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Assistance to Firefighters Program: Distribution of Fire Grant Funding

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Summary

The Assistance to Firefighters Grant (AFG) Program, also known as fire grants or 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 Federal Emergency Management Agency (FEMA), 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. A related program is the Staffing for Adequate Fire and Emergency Response Firefighters (SAFER) program, which provides grants for hiring, recruiting, and retaining firefighters.

The fire grant program is now in its 16th year. The Fire Act statute was reauthorized in 2012 (Title XVIII of P.L. 112-239) and provides new 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 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).

On December 18, 2015, the President signed the Consolidated Appropriations Act, 2016 (P.L. 114-113). The law provided \$690 million for Firefighter Assistance in FY2016, including \$345 million for AFG and \$345 million for SAFER. For FY2017, the Administration requested \$335 million for AFG and \$335 million for SAFER, a reduction of \$10 million for each program from the FY2016 enacted level. For FY2017, the Senate Appropriations Committee bill would provide \$340 million each to AFG and SAFER, while the House Appropriations Committee bill would provide \$345 million for each program. Meanwhile, the House bill would transfer the Firefighter Assistance budget account into FEMA's Federal Assistance account, while the Senate bill would maintain the Firefighter Assistance budget account as a separate and distinct line item.

The 114th Congress is considering FY2017 budget appropriations for AFG and SAFER. As is the case with many federal programs, concerns over the federal budget deficit could impact budget levels for AFG and SAFER. At the same time, firefighter assistance budgets will likely receive heightened scrutiny from the fire community, given the local budgetary cutbacks that many fire departments are facing.

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Background

Firefighting activities are traditionally the responsibility of states and local communities. As such, funding for firefighters is provided mostly by state and local governments. During the 1990s, shortfalls in state and local budgets, coupled with increased responsibilities of local fire departments, led many in the fire community to call for additional financial support from the federal government. Although federally funded training programs existed (and continue to exist) through the National Fire Academy, and although federal money was available to first responders for counterterrorism training and equipment through the Department of Justice, there did not exist a dedicated program, exclusively for firefighters, which provided federal money directly to local fire departments to help address a wide variety of equipment, training, and other firefighter-related needs.

Assistance to Firefighters Grant Program

During the 106th Congress, many in the fire community asserted that local fire departments require and deserve greater support from the federal government. The Assistance to Firefighters Grant Program (AFG), also known as fire grants or the FIRE Act grant program, was established by Title XVII of the FY2001 Floyd D. Spence National Defense Authorization Act (P.L. 106-398).¹ Currently administered by the Federal Emergency Management Agency (FEMA) in 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.

Since its establishment, the Assistance to Firefighters Grant program has been reauthorized twice. The first reauthorization was Title XXXVI of the FY2005 Ronald W. Reagan National Defense Authorization Act (P.L. 108-375), which authorized the program through FY2009. The second and current reauthorization is Title XVIII, Subtitle A of the FY2013 National Defense Authorization Act (P.L. 112-239), which authorizes the program through FY2017 and modifies program rules for disbursing grant money.

Fire Grants Reauthorization Act of 2012

On January 2, 2013, the President signed P.L. 112-239, the FY2013 National Defense Authorization Act. Title XVIII, Subtitle A is the Fire Grants Reauthorization Act of 2012, which authorizes the fire grant program through FY2017. **Table 1** provides a summary of key provisions of the 2012 reauthorization, and provides a comparison with the previous statute.

¹ “Firefighter assistance” is codified as §33 of the Federal Fire Prevention and Control Act (15 U.S.C. 2229).

Table I. Key Provisions of Fire Grant Reauthorization

Previous Statute (15 U.S.C. 2229 and 15 U.S.C. 2229a)	Fire Grant Reauthorization Act of 2012 (Title XVIII of P.L. 112-239)
<i>Grant money allocation</i>	
volunteer and combination fire departments shall receive a proportion of the total grant funding that is not less than the proportion of the U.S. population that those departments protect	not less than 25% to career fire departments not less than 25% to volunteer fire departments not less than 25% to combination and paid-on-call fire departments not less than 10% for open competition among career, volunteer, combination, and paid-on-call fire departments
5% (minimum) to fire prevention and safety grants	not less than 10% to fire prevention and safety grants no fire prevention and safety grant may exceed \$1.5 million includes establishment of fire-safety research centers to conduct research to improve firefighter health and safety no fire prevention and safety grant may be provided to the Association of Community Organizations for Reform Now (ACORN)
3.5% (minimum) to EMS provided by fire departments and nonaffiliated EMS organizations	not less than 3.5% to EMS provided by fire departments and nonaffiliated EMS organizations
2% (maximum) to nonaffiliated EMS organizations	not more than 2% to nonaffiliated EMS organizations not more than 3% to State training academies, no more than \$1 million per state academy in any fiscal year not more than 25% for purchasing vehicles
<i>Grant recipient limits</i>	
populations over 1 million—lesser of \$2.75 million or 0.5% of total appropriation	\$9 million—over 2.5m population
populations of 500K to 1 million—\$1.75 million	\$6 million—1m to 2.5m population
populations under 500K—\$1 million	\$3 million—500K to 1m population
no single grant can exceed 0.5% of total funds appropriated for a single fiscal year	\$2 million—100K to 500K population \$1 million—under 100K population
DHS can waive the funding limits for populations up to 1 million in instances of extraordinary need; however the lesser of \$2.75 million or 0.5% limit cannot be waived	FEMA may not award a grant exceeding 1% of all available grant funds, unless FEMA determines extraordinary need
<i>Nonfederal match requirements</i>	
20% for populations over 50,000	15% for populations over 1 million
10% for populations 20,000 to 50,000	10% for populations 20,000 to 1 million
5% for populations less than 20,000	5% for populations under 20,000
No match requirement for non-fire department prevention and firefighter safety grants	5% match required for fire prevention and safety grants
<i>Maintenance of expenditures</i>	
requires applicants to maintain expenditures at the same level as the average over the preceding two fiscal years	requires applicants to maintain expenditures at or above 80% of the average over the preceding two fiscal years
<i>Economic hardship waivers</i>	
no economic hardship waivers available	waivers available for nonfederal matching and

