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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 18th year. AFG assistance is distributed to career, volunteer, combination, and paid-on-call fire departments serving urban, suburban, and rural 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.

The Consolidated Appropriations Act, 2018 (P.L. 115-141) provided $700 million for firefighter assistance in FY2018, including $350 million for AFG and $350 million for SAFER. For FY2019, the Administration requested $688.688 million for firefighter assistance, including $344.344 million for AFG and $344.344 million for SAFER. The Senate Appropriations bill (S. 3109) would provide $700 million for firefighter assistance, including $350 million for AFG and $350 million for SAFER. The FY2019 House appropriations bill would provide the same funding level as the Senate bill.

On January 3, 2018, the President signed the United States Fire Administration, AFG, and SAFER Program Reauthorization Act of 2017 (P.L. 115-98). P.L. 115-98 extends the AFG and SAFER authorizations through FY2023; extends the sunset provisions for AFG and SAFER through September 30, 2024; provides that the U.S. Fire Administration (USFA) may develop and make widely available an online training course on AFG and SAFER grant administration; expands SAFER hiring grant eligibility to cover the conversion of part-time or paid-on-call firefighters to full-time firefighters; directs FEMA, acting through the Administrator of USFA, to develop and implement a grant monitoring and oversight framework to mitigate and minimize risks of fraud, waste, abuse, and mismanagement related to the AFG and SAFER grant programs; and makes various technical corrections to the AFG and SAFER statute.

A continuing issue for the 115th Congress is how equitably and 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. Another continuing issue is 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 service community, given the local budgetary shortfalls that many fire departments may face.

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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 three times. 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 reauthorization was Title XVIII, Subtitle A of the FY2013 National Defense Authorization Act (P.L. 112-239), which authorized the program through FY2017 and modified program rules for disbursing grant money. The third and current reauthorization is the United States Fire Administration, AFG, and SAFER Program Reauthorization Act of 2017 (P.L. 115-98), which authorizes the program through FY2023.

Fire Grants Reauthorization Act of 2012

On January 2, 2013, President Obama signed P.L. 112-239, the FY2013 National Defense Authorization Act. Title XVIII, Subtitle A is the Fire Grants Reauthorization Act of 2012, which authorized the fire grant program through FY2017 and made significant changes in how grant money would be disbursed. **Table 1** provides a summary of key provisions of the 2012 reauthorization, and provides a comparison with the previously existing statute.

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

Table 1. Key Provisions of Fire Grant Reauthorization of 2012

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)
Grant money allocation	
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
Grant recipient limits	
populations over 1 million—lesser of $2.75 million or 0.5% of total appropriation populations of 500K to 1 million—$1.75 million populations under 500K—$1 million no single grant can exceed 0.5% of total funds appropriated for a single fiscal year	$9 million—over 2.5m population $6 million—1m to 2.5m population $3 million—500K to 1m population $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
Nonfederal match requirements	
20% for populations over 50,000 10% for populations 20,000 to 50,000 5% for populations less than 20,000	15% for populations over 1 million 10% for populations 20,000 to 1 million 5% for populations under 20,000
No match requirement for nonfire department prevention and firefighter safety grants	5% match required for fire prevention and safety grants
Maintenance of expenditures	
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

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)
Economic hardship waivers	
no economic hardship waivers available	waivers available for nonfederal matching and 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.
Authorization levels	
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.
Congressionally Directed Spending	
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)
Sunset	
none	the authority to award assistance and grants shall expire five years after the date of enactment
SAFER grants	
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

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)
	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 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.

Fire Grants Reauthorization in the 115th Congress

With the authorizations of both the AFG and SAFER programs expiring on September 30, 2017, and with sunset dates for both programs of January 2, 2018, the 115th Congress considered reauthorization legislation.

Senate

On April 5, 2017, S. 829, the AFG and SAFER Program Reauthorization Act of 2017 was introduced by Senator McCain and referred to the Committee on Homeland Security and Governmental Affairs. On May 17, 2017, the committee ordered S. 829 to be reported (S.Rept. 115-128) with an amendment in the nature of a substitute. On August 2, 2017, the Senate passed S. 829 by unanimous consent.

