.815	8.948	17.247	20.005	49.015
Minnesota	2.133	8.149	17.510	18.609	46.401
Mississippi	1.763	6.755	15.679	11.329	35.526
Missouri	3.079	10.291	19.573	17.757	50.7
Montana	1.164	3.726	8.361	7.271	20.522
Nebraska	1.034	2.392	7.820	6.577	17.823
Nevada	0.282	1.446	3.312	1.405	6.445
New Hampshire	0.594	1.887	4.584	5.694	12.759
New Jersey	2.596	6.339	19.982	16.488	45.405
New Mexico	1.455	3.463	5.048	3.653	13.619
New York	3.978	14.728	34.320	35.030	88.056



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	<b>FY2001</b>	<b>FY2002</b>	<b>FY2003</b>	<b>FY2004</b>	<b>Total</b>
North Carolina	1.949	10.239	22.864	22.360	57.412
North Dakota	0.546	2.613	5.105	3.391	11.655
Ohio	2.731	13.742	26.997	29.107	72.577
Oklahoma	1.864	4.939	10.540	10.393	27.736
Oregon	1.596	4.892	9.896	10.122	26.506
Pennsylvania	2.89	16.97	45.179	47.898	112.937
Rhode Island	0.407	1.507	2.327	1.917	6.158
South Carolina	1.554	5.257	11.832	14.150	32.793
South Dakota	0.904	3.142	5.602	4.693	14.341
Tennessee	2.46	11.509	19.306	18.686	51.961
Texas	3.697	15.644	29.264	30.118	78.723
Utah	0.9	2.754	4.628	3.880	12.162
Vermont	0.451	1.971	5.163	4.747	12.332
Virginia	2.066	8.79	15.816	16.668	43.34
Washington	1.535	7.544	18.808	19.565	47.452
West Virginia	1.067	3.966	9.942	9.133	24.108
Wisconsin	2.077	7.518	18.234	19.668	47.497
Wyoming	1.09	1.612	3.507	1.811	8.02
Puerto Rico	0.657	0.382	1.643	1.140	3.822
Saipan	0	0.225	0	0	0.225
Rota	0.145	0	0	0	0.145
Guam	0	0.016	0	0	0.016
American Samoa	0.164	0	0	0.284	0.448
Virgin Islands	0.741	0	0.544	0	1.285
<b>TOTAL</b>	<b>91.972</b>	<b>334.417</b>	<b>695.121</b>	<b>679.305</b>	<b>1800.815</b>

**Source:** Department of Homeland Security

**Table 7. Requests and Awards for Fire Grant Funding, FY2004**

	<b>Number of Fire/EMS Departments<sup>a</sup></b>	<b>Number of Applications</b>	<b>Federal Funds Requested (\$millions)</b>	<b>Federal Funds Awarded (\$millions)</b>	<b>Funds Awarded as a Percentage of Funds Requested</b>
Alabama	935	638	68.932	25.097	0.36408344455
Alaska	110	67	10.713	2.522	0.23541491646
Arizona	267	163	23.327	9.808	0.42045698118
Arkansas	818	486	40.306	13.680	0.33940356275
California	757	542	79.897	29.793	0.37289259922
Colorado	354	190	21.051	5.585	0.26530806137
Connecticut	365	234	33.364	9.991	0.29945450186
Delaware	72	30	4.041	1.755	0.43429844098
Dist. of Columbia	11	3	0.883	0	0
Florida	696	328	42.480	15.969	0.3759180791
Georgia	767	343	40.080	11.857	0.29583333333
Hawaii	16	4	1.042	0.864	0.82917466411
Idaho	206	131	17.368	4.828	0.27798249655
Illinois	1041	808	86.377	27.238	0.31533857393
Indiana	621	546	67.907	18.646	0.27458141281
Iowa	856	646	58.475	16.430	0.28097477555
Kansas	664	361	34.298	10.211	0.29771415243
Kentucky	779	550	63.879	16.150	0.2528217411
Louisiana	538	343	37.494	11.101	0.29607403851
Maine	416	302	33.161	10.031	0.30249389343
Maryland	381	223	37.709	10.227	0.27120846482
Massachusetts	398	308	48.551	13.958	0.28749150378
Michigan	824	694	73.734	20.005	0.27131309843
Minnesota	755	520	53.476	18.609	0.34798788241
Mississippi	746	425	39.231	11.329	0.28877673269
Missouri	846	551	55.415	17.757	0.32043670486
Montana	271	227	19.223	7.271	0.3782448109
Nebraska	483	271	27.354	6.577	0.240440155

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	Number of Fire/EMS Departments <sup>a</sup>	Number of Applications	Federal Funds Requested (\$millions)	Federal Funds Awarded (\$millions)	Funds Awarded as a Percentage of Funds Requested
Nevada	151	44	8.657	1.405	0.16229640753
New Hampshire	247	180	20.741	5.694	0.27452871125
New Jersey	988	509	67.441	16.488	0.24448036061
New Mexico	324	126	13.324	3.653	0.27416691684
New York	1815	1260	137.444	35.030	0.25486743692
North Carolina	1372	740	88.622	22.360	0.25230755343
North Dakota	319	185	15.597	3.391	0.21741360518
Ohio	1312	861	102.637	29.107	0.28359168721
Oklahoma	760	420	27.884	10.393	0.37272270836
Oregon	346	206	27.219	10.122	0.371872589
Pennsylvania	2563	1778	245.343	47.898	0.19522872061
Rhode Island	95	60	8.004	1.917	0.23950524738
South Carolina	576	372	44.858	14.150	0.31543983236
South Dakota	341	232	17.348	4.693	0.27052109753
Tennessee	625	484	47.667	18.686	0.39201124468
Texas	1808	894	102.209	30.118	0.29467072371
Utah	218	143	12.733	3.880	0.30472001885
Vermont	248	162	19.600	4.747	0.24219387755
Virginia	769	373	56.221	16.668	0.29647284822
Washington	524	340	46.783	19.565	0.41820746852
West Virginia	465	288	33.334	9.133	0.27398452031
Wisconsin	881	621	62.575	19.668	0.31431082701
Wyoming	128	67	8.576	1.811	0.21117070896
Puerto Rico	Not available	83	8.902	1.140	0.12806110986
Northern Marianas	Not available	2	0.231	0	0
American Samoa	Not available	1	0.525	0.284	0.54095238095
Virgin Islands	Not available	1	0.571	0	0
<b>TOTAL</b>	<b>31,822</b>	<b>20366</b>	<b>2344.814</b>	<b>679.305</b>	<b>28.97%</b>

Source: Department of Homeland Security

a. Data from firehouse.com.