Previous Statute (15 U.S.C. 2229 and 15 U.S.C. 2229a)	Fire Grant Reauthorization Act of 2012 (Title XVIII of P.L. 112-239)
	maintenance of expenditures requirements, FEMA will develop economic hardship waiver guidelines considering unemployment rates, percentages of individuals eligible to receive food stamps, and other factors as appropriate.
<i>Authorization levels</i>	
FY2005—\$900 million FY2006—\$950 million FY2007—\$1 billion FY2008—\$1 billion FY2009—\$1 billion	FY2013—\$750 million for each of FY2014-FY2017, an amount equal to the amount authorized the previous fiscal year, increased by the percentage by which the Consumer Price Index for the previous fiscal year exceeds the preceding year.
<i>Congressionally Directed Spending</i>	
no provision	no funds may be used for any congressionally directed spending item (as defined under the rules of the Senate and the House of Representatives)
<i>Sunset</i>	
none	the authority to award assistance and grants shall expire five years after the date of enactment
<i>SAFER grants</i>	
grant period is 4 years, grantees are required to retain for at least 1 year beyond the termination of their grants those firefighter positions hired under the grant	shortens the grant period to three years, with no requirement that fire departments must retain SAFER funded firefighters for an extra year
year 1—10% local match year 2—20% local match year 3—50% local match year 4—70% local match	year 1—25% local match year 2—25% local match year 3—65% local match
total funding over 4 years for hiring a firefighter may not exceed \$100K, adjusted annually for inflation	for the first year, the amount of funding provided for hiring a firefighter may not exceed 75% of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted for the second year, the amount of funding provided for hiring a firefighter may not exceed 75% of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted for the third year, the amount of funding provided for hiring a firefighter may not exceed 35% of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted
state, local, and Indian tribal governments eligible for recruitment and retention funds	additionally makes national organizations eligible for recruitment and retention funds allows FEMA, in the case of economic hardship, to waive cost share requirements, as well as the prohibition on supplanting local funds and maintenance of expenditure requirements (which would allow grants to be used for retention and rehiring laid-off firefighters)
authorized for 7 years starting at \$1 billion in FY2004, ending at \$1.194 billion in FY2010	reauthorizes the SAFER grant program at \$750 million for FY2013; for each of FY2014-FY2017, an amount equal to the amount authorized the previous fiscal year, increased by the percentage by which the Consumer

Previous Statute (15 U.S.C. 2229 and 15 U.S.C. 2229a)	Fire Grant Reauthorization Act of 2012 (Title XVIII of P.L. 112-239)
	Price Index for the previous fiscal year exceeds the preceding year no funds may be used for any congressionally directed spending item (as defined under the rules of the Senate and the House of Representatives)
authority to make grants shall lapse 10 years from November 24, 2003	the authority to award assistance and grants shall expire five years after the date of enactment

Source: Fire Grants Reauthorization Act of 2012, Title VIII, Subtitle A of FY2013 National Defense Authorization Act, P.L. 112-239.

Legislation in the 114th Congress

Not including appropriations bills, the following has been introduced into the 114th Congress:

- H.R. 4765, the Fire Department Proper Response and Equipment Prioritization Act, was introduced on March 16, 2016, by Representative Herrera Beutler. The bill would direct FEMA to give high priority consideration to requests for AFG grants seeking to provide for planning, training, and equipment to firefighters for crude oil-by-rail and ethanol-by-rail derailment and incident response.

Appropriations

From FY2001 through FY2003, the Assistance to Firefighters Grant (AFG) Program (as part of USFA/FEMA) received its primary appropriation through the VA-HUD-Independent Agencies Appropriation Act. In FY2004, the Assistance to Firefighters Program began to receive its annual appropriation through the House and Senate Appropriations Subcommittees on Homeland Security.