House

On July 12, 2017, the House Subcommittee on Research and Technology, Committee on Science, Space and Technology, held a hearing entitled *U.S. Fire Administration and Fire Grant Programs Reauthorization: Examining Effectiveness and Priorities*. Testimony was heard from the USFA acting administrator and from fire service organizations.[2]

On December 15, 2017, H.R. 4661, the United States Fire Administration, AFG, and SAFER Program Reauthorization Act of 2017, was introduced by Representative Comstock. H.R. 4661 was identical to the Senate-passed S. 829, except that while S. 829 repealed the sunset provisions for AFG and SAFER, H.R. 4661 extended the sunset dates to September 30, 2024. Additionally, H.R. 4661 reauthorized the USFA through FY2023.

On December 18, 2017, the House passed H.R. 4661 by voice vote under suspension of the rules. On December 21, 2017, the Senate passed H.R. 4661 without amendment by unanimous consent.

Other legislation related to the fire act reauthorization included H.R. 3881, the AFG and SAFER Program Reauthorization Act of 2017, introduced by Representative Pascrell, which was identical

[2] Testimony is available at https://science.house.gov/legislation/hearings/subcommittee-research-and-technology-hearing-us-fire-administration-and-fire.

to S. 829 as passed by the Senate; and H.R. 1571, the Fire Department Proper Response and Equipment Prioritization Act, which was introduced by Representative Herrera-Beutler and would amend the FIRE Act statute to direct FEMA to give high-priority consideration to grants providing for planning, training, and equipment to firefighters for crude oil-by-rail and ethanol-by-rail derailment and incident response.

United States Fire Administration, AFG, and SAFER Program Reauthorization Act of 2017 (P.L. 115-98)

On January 3, 2018, the President signed the United States Fire Administration, AFG, and SAFER Program Reauthorization Act of 2017 (P.L. 115-98). P.L. 115-98

- extends the AFG and SAFER authorizations through FY2023;
- extends the sunset provisions for AFG and SAFER through September 30, 2024;
- extends the USFA authorization through FY2023;
- provides that the U.S. Fire Administration in FEMA may develop and make widely available an online training course on AFG and SAFER grant administration;
- expands SAFER hiring grant eligibility to cover the conversion of part-time or paid-on-call firefighters to full-time firefighters;
- directs FEMA, acting through the Administrator of USFA, to develop and implement a grant monitoring and oversight framework to mitigate and minimize risks of fraud, waste, abuse, and mismanagement related to the AFG and SAFER grant programs; and
- makes various technical corrections to the AFG and SAFER statute.

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 18th 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-FY2018

	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**

	AFG	SAFER	SCG[a]	Total
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**
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**
FY2017	$345 million	$345 million		**$690 million**
FY2018	$350 million	$350 million		**$700 million**
	$7.975 billion	**$3.885 billion**	**$210 million**	**$12.1 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)

	FY2017 (P.L. 115-31)	FY2018 (Admin. request)	FY2018 (P.L. 115-141)	FY2019 (Admin. request)	FY2019 (S.Rept. 115-283)	FY2019 (House Approp.)
FIRE Grants (AFG)	345	344.344	350	344.344	350	350
SAFER Grants	345	344.344	350	344.344	350	350
Total	**690**	**688.688**	**700**	**688.688**	**700**	**700**

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 Obama 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 stated 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.

The Consolidated Appropriations Act, 2017 (P.L. 115-31) provided $690 million for firefighter assistance in FY2017, including $345 million for AFG and $345 million for SAFER. Money is to remain available through September 30, FY2018. The firefighter assistance account was transferred to FEMA's broader Federal Assistance account.

FY2018

For FY2018, the Administration requested $688.688 million for firefighter assistance, including $344.344 million for AFG and $344.344 million for SAFER, slightly below the FY2017 level. AFG and SAFER are under Grants in the Federal Assistance budget account.