The fire grant program is in its 16th year. **Table 2** shows the appropriations history for firefighter assistance, including AFG, SAFER, and the Fire Station Construction Grants (SCG) provided in the American Recovery and Reinvestment Act of 2009 (ARRA). **Table 3** shows recent and proposed appropriated funding for the AFG and SAFER grant programs.

Table 2. Appropriations for Firefighter Assistance, FY2001-FY2016

	AFG	SAFER	SCG^a	Total
FY2001	\$100 million			\$100 million
FY2002	\$360 million			\$360 million
FY2003	\$745 million			\$745 million
FY2004	\$746 million			\$746 million
FY2005	\$650 million	\$65 million		\$715 million
FY2006	\$539 million	\$109 million		\$648 million
FY2007	\$547 million	\$115 million		\$662 million
FY2008	\$560 million	\$190 million		\$750 million
FY2009	\$565 million	\$210 million	\$210 million	\$985 million

	AFG	SAFER	SCG^a	Total
FY2010	\$390 million	\$420 million		\$810 million
FY2011	\$405 million	\$405 million		\$810 million
FY2012	\$337.5 million	\$337.5 million		\$675 million
FY2013	\$321 million	\$321 million		\$642 million
FY2014	\$340 million	\$340 million		\$680 million
FY2015	\$340 million	\$340 million		\$680 million
FY2016	\$345 million	\$345 million		\$690 million
Total	\$7.28 billion	\$3.19 billion	\$210 million	\$10.7 billion

a. Assistance to Firefighters Fire Station Construction Grants (SCG) grants were funded by the American Recovery and Reinvestment Act (P.L. 111-5).

Table 3. Recent and Proposed Appropriations for Firefighter Assistance

(millions of dollars)

	FY2015 (Admin. request)	FY2015 (P.L. 114- 4)	FY2016 (Admin. request)	FY2016 (P.L. 114- 113)	FY2017 (Admin. request)	FY2017 (S. 3001)	FY2017 (House Approp. Comm)
FIRE Grants (AFG)	335	340	335	345	335	340	345
SAFER Grants	335	340	335	345	335	340	345
Total	670	680	670	690	670	680	690

FY2015

The Administration’s FY2015 budget proposed \$670 million for firefighter assistance, including \$335 million for AFG and \$335 million for SAFER. Funding for management and administration would be drawn from a separate FEMA account (Salaries and Expenses). The Firefighter Assistance Grants would be categorized under First Responder Assistance Programs (FRAP), one of three activities under FEMA’s State and Local Programs (SLP) appropriation.

On June 11, 2014, the House Appropriations Committee approved H.R. 4903/S. 2534, the Department of Homeland Security Appropriations Act, 2015. The bill would provide \$680 million in firefighter assistance, including \$340 million for AFG and \$340 million for SAFER. The committee would continue to fund firefighter assistance under its own account, and declined the Administration’s request to place firefighter assistance under the State and Local Programs account. In the accompanying report (H.Rept. 113-481) the committee directed FEMA to continue to administer the Fire Grant programs as directed in prior year committee reports and encouraged FEMA to ensure that the formulas used for equipment accurately reflect the current cost of equipment.

On June 26, 2014, the Senate Appropriations Committee approved, its version of the Department of Homeland Security Act, 2015. As did the House Committee, the Senate bill would provide \$680 million in firefighter assistance, including \$340 million for AFG and \$340 million for SAFER. The Senate bill would continue to fund firefighter assistance under its own separate

account. In the accompanying report (S.Rept. 113-198), the committee expressed its expectation that funding for rural fire departments should be consistent with the previous five-year funding history and that FEMA will brief the committee if there is an anticipated fluctuation.

The Department of Homeland Security Appropriations Act, 2015 (P.L. 114-4) was signed by the President on March 4, 2015, and provided \$680 million in firefighter assistance, including \$340 million for AFG and \$340 million for SAFER.

FY2016

The Administration's FY2016 budget proposed \$670 million for firefighter assistance, including \$335 million for AFG and \$335 million for SAFER. Funding for management and administration would be drawn from a separate FEMA account (Salaries and Expenses). The Firefighter Assistance Grants would be categorized under First Responder Assistance Programs (FRAP), which is part of FEMA's State and Local Programs (SLP) appropriation.

On June 18, 2015, the Senate Appropriations Committee reported S. 1619, the Department of Homeland Security Act, 2016. Identical to the funding level in FY2015, the Senate bill would provide \$680 million in firefighter assistance, including \$340 million for AFG and \$340 million for SAFER. The Senate bill would continue to fund firefighter assistance under its own separate account. In the accompanying report (S.Rept. 114-68), the committee directed DHS to continue the present practice of funding applications according to local priorities and those established by the USFA, and to continue direct funding to fire departments and the peer review process. The committee stated its expectation that funding for rural fire departments remain consistent with their previous five-year history, and directed FEMA to brief the committee if there is a fluctuation.

On July 21, 2015, the House Appropriations Committee approved H.R. 3128, the Department of Homeland Security Appropriations Act, 2016. The bill would provide \$680 million in firefighter assistance, including \$340 million for AFG and \$340 million for SAFER. In the committee report (H.Rept. 114-215), the committee emphasizes the need for local first responders to be adequately prepared for crude- and ethanol-by-rail incidents and encourages FEMA to categorize AFG hazmat and other applications related to crude- and ethanol-by-rail preparation and response as "high priority."

On December 18, 2015, the President signed the Consolidated Appropriations Act, 2016 (P.L. 114-113). The law provided \$690 million for firefighter assistance in FY2016, including \$345 million for AFG and \$345 million for SAFER. Firefighter assistance continued to be funded under its own separate appropriations account.

FY2017

For FY2017, the Administration requested \$335 million for AFG and \$335 million for SAFER, a reduction of \$10 million for each program from the FY2016 enacted level. The budget justification states that the proposed reduction in AFG and SAFER "reflects FEMA's successful investments in prior year grants awarded."

Under the proposed budget, the AFG and SAFER grant accounts would be transferred to the Preparedness and Protection activity under FEMA's broader "Federal Assistance" account. According to the budget request, Federal Assistance programs will "assist Federal agencies, States, Local, Tribal, and Territorial jurisdictions to mitigate, prepare for and recover from terrorism and natural disasters."

On May 26, 2016, the Senate Appropriations Committee approved S. 3001, the Department of Homeland Security Act, 2017. The Senate bill would provide \$680 million for firefighter assistance, including \$340 million for AFG and \$340 million for SAFER. The committee maintained a separate budget account for Firefighter Assistance and did not transfer that budget account to the Federal Assistance account as proposed in the Administration budget request. In the accompanying report (S.Rept. 114-68), the committee directed DHS to continue the present practice of funding applications according to local priorities and those established by the USFA, and to continue direct funding to fire departments and the peer review process. The committee stated its expectation that funding for rural fire departments remain consistent with their previous five-year history, and directed FEMA to brief the committee if there is a fluctuation.

On June 22, 2016, the House Appropriations Committee approved its version of the Department of Homeland Security Appropriations Act, 2017. Unlike the Senate, the House Committee did transfer the Firefighter Assistance budget account into a broader Federal Assistance account in FEMA. The bill provided \$690 million for firefighter assistance, including \$345 million for AFG and \$345 million for SAFER. In the committee report, the committee directed FEMA to continue administering the fire grants programs as directed in prior year Committee reports, and encouraged FEMA to ensure that the formulas used for equipment accurately reflect current costs.

Fire Station Construction Grants in the ARRA

Since its inception, the traditional fire grant program has provided money specifically for health- and safety-related modifications of fire stations, but has not funded major upgrades, renovations, or construction. The American Recovery and Reinvestment Act (ARRA) of 2009 (P.L. 111-5) provided an additional \$210 million in firefighter assistance grants for modifying, upgrading, or constructing state and local nonfederal fire stations, provided that 5% be set aside for program administration, and provided that no grant shall exceed \$15 million. The conference report (H.Rept. 111-16) cited DHS estimates that this spending would create 2,000 jobs. The ARRA also included a provision (§603) that waived the matching requirement for SAFER grants funded by appropriations in FY2009 and FY2010.

The application period for ARRA Assistance to Firefighters Fire Station Construction Grants (SCG) opened on June 11 and closed on July 10, 2009. There is no cost share requirement for SCG grants. Eligible applicants are nonfederal fire departments that provide fire protection services to local communities. Ineligible applicants include federal fire departments, EMS or rescue organizations, airport fire departments, for-profit fire departments, fire training centers, emergency communications centers, auxiliaries and fire service organizations or associations, and search and rescue teams or similar organizations without fire suppression responsibilities.

DHS/FEMA received 6,025 SCG applications for \$9.9 billion in federal funds.² As of October 1, 2010, 119 SCG grants were awarded, totaling \$207.461 million to fire departments within the United States. A complete list of SCG awards is available at <http://www.fema.gov/rules-tools/assistance-firefighters-station-construction-grants>.

SAFER Grants

In response to concerns over the adequacy of firefighter staffing, the 108th Congress enacted the Staffing for Adequate Fire and Emergency Response (SAFER) Act as Section 1057 of the

² Detailed SCG application statistics are available at <http://www.firegrantsupport.com/docs/2009AFSCGAppStats.pdf>.

FY2004 National Defense Authorization Act (P.L. 108-136; signed into law November 24, 2003). The SAFER grant program is codified as Section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a). The SAFER Act authorizes grants to career, volunteer, and combination fire departments for the purpose of increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards. Also authorized are grants to volunteer fire departments for activities related to the recruitment and retention of volunteers. For more information on the SAFER program, see CRS Report RL33375, *Staffing for Adequate Fire and Emergency Response: The SAFER Grant Program*, by (name redacted) .

Program Evaluation

On May 13, 2003, the U.S. Fire Administration (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."³ 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,"⁴ and made a number of specific recommendations for improving the program.