On July 18, 2017, the House Appropriations Committee approved the Department of Homeland Security Appropriations Act, 2018 (H.R. 3355; H.Rept. 115-239). The bill provided $690 million for firefighter assistance under the Federal Assistance budget account, including $345 million for AFG and $345 million for SAFER. In the bill report, the committee encouraged FEMA to give high-priority consideration to grants providing for planning, training, and equipment to firefighters for crude oil-by-rail and ethanol-by-rail derailment and incident response.

On September 14, 2017, the House passed H.R. 3354, a FY2018 omnibus appropriations bill that includes funding for AFG and SAFER. During floor consideration, the House adopted an amendment offered by Representative Kildee that added $20 million to SAFER; thus H.R. 3354 would provide $345 million for AFG and $365 million for SAFER.

The Consolidated Appropriations Act, 2018 (P.L. 115-141) provided $700 million for firefighter assistance in FY2018, including $350 million for AFG and $350 million for SAFER. Money is to remain available through September 30, 2019.

FY2019

For FY2019, the Administration requested $688.688 million for firefighter assistance, including $344.344 million for AFG and $344.344 million for SAFER.

On June 21, 2018, the Senate Appropriations Committee approved S. 3109, the Department of Homeland Security Act, 2019 (S.Rept. 115-283). The Senate bill would provide $700 million for firefighter assistance, including $350 million for AFG and $350 million for SAFER.

On July 25, 2018, the House Appropriations Committee approved its version of the FY2019 Homeland Security appropriations bill. The House bill would also provide $700 million for firefighter assistance, including $350 million for AFG and $350 million for SAFER. In the bill report, the Committee encouraged FEMA to give high priority consideration to grants providing for planning, training, and equipment to firefighters for crude oil-by-rail and ethanol-by-rail derailment and incident response. The Committee also encouraged FEMA to "provide technical assistance, and work more closely with those communities that are underserved or underrepresented," and to rate Source Capture Exhaust Extraction Systems as "high priority" under the AFG program.

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.[3] 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 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 Lennard G. Kruger.

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."[4] 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,"[5] 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

[3] Detailed SCG application statistics are available at http://www.firegrantsupport.com/docs/2009AFSCGAppStats.pdf.

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

[5] 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 https://www.oig.dhs.gov/assets/Mgmt/OIG_Review_Fire_Assist.pdf.

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."[6]

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.[7] GAO recommended that FEMA establish a procedure to track EMS awards, ensure that grant priorities are better aligned with application questions and scoring values, and provide specific feedback to rejected applicants.

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]

Meanwhile, the Fire Grants Reauthorization Act of 2012 (P.L. 112-239) directed GAO to prepare a report to Congress that includes an assessment of the effect of the changes made by P.L. 112-239 on the effectiveness, relative allocation, accountability, and administration of the fire grants. GAO was also directed to evaluate the extent to which those changes have enabled grant recipients to mitigate fire and fire-related and other hazards more effectively. In September 2016, GAO released its report, entitled *Fire Grants: FEMA Could Enhance Program Administration and Performance Assessment.* The report concluded that FEMA's fire grant policies and the awards made in FY2013 and FY2014 generally reflected the changes to the fire grant statute made by P.L. 112-239, and that FEMA enhanced its assessment of program performance by establishing and reporting on measures of effectiveness of the grants. However, GAO also concluded that those performance measures do not include measurable performance targets linked to AFG and SAFER program goals, and that "aligning the fire grants programs' use of data on, and definitions of, critical infrastructure to award fire grants and assess program performance with the more objective, quantitative approach used by DHS and GPD [the Grants Program Directorate] for other programs and nonfire preparedness grants could enhance GPD's efforts to

[6] National Academy of Public Administration, *Assistance to Firefighters Grant Program: Assessing Performance*, April 2007, p. xvii. Available at http://www.napawash.org/wp-content/uploads/2007/07-06.pdf.