At the request of DHS, the National Academy of Public Administration conducted a study to help identify potential new strategic directions for the Assistance to Firefighters Grant program and to provide advice on how to effectively plan, manage, and measure program accomplishments. Released in April 2007, the report recommended consideration of new strategic directions related to national preparedness, prevention vs. response, social equity, regional cooperation, and emergency medical response. According to the report, the "challenge for the AFG program will be to support a gradual shift in direction without losing major strengths of its current management approach—including industry driven priority setting and its well-respected peer review process."⁵

The Consolidated Appropriations Act of 2008 (P.L. 110-161), in the accompanying Joint Explanatory Statement, directed the Government Accountability Office (GAO) to review the application and award process for fire and SAFER grants. Additionally, FEMA was directed to peer review grant applications that best address the program's priorities and criteria as established by FEMA and the fire service. Those criteria necessary for peer-review must be included in the grant application package. Applicants whose grant applications are not reviewed must receive an official notification detailing why the application did not meet the criteria for review. Applications must be rank-ordered, and funded following the rank order.

In October 2009, GAO sent a report to Congress finding that FEMA has met most statutory requirements for awarding fire grants.⁶ GAO recommended that FEMA establish a procedure to

³ For full report see <http://www.usfa.fema.gov/downloads/pdf/affgp-fy01-usda-report.pdf>.

⁴ 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/xoig/assets/mgmt/rpts/OIG_Review_Fire_Assist.pdf.

⁵ National Academy of Public Administration, *Assistance to Firefighters Grant Program: Assessing Performance*, April 2007, p. xvii. Available at http://www.napawash.org/pc_management_studies/Fire_Grants_Report_April2007.pdf.

⁶ U.S. Government Accountability Office, *Fire Grants: FEMA Has Met Most Requirements for Awarding Fire Grants*, (continued...)

track EMS awards, ensure that grant priorities are better aligned with application questions and scoring values, and provide specific feedback to rejected applicants.

In June 2011, the National Fire Protection Association (NFPA) released its *Third Needs Assessment of the U.S. Fire Service*, which seeks to identify gaps and needs in the fire service, and measures the impact that fire grants have had on filling those gaps and needs. According to the study:

Needs have declined to a considerable degree in a number of areas, particularly personal protective and firefighting equipment, two types of resource that received the largest shares of funding from the Assistance to Firefighters grants (AFG). Declines in needs have been more modest in some other important areas, such as training, which have received much smaller shares of AFG grant funds.⁷

During 2014 and 2015, the DHS Office of the Inspector General (OIG) conducted an audit of AFG grants for fiscal years 2010 through 2012. On June 9, 2016, the DHS OIG released its report finding that 64% of AFG grant recipients over that period did not comply with grant guidance and requirements to prevent waste, fraud, and abuse of grant funds. The report recommended that FEMA's Grant Programs Directorate develop and implement an organizational framework to manage the risk of fraud, waste, abuse, and mismanagement. According to the report, FEMA has concurred with the OIG findings and has taken corrective actions to resolve the recommendations.⁸

Distribution of Fire Grants

The AFG statute prescribes different purposes for which fire grant money may be used. These are training firefighting personnel; creating rapid intervention teams; certifying fire inspectors and building inspectors whose responsibilities include fire safety inspections and who are associated with a fire department; establishing wellness and fitness programs, including mental health programs; funding emergency medical services (EMS) provided by fire departments and nonaffiliated EMS organizations; acquiring firefighting vehicles; acquiring firefighting equipment; acquiring personal protective equipment; modifying fire stations, fire training facilities, and other facilities for health and safety; educating the public about arson prevention and detection; providing incentives for the recruitment and retention of volunteer firefighters; and supporting other activities as FEMA determines appropriate. FEMA 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.

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

(...continued)

but *Additional Actions Would Improve Its Grant Process*, GAO-10-64, October 2009, <http://www.gao.gov/new.items/d1064.pdf>.

⁷ National Fire Protection Association, *Third Needs Assessment of the U.S. Fire Service*, June 2011, abstract. Available at <http://www.nfpa.org/assets/files//2011NeedsAssessment.pdf>.

⁸ Department of Homeland Security, Office of Inspector General, *FEMA's Grant Programs Directorate Did Not Effectively Manage Assistance to Firefighters Grant Program—AFG Grants*, OIG-16-100, June 9, 2016, 25 pp., available at <https://www.oig.dhs.gov/assets/Mgmt/2016/OIG-16-100-Jun16.pdf>.

area). Emergency Medical Services (EMS) activities are eligible for fire grants, including a limited number to EMS organizations not affiliated with hospitals.

Additionally, a separate competition is held for fire prevention and firefighter safety research and development grants, which are available to fire departments; national, state, local, tribal, or nonprofit organizations recognized for their fire safety or prevention expertise; and to institutions of higher education, national fire service organizations, or national fire safety organizations to establish and operate fire safety research centers. For official program and application guidelines, frequently-asked-questions, the latest awards announcements, and other information, see the Assistance to Firefighters Grant program web page at <http://www.fema.gov/welcome-assistance-firefighters-grant-program>.

The FIRE Act statute provides overall guidelines on how fire grant money will be distributed. Previously, the law directed that volunteer and combination 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 (34% for combination, 21% for all-volunteer). Reflecting concerns that career fire departments (which are primarily in urban and suburban areas) were not receiving adequate levels of funding, the Fire Grants Authorization Act of 2012 alters the distribution formula, directing that not less than 25% of annual AFG funding go to career fire departments, not less than 25% to volunteer fire departments, not less than 25% to combination and paid-on-call fire departments, and not less than 10% for open competition among career, volunteer, combination, and paid-on-call fire departments. Additionally, P.L. 112-239 raises award caps (up to \$9 million) and lowers matching requirements for fire departments serving higher population areas.

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).⁹ 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.¹⁰

Additionally, each fire department that applies is classified as either urban, suburban, or rural. In FY2010, 75.1% of applications were received from rural fire departments, 17.7% from suburban, and 7.2% from urban. This translated into rural departments requesting 66.7% of federal funds, suburban departments requesting 21.5%, and urban departments requesting 11.8%.¹¹

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. **Table 4** shows a state-by-state breakdown of fire grant funding for

⁹ 15 U.S.C. 2229(b)(9).

¹⁰ 44 C.F.R. Part 152.6(c).

¹¹ FEMA, *FY2010 Assistance to Firefighter Grant Application Statistics*, available at <http://www.fema.gov/media-library/assets/documents/26138?fromSearch=fromsearch&id=5744>.

FY2001 through FY2014, while **Table 5** shows a state-by-state breakdown of SAFER grant funding for FY2005 through FY2014. **Table 6** provides an in-depth look at the FY2010 fire grants, showing, for each state, 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 6** shows, the entire pool of fire department applicants received about 13% of the funds they requested in FY2010. This compares to 16% in FY2009, 15% in FY2008, 16% in FY2007, 21% in FY2006, 22% in FY2005, 28% in FY2004, and 34% in FY2003. The downward trend reflects the fact that the number of applications and the amount of federal funds requested have trended upward over the years, while appropriations for the fire grant program have typically declined over the same period.

Issues in the 114th Congress

The 114th Congress is considering FY2017 budget appropriations for AFG and SAFER. As is the case with many federal programs, concerns over the federal budget deficit could impact budget levels for AFG and SAFER. At the same time, firefighter assistance budgets will likely receive heightened scrutiny from the fire community, given the local budgetary cutbacks that many fire departments are now facing.

Another issue is the proposed transfer of AFG and SAFER into FEMA’s Federal Assistance account in FY2017. Fire service groups oppose this transfer, arguing that it could reorient firefighter assistance programs towards responding to terrorism and other major incidents rather than maintaining its current all-hazards focus.

The 114th Congress will also likely examine the impact of new grant distribution guidelines mandated by P.L. 112-239, the Fire Grant Authorization Act of 2012. The continuing issue is how effectively grants are being distributed and used to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

Table 4. State-by-State Distribution of AFG Grants, FY2001-FY2014
(millions of dollars)

	FY01-FY05	FY06-FY10	FY11	FY12	FY13	FY14	Total
AL	84.85	99.819	18.591	11.943	16.104	14.215	245.522
AK	14.819	5.701	0.568	1.375	0.807	0.759	24.029
AZ	30.173	22.002	4.952	3.781	4.562	4.712	70.182
AR	40.729	35.89	4.253	4.009	2.86	3.365	91.106
CA	110.367	108.192	35.334	21.467	20.481	15.599	311.44
CO	22.797	19.924	5.213	2.175	2.137	3.731	55.977
CT	34.622	27.431	3.67	4.085	4.093	3.487	77.388
DE	4.516	3.389	0.366	0.199	0.345	2.742	11.557
DC	0.673	1.915	1.38	0	0	0	3.968
FL	63.26	46.951	16.2	9.782	6.687	11.529	154.409
GA	44.27	41.087	5.174	5.849	2.829	5.983	105.192
HI	4.198	2.342	1.534	0.433	2.685	0.906	12.098
ID	19.173	14.94	0.439	2.069	2.602	2.108	41.331