[7] U.S. Government Accountability Office, *Fire Grants: FEMA Has Met Most Requirements for Awarding Fire Grants, but Additional Actions Would Improve Its Grant Process*, GAO-10-64, October 2009, http://www.gao.gov/new.items/d1064.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.

integrate the fire grants program into larger national preparedness efforts and more objectively assess the impact of fire grants."[9]

In November 2016, the National Fire Protection Association (NFPA) released its *Fourth Needs Assessment of the U.S. Fire Service*, which seeks to identify gaps and needs in the fire service, and assesses the extent to which fire grants target those gaps and needs. According to the study:

> For respondent departments, fire service needs are extensive across the board, and in nearly every area of need, the smaller the community protected, the greater the need.
>
> While some needs have declined, many others have been constant or have shown an increase. Gaps remain across the board in staffing, training, facilities, apparatus, personal protective equipment, and health and wellness. Evidence of the need for staffing engines; training for structural firefighting, Hazmat and wildland firefighting; and updated SCBA and personal protective clothing is concerning.
>
> Roles and responsibilities of the fire service are expanding apparently at the same time appears that resources are being cut. EMS and Hazmat are now common responsibilities while active shooter response, enhanced technical rescue and wildland-urban interface firefighting are up and coming challenges for many departments.
>
> AFG and SAFER grant funds are targeted towards areas of need. As other resources are cut back, more departments turn towards these grants for support. If anything, these grant programs should grow in order to address the considerable multifaceted need that continues in the fire service.[10]

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. This decision is based on a Criteria Development Panel, composed of fire service and EMS representatives, which annually recommends criteria for awarding grants.

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 area). Emergency Medical Services (EMS) activities (at least 3.5% of annual

[9] Government Accountability Office, *Fire Grants: FEMA Could Enhance Program Administration and Performance Assessment*, GAO-16-744, September 2016, p. 33, available at http://gao.gov/assets/680/679787.pdf.

[10] National Fire Protection Association, *Fourth Needs Assessment of the U.S. Fire Service*, November 2016, p. xvii, available at http://www.nfpa.org/news-and-research/fire-statistics-and-reports/fire-statistics/the-fire-service/administration/needs-assessment.

AFG funding) are eligible for fire grants, including a limited number (no more than 2%) to nonfire department 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 altered 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 raised award caps (up to $9 million) and lowered 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, in evaluating applications, FEMA may take into consideration the type of department (paid, volunteer, or combination), geographic location, and type of community served (e.g., urban, suburban, or rural).[11]

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 FY2001 through FY2016, while **Table 5** shows a state-by-state breakdown of SAFER grant funding for FY2005 through FY2016. **Table 6** shows the percentage distribution of AFG grant funds by type of department (career, combination, volunteer, paid-on-call) for FY2009 through FY2014, while **Table 7** shows the percentage distribution of AFG grant funds by community service area (urban, suburban, rural) for FY2009 through FY2014.

Issues in the 115th Congress

AFG assistance is distributed to career, volunteer, combination, and paid-on-call fire departments serving urban, suburban, and rural areas. A continuing issue is how equitably and 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.

Another continuing issue is 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

[11] 44 C.F.R. Part 152.6(c).

scrutiny from the fire service community, given the local budgetary shortfalls that many fire departments may face.

Table 4. State-by-State Distribution of AFG Grants, FY2001-FY2016

(millions of dollars)