	FY01-FY05	FY06-FY10	FY11	FY12	FY13	FY14	Total
IL	97.296	104.417	12.753	12.508	8.46	9.717	245.151
IN	66.323	67.308	7.728	4.696	3.247	5.051	154.353
IA	54.221	44.752	6.629	2.978	4.214	3.283	116.077
KS	34.497	24.151	3.072	2.947	2.121	2.297	69.085
KY	60.308	64.731	5.426	4.686	5.48	7.104	147.735
LA	48.407	31.928	6.337	3.369	3.918	3.455	97.414
ME	32.093	21.902	2.118	1.296	1.866	3.622	62.897
MD	31.97	33.371	4.524	6.848	6.737	5.938	89.388
MA	53.889	50.173	10.679	9.365	9.336	9.609	143.051
MI	64.103	74.226	16.904	12.714	9.606	9.206	186.759
MN	61.295	80.576	10.638	5.398	4.959	6.726	169.592
MS	45.382	37.794	3.694	2.617	2.272	4.674	96.433
MO	64.946	57.585	7.594	4.79	7.097	6.272	148.284
MT	27.178	26.222	0.725	1.44	0.569	1.419	57.553
NE	22.939	17.948	1.378	0.674	2.579	0.988	46.506
NV	8.391	5.366	0.564	0.459	1.526	1.575	17.881
NH	17.322	13.579	1.69	1.209	3.403	2.082	39.285
NJ	60.096	64.042	10.402	8.569	5.197	8.658	156.964
NM	15.878	7.166	2.122	1.796	0.975	0.355	28.292
NY	124.065	123.274	10.253	14.595	13.735	17.715	303.637
NC	76.727	90.818	13.864	13.583	8.157	12.903	216.052
ND	14.328	12.977	0.71	0.316	0.653	0.947	29.931
OH	99.921	132.083	23.281	20.617	17.512	20.346	313.76
OK	36.493	35.713	3.187	2.142	2.367	1.921	81.823
OR	36.52	35.987	5.59	2.693	2.47	3.275	86.535
PA	152.17	182.764	26.227	21.358	19.697	26.727	428.943
RI	8.287	8.268	2.314	3.75	3.284	4.082	29.985
SC	43.337	49.449	4.948	6.774	4.303	7.635	116.446
SD	17.911	10.812	1.135	0.292	0.682	0.458	31.29
TN	67.008	64.808	6.268	5.37	5.312	7.336	156.102
TX	102.203	85.594	11.031	7.887	2.766	6.525	216.006
UT	14.35	11.805	0.883	0.987	1.584	11.732	41.341
VT	14.403	6.985	0.498	0.775	0.599	0.718	23.978
VA	57.697	39.486	3.5	5.763	1.985	5.466	113.897
WA	63.215	60.176	7.341	8.01	7.327	10.941	157.01
WV	34.251	30.645	2.173	2.232	1.981	6.646	77.928
WI	65.182	73.388	8.635	9.344	3.436	3.72	163.705

	FY01-FY05	FY06-FY10	FY11	FY12	FY13	FY14	Total
WY	10.052	5.378	0.488	0.179	0.429	0.225	16.751
PR	4.926	1.775	0.876	0.024	0	0.26	7.861
MP	0.59	0.172	0	0	0	0	0.762
GU	0.016	0.287	0	0.422	0	0	0.725
AS	0.448	0	0	0	0	0	0.448
VI	1.285	0.233	0	0	0	0	1.518
	2386.366	2319.697	345.85	282.64	248.033	300.208	5882.796

Source: Department of Homeland Security.

Table 5. State-by-State Distribution of SAFER Grants, FY2005-FY2014
(millions of dollars)

	FY05-FY07	FY08-FY10	FY11	FY12	FY13	FY14	Total
AL	12.062	20.133	1.293	6.923	3.73	3.895	68.169
AK	1.674	7.838	0.074	0.951	0.066	0.738	19.179
AZ	9.547	23.738	2.809	7.895	14.135	11.379	93.241
AR	2.591	7.016	1.136	1.019	0.208	2.632	21.618
CA	14.692	98.843	56.356	49.992	50.12	35.522	404.368
CO	6.793	6.359	5.432	1.636	0.85	4.106	31.535
CT	1.177	7.446	5.099	4.474	5.278	0	30.92
DE	0.135	2.121	0	0.946	0	0	5.323
DC	0	0	0	3.468	0	5.675	9.143
FL	22.122	59.011	30.494	26.243	37.927	22.83	257.638
GA	10.281	32.666	1.273	4.606	3.076	3.944	88.512
HI	0	1.726	0	0	0.944	0	4.396
ID	1.31	5.007	4.068	1.323	0	0	16.715
IL	15.736	19.194	2.456	5.704	4.806	4.843	71.933
IN	2.786	22.803	4.587	6.777	5.735	8.595	74.086
IA	1.293	2.414	1.604	0.08	1.104	0.498	9.407
KS	1.741	6.963	0.381	1.991	0.833	0	18.872
KY	3.471	3.697	0.155	1.164	2.574	0.973	15.731
LA	11.236	19.317	1.672	3.509	1.724	1.326	58.101
ME	0.397	2.737	0.518	1.183	1.442	0	9.014
MD	3.484	9.745	4.299	2.488	6.154	14.304	50.219
MA	7.751	55.497	23.127	4.955	17.336	25.612	189.775
MI	2.351	36.407	47.646	25.161	33.87	14.374	196.216
MN	1.764	5.291	4.463	0.797	0.871	1.026	19.503