	FY2001-FY2005	FY2006-FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	Total
AL	84.85	99.819	18.591	11.943	16.104	14.215	13.531	16.533	275.586
AK	14.819	5.701	0.568	1.375	0.807	0.759	0.511	0.917	25.457
AZ	30.173	22.002	4.952	3.781	4.562	4.712	3.377	5.119	78.678
AR	40.729	35.89	4.253	4.009	2.86	3.365	2.139	3.116	96.361
CA	110.367	108.192	35.334	21.467	20.481	15.599	18.242	17.782	347.464
CO	22.797	19.924	5.213	2.175	2.137	3.731	2.827	2.763	61.567
CT	34.622	27.431	3.67	4.085	4.093	3.487	2.77	4.7769	84.9349
DE	4.516	3.389	0.366	0.199	0.345	2.742	0.66	0.819	13.036
DC	0.673	1.915	1.38	0	0	0	1.085	0	5.053
FL	63.26	46.951	16.2	9.782	6.687	11.529	9.35	8.195	171.954
GA	44.27	41.087	5.174	5.849	2.829	5.983	7.541	5.57	118.303
HI	4.198	2.342	1.534	0.433	2.685	0.906	2.78	0	14.878
ID	19.173	14.94	0.439	2.069	2.602	2.108	0.887	1.464	43.682
IL	97.296	104.417	12.753	12.508	8.46	9.717	13.986	9.306	268.443
IN	66.323	67.308	7.728	4.696	3.247	5.051	5.388	5.474	165.215
IA	54.221	44.752	6.629	2.978	4.214	3.283	4.036	3.08	123.193
KS	34.497	24.151	3.072	2.947	2.121	2.297	4.224	1.319	74.628
KY	60.308	64.731	5.426	4.686	5.48	7.104	7.78	7.779	163.294
LA	48.407	31.928	6.337	3.369	3.918	3.455	5.346	5.416	108.176
ME	32.093	21.902	2.118	1.296	1.866	3.622	2.025	2.313	67.235
MD	31.97	33.371	4.524	6.848	6.737	5.938	4.065	2.999	96.452
MA	53.889	50.173	10.679	9.365	9.336	9.609	11.629	9.648	164.328
MI	64.103	74.226	16.904	12.714	9.606	9.206	10.782	15.26	212.801
MN	61.295	80.576	10.638	5.398	4.959	6.726	5.861	7.193	182.646
MS	45.382	37.794	3.694	2.617	2.272	4.674	2.255	4.769	103.457
MO	64.946	57.585	7.594	4.79	7.097	6.272	7.297	8.756	164.337
MT	27.178	26.222	0.725	1.44	0.569	1.419	1.676	1.465	60.694
NE	22.939	17.948	1.378	0.674	2.579	0.988	2.712	1.602	50.82
NV	8.391	5.366	0.564	0.459	1.526	1.575	0.448	0.558	18.887
NH	17.322	13.579	1.69	1.209	3.403	2.082	2.243	2.369	43.897
NJ	60.096	64.042	10.402	8.569	5.197	8.658	8.089	8.695	173.748
NM	15.878	7.166	2.122	1.796	0.975	0.355	0.613	0.975	29.88

	FY2001-FY2005	FY2006-FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	Total
NY	124.065	123.274	10.253	14.595	13.735	17.715	15.186	16.665	335.488
NC	76.727	90.818	13.864	13.583	8.157	12.903	8.166	8.102	232.32
ND	14.328	12.977	0.71	0.316	0.653	0.947	0.564	1.15	31.645
OH	99.921	132.083	23.281	20.617	17.512	20.346	21.748	21.216	356.724
OK	36.493	35.713	3.187	2.142	2.367	1.921	1.476	1.973	85.272
OR	36.52	35.987	5.59	2.693	2.47	3.275	3.859	5.978	96.372
PA	152.17	182.764	26.227	21.358	19.697	26.727	27.96	30.835	487.738
RI	8.287	8.268	2.314	3.75	3.284	4.082	2.57	2.727	35.282
SC	43.337	49.449	4.948	6.774	4.303	7.635	7.09	6.16	129.696
SD	17.911	10.812	1.135	0.292	0.682	0.458	2.119	1.198	34.607
TN	67.008	64.808	6.268	5.37	5.312	7.336	7.092	11.193	174.387
TX	102.203	85.594	11.031	7.887	2.766	6.525	8.409	8.149	232.564
UT	14.35	11.805	0.883	0.987	1.584	11.732	0.291	1.488	43.12
VT	14.403	6.985	0.498	0.775	0.599	0.718	1.913	1.636	27.527
VA	57.697	39.486	3.5	5.763	1.985	5.466	8.222	6.279	128.398
WA	63.215	60.176	7.341	8.01	7.327	10.941	8.65	6.574	172.234
WV	34.251	30.645	2.173	2.232	1.981	6.646	6.892	4.157	88.977
WI	65.182	73.388	8.635	9.344	3.436	3.72	4.829	5.619	174.153
WY	10.052	5.378	0.488	0.179	0.429	0.225	0.478	0	17.229
PR	4.926	1.775	0.876	0.024	0	0.26	0	0.614	8.475
MP	0.59	0.172	0	0	0	0	0	0	0.762
GU	0.016	0.287	0	0.422	0	0	0	0	0.725
AS	0.448	0	0	0	0	0	0.124	0	0.572
VI	1.285	0.233	0	0	0	0	0.761	0	2.279
	2386.366	**2319.697**	**345.85**	**282.64**	**248.033**	**300.208**	**304.558**	**307.748**	**6495.102**

Source: CRS. Derived from FEMA AFG awards data available at https://www.fema.gov/assistance-firefighters-grant-awards.

Table 5. State-by-State Distribution of SAFER Grants, FY2005-FY2016

(millions of dollars)

	FY2005-FY2007	FY2008-FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	Total
AL	12.062	20.133	1.293	6.923	3.73	3.895	1.721	3.966	53.723
AK	1.674	7.838	0.074	0.951	0.066	0.738	0.76	0	12.101
AZ	9.547	23.738	2.809	7.895	14.135	11.379	17.17	11.816	98.489
AR	2.591	7.016	1.136	1.019	0.208	2.632	1.007	2.345	17.954
CA	14.692	98.843	56.356	49.992	50.12	35.522	30.877	44.585	380.987
CO	6.793	6.359	5.432	1.636	0.85	4.106	1.823	5.646	32.645
CT	1.177	7.446	5.099	4.474	5.278	0	4.789	17.898	46.161
DE	0.135	2.121	0	0.946	0	0	0	0.446	3.648
DC	0	0	0	3.468	0	5.675	0	0	9.143
FL	22.122	59.011	30.494	26.243	37.927	22.83	19.527	45.623	263.777
GA	10.281	32.666	1.273	4.606	3.076	3.944	8.156	13.433	77.435
HI	0	1.726	0	0	0.944	0	0	0	2.67
ID	1.31	5.007	4.068	1.323	0	0	0	0.234	11.942
IL	15.736	19.194	2.456	5.704	4.806	4.843	5.39	5.16	63.289
IN	2.786	22.803	4.587	6.777	5.735	8.595	2.711	1.29	55.284
IA	1.293	2.414	1.604	0.08	1.104	0.498	3.227	2.621	12.841
KS	1.741	6.963	0.381	1.991	0.833	0	1.237	0.727	13.873
KY	3.471	3.697	0.155	1.164	2.574	0.973	2.307	3.036	17.377
LA	11.236	19.317	1.672	3.509	1.724	1.326	2.018	3.479	44.281
ME	0.397	2.737	0.518	1.183	1.442	0	0	1.206	7.483
MD	3.484	9.745	4.299	2.488	6.154	14.304	15.068	8.251	63.793
MA	7.751	55.497	23.127	4.955	17.336	25.612	14.681	12.996	161.955
MI	2.351	36.407	47.646	25.161	33.87	14.374	19.792	18.315	197.916
MN	1.764	5.291	4.463	0.797	0.871	1.026	2.107	0.653	16.972
MS	1.465	2.817	0.488	0.093	0.088	1.613	0.19	4.151	10.905
MO	9.565	9.473	10.619	2.86	1.284	2.196	5.271	2.791	44.059
MT	2.924	4.386	1.252	1.046	0	0.737	0.456	1.446	12.247
NE	1.505	3.246	0	0.37	3.779	0	3.417	1.871	14.188
NV	3.846	3.122	13.438	2.702	6.564	3.654	4.435	1.126	38.887
NH	2.963	0.578	1.479	0.976	0.651	0.666	0	1.957	9.27
NJ	13.298	61.593	18.073	34.462	23.791	55.874	38.484	5.03	250.605
NM	4.432	2.461	0	0	1.357	0.586	0.824	0.563	10.223
NY	7.376	30.878	6.142	8.949	2.149	8.164	10.63	4.123	78.411
NC	13.059	26.814	5.833	2.472	4.502	5.703	6.064	15.324	79.771