	FY05- FY07	FY08- FY10	FY11	FY12	FY13	FY14	Total
MS	1.465	2.817	0.488	0.093	0.088	1.613	9.381
MO	9.565	9.473	10.619	2.86	1.284	2.196	45.47
MT	2.924	4.386	1.252	1.046	0	0.737	14.731
NE	1.505	3.246	0	0.37	3.779	0	12.146
NV	3.846	3.122	13.438	2.702	6.564	3.654	36.448
NH	2.963	0.578	1.479	0.976	0.651	0.666	7.891
NJ	13.298	61.593	18.073	34.462	23.791	55.874	268.684
NM	4.432	2.461	0	0	1.357	0.586	11.297
NY	7.376	30.878	6.142	8.949	2.149	8.164	94.536
NC	13.059	26.814	5.833	2.472	4.502	5.703	85.197
ND	0.609	5.174	0.048	0.066	0	0	11.071
OH	5.455	54.383	18.654	18.266	15.748	14.564	181.453
OK	1.377	11.909	1.435	0.676	0.83	1.091	29.227
OR	6.5	8.914	8.354	4.437	11.402	6.418	54.939
PA	5.352	12.617	13.831	27.608	4.462	27.122	103.609
RI	0.505	5.81	3.108	8.716	0	0.544	24.493
SC	4.537	12.632	2.147	4.757	6.763	1.869	45.337
SD	0.585	1.2	0.255	0	0.272	0.58	4.092
TN	9.102	10.378	0.993	3.034	3.58	1.97	39.435
TX	20.691	34.868	2.881	5.225	5.401	11.715	115.649
UT	6.31	10.362	0.208	0.598	0	0	27.84
VT	1.253	0.119	0	0	0	0	1.491
VA	6.427	15.735	4.978	9.883	7.691	12.48	72.929
WA	12.535	26.102	16.139	13.293	8.511	9.763	112.445
WV	0.868	0.845	0	0.46	0.311	1.921	5.25
WI	1.295	4.622	3.101	2.205	0	1.087	16.932
WY	0.316	3.589	1.148	0	0.24	0	8.882
PR	0	0	0	0	0	0	0
MP	0	1.404	0	0	0	0	2.808
MH	0	0	0	0	0	0	0
GU	0	0	0	0	0	0	0
AS	0	0	0.474	0	0	0	0.474
VI	0	0	0	0	0	0	0
PW	0	0	0	0	0	0	0
Total	280.163	822.055	334.03	316.439	304.238	332.595	2389.51

Source: Department of Homeland Security.

Table 6. Requests and Awards for AFG Funding, FY2010

State	Number of applications	Federal funds requested (\$millions)	Federal funds awarded (\$millions)	Funds awarded as a % of funds requested
Alabama	674	96.316	14.591	15.15%
Alaska	45	9.954	0.568	5.71%
Arizona	126	27.556	2.873	10.43%
Arkansas	300	44.642	5.111	11.45%
California	455	105.692	21.764	20.59%
Colorado	162	30.098	3.369	11.19%
Connecticut	201	37.739	3.166	8.39%
Delaware	21	3.569	0.282	7.90%
District of Columbia	2	0.447	0.368	82.33%
Florida	253	55.369	12.557	22.68%
Georgia	298	49.05	6.192	12.62%
Hawaii	2	0.534	0.261	48.88%
Idaho	94	14.085	2.361	16.76%
Illinois	679	116.024	14.809	12.76%
Indiana	386	58.256	10.759	18.47%
Iowa	369	45.45	5.818	12.80%
Kansas	203	27.591	3.055	11.07%
Kentucky	451	72.725	8.081	11.11%
Louisiana	197	33.435	4.414	13.20%
Maine	192	24.753	1.348	5.45%
Maryland	162	28.625	4.545	15.88%
Massachusetts	301	57.184	8.083	14.14%
Michigan	551	84.256	9.502	11.28%
Minnesota	419	69.131	18.923	27.37%
Mississippi	335	44.81	5.66	12.63%
Missouri	428	53.502	9.21	17.21%
Montana	141	21.442	3.204	14.94%
Nebraska	133	17.792	0.441	2.48%
Nevada	25	5.142	1.437	27.95%
New Hampshire	110	16.886	1.496	8.86%
New Jersey	484	87.821	9.687	11.03%
New Mexico	63	11.924	1.632	13.69%
New York	975	136.33	13.367	9.80%
North Carolina	645	102.416	13.137	12.83%
North Dakota	91	13.401	1.594	11.89%

State	Number of applications	Federal funds requested (\$millions)	Federal funds awarded (\$millions)	Funds awarded as a % of funds requested
Ohio	950	156.989	20.168	12.85%
Oklahoma	241	31.97	3.527	11.03%
Oregon	171	30.766	6.332	20.58%
Pennsylvania	1641	229.005	19.623	8.57%
Rhode Island	57	14.264	1.533	10.75%
South Carolina	378	50.393	8.684	17.23%
South Dakota	117	16.182	0.753	4.65%
Tennessee	517	78.254	11.259	14.39%
Texas	593	94.696	9.941	10.50%
Utah	93	16.076	2.985	18.57%
Vermont	84	11.737	0.689	5.87%
Virginia	237	43.841	5.991	13.67%
Washington	275	46.474	7.961	17.13%
West Virginia	273	44.61	5.074	11.37%
Wisconsin	584	80.314	9.569	11.91%
Wyoming	35	3.623	0.086	2.37%
Puerto Rico	8	1.499	0	0.00%
Northern Marianas	1	0.56	0	0.00%
Virgin Islands	2	0.355	0	0.00%
Guam	1	0.224	0	0.00%
Total	16,231	2555.779	337.840	13.22%

Source: Department of Homeland Security.

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