	FY2005-FY2007	FY2008-FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	Total
ND	0.609	5.174	0.048	0.066	0	0	3.298	0.264	9.459
OH	5.455	54.383	18.654	18.266	15.748	14.564	27.307	5.951	160.328
OK	1.377	11.909	1.435	0.676	0.83	1.091	6.574	11.96	35.852
OR	6.5	8.914	8.354	4.437	11.402	6.418	6.479	9.114	61.618
PA	5.352	12.617	13.831	27.608	4.462	27.122	4.915	9.249	105.156
RI	0.505	5.81	3.108	8.716	0	0.544	17.777	6.215	42.675
SC	4.537	12.632	2.147	4.757	6.763	1.869	6.886	5.743	45.334
SD	0.585	1.2	0.255	0	0.272	0.58	1.469	0	4.361
TN	9.102	10.378	0.993	3.034	3.58	1.97	4.324	9.501	42.882
TX	20.691	34.868	2.881	5.225	5.401	11.715	5.157	17.074	103.012
UT	6.31	10.362	0.208	0.598	0	0	0.17	0.603	18.251
VT	1.253	0.119	0	0	0	0	0	0	1.372
VA	6.427	15.735	4.978	9.883	7.691	12.48	9.441	8.235	74.87
WA	12.535	26.102	16.139	13.293	8.511	9.763	16.648	15.277	118.268
WV	0.868	0.845	0	0.46	0.311	1.921	13.694	2.581	20.68
WI	1.295	4.622	3.101	2.205	0	1.087	0.144	3.453	15.907
WY	0.316	3.589	1.148	0	0.24	0	0.978	0.3	6.571
PR	0	0	0	0	0	0	2.506	0	2.506
MP	0	1.404	0	0	0	0	0	0	1.404
MH	0	0	0	0	0	0	0	0	0
GU	0	0	0	0	0	0	0	0	0
AS	0	0	0.474	0	0	0	0	0	0.474
VI	0	0	0	0	0	0	1.881	0	1.881
PW	0	0	0	0	0	0	0	0	0
Total	**280.163**	**822.055**	**334.03**	**316.439**	**304.238**	**332.595**	**341.468**	**347.635**	**3078.613**

Source: CRS. Derived from FEMA SAFER awards data available at https://www.fema.gov/staffing-adequate-fire-emergency-response-grants-awards.

Table 6. Distribution of Funding from AFG Awards by Department Type, FY2009-FY2014

	Department Type			
	Career	Combination	Volunteer	Paid on call/stipend
FY2009	26%	25%	43%	5%
FY2010	27%	34%	33%	6%
FY2011	38%	34%	25%	3%
FY2012	34%	30%	31%	4%
FY2013	34%	31%	32%	4%
FY2014	35%	31%	31%	3%

Source: GAO, *Fire Grants: FEMA Could Enhance Program Administration and Performance Assessment*, p. 47.

Table 7. Distribution of Funding from AFG Awards by Community Service Area, FY2009-FY2014

	Community Service Area			
	Urban	Suburban	Rural	State Fire Training Academies
FY2009	19%	19%	62%	0
FY2010	19%	24%	58%	0
FY2011	31%	26%	44%	0
FY2012	24%	27%	50%	0
FY2013	23%	21%	53%	3%
FY2014	21%	22%	54%	3%

Source: GAO, *Fire Grants: FEMA Could Enhance Program Administration and Performance Assessment*, p. 50.

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