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Assistance to Firefighters Program: Distribution of Fire Grant Funding

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Assistance to Firefighters Program: Distribution of Fire Grant Funding

Abstract

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 13th 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).

For FY2012, P.L. 112-74, the Consolidated Appropriations Act, provided \$675 million for firefighter assistance, including \$337.5 million for AFG and \$337.5 million for SAFER. The Administration's FY2013 budget proposed \$670 million for firefighter assistance, including \$335 million for AFG and \$335 million for SAFER. The Continuing Appropriations Resolution, 2013 (P.L. 112-175), funds firefighter assistance programs through the first six months of FY2013 at an increase of 0.612% of the FY2012 level. Therefore, under the FY2013 continuing resolution, AFG is funded at \$339.5 million and SAFER is funded at \$339.5 million through March 2013.

The 113th Congress will likely consider FY2013 and FY2014 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.

Keywords

Assistance to Firefighters Grant Program, AFG, Emergency Medical Services, EMS, firefighters, Federal Emergency Management Agency, FEMA, Congress

Comments

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Assistance to Firefighters Program: Distribution of Fire Grant Funding

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Summary

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The fire grant program is now in its 13th 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).

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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 \$6 million—1m to 2.5m population
populations of 500K to 1 million—\$1.75 million	\$3 million—500K to 1m population
populations under 500K—\$1 million	\$2 million—100 to 500K population
no single grant can exceed 0.5% of total funds appropriated for a single fiscal year	\$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

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>Economic hardship waivers</i>	
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.
<i>Authorization levels</i>	
FY2005—\$900 million	FY2013—\$750 million
FY2006—\$950 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.
FY2007—\$1 billion	
FY2008—\$1 billion	
FY2009—\$1 billion	
<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 1—25% local match
year 2—20% local match	year 2—25% local match
year 3—50% local match	year 3—65% local match
year 4—70% 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)

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)
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.

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. Within the DHS/FEMA budget, the firefighter assistance account (which includes both AFG and SAFER) is located within State and Local Programs (SLP) as part of the First Responder Assistance Programs (FRAP).

The fire grant program is in its 13th 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 (ARRA). **Table 3** shows recent and proposed appropriated funding for the AFG and SAFER grant programs.

Table 2. Appropriations for Firefighter Assistance, FY2001-FY2013

	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
FY2010	\$390 million	\$420 million		\$810 million
FY2011	\$405 million	\$405 million		\$810 million
FY2012	\$337.5 million	\$337.5 million		\$675 million

	AFG	SAFER	SCG^a	Total
FY2013 ^b	\$339.5 million	\$339.5 million		\$679 million
Total	\$6.283 billion	\$2.190 billion	\$210 million	\$8.684 billion

- a. Assistance to Firefighters Fire Station Construction Grants (SCG) grants were funded by the American Recovery and Reinvestment Act (P.L. 111-5).
- b. Through March 2013 (P.L. 112-175, Continuing Appropriations Resolution, 2013).

Table 3. Recent and Proposed Appropriations for Firefighter Assistance
(millions of dollars)

	FY2011 (Admin. request)	FY2011 (P.L. 112-10)	FY2012 (Admin. request)	FY2012 (P.L. 112-74)	FY2013 (Admin. request)	FY2013 (H.R. 5855)	FY2013 (S. 3216)	FY2013 (P.L. 112- 175)^a
FIRE Grants (AFG)	305	405	250	337.5	335	337.5	337.5	339.5
SAFER Grants	305	405	420	337.5	335	337.5	337.5	339.5
Total	610	810	670	675	670	675	675	679

- a. The Continuing Appropriations Resolution, 2013 funds AFG and SAFER through March 2013.

FY2011

The Administration’s FY2011 budget proposed \$305 million for AFG (a 22% decrease from the FY2010 level) and \$305 million for SAFER (a 27% decrease). The total amount requested for firefighter assistance (AFG and SAFER) was \$610 million, a 25% decrease from FY2010. The FY2011 budget proposal stated that the firefighter assistance grant process “will give priority to applications that enhance capabilities for terrorism response and other major incidents.”²

On June 24, 2010, the House Subcommittee on Homeland Security Appropriations approved \$840 million for firefighter assistance, including \$420 million for AFG and \$420 million for SAFER.

On July 19, 2010, the Senate Appropriations Committee approved \$810 million for firefighter assistance (including \$390 million for AFG and \$420 million for SAFER), the same level as FY2010 and 33% more than the Administration proposal. In the bill report (S.Rept. 111-222), the committee directed DHS to continue funding applications according to local priorities and priorities established by the United States Fire Administration, and to continue direct funding to fire departments and the peer review process. The committee also directed FEMA to submit the U.S. Fire Service Needs Assessment, and to brief the committee regarding the implementation of

² Office of Management and Budget, Appendix: Budget of the United States Government, FY2011, p. 557.

the recommendations of the recent GAO report (GAO-10-64) on additional actions which would improve the grants process.

H.R. 1, the Full-Year Continuing Appropriations Act, 2011, as introduced on February 11, 2011, would have provided \$300 million to AFG and zero funding for SAFER. However, on February 16, 2011, H.Amdt. 38 (offered by Representative Pascrell and agreed to by the House by a vote of 318-113) restored AFG to \$390 million and SAFER to \$420 million (the FY2010 levels). H.R. 1 was passed by the House on February 18, 2011. S.Amdt. 149 to H.R. 1—which was rejected by the full Senate on March 9, 2011—would have funded AFG at \$405 million and SAFER at \$405 million.

Subsequently, the full-year continuing appropriation bill for FY2011, which was signed into law on April 15, 2011 (Department of Defense and Continuing Appropriations Act, 2011, P.L. 112-10), funded AFG at \$405 million and SAFER at \$405 million for FY2011. P.L. 112-10 also contained language that removes FY2011 SAFER cost-share requirements and allows SAFER grants to be used to rehire laid-off firefighters and fill positions eliminated through attrition. However, P.L. 112-10 did not remove the requirement that SAFER grants fund a firefighter position for four years, with the fifth year funded wholly by the grant recipient. The law also did not waive the cap of \$100K per firefighter hired by a SAFER grant.

FY2012

The Administration's FY2012 budget proposed \$670 million for firefighter assistance, including \$250 million for AFG and \$420 million for SAFER. According to the budget proposal, the request would fund 2,200 firefighter positions and approximately 5,000 AFG grants. The FY2012 budget proposal stated that the firefighter assistance grant process "will give priority to applications that enhance capabilities for terrorism response and other major incidents."³

The Department of Homeland Security Appropriations, 2012, bill (H.R. 2017) was reported by the House Appropriations Committee on May 26, 2011. The House Committee bill would have provided \$350 million for firefighter assistance, including \$200 million for AFG and \$150 million for SAFER. The House Appropriations bill report (H.Rept. 112-91) directed FEMA to continue granting funds directly to local fire departments and to include the United States Fire Administration during the grant decision process. FEMA was also directed to maintain an all-hazards focus and was prohibited from limiting beyond current law the list of eligible activities, including those related to wellness.

During the House floor consideration of H.R. 2017, two firefighter assistance amendments were adopted. The first amendment (offered by Mr. LaTourette and Mr. Pascrell, and agreed to by a recorded vote of 333-87) raised FY2012 funding levels to \$335 million for AFG and \$335 million for SAFER. The total level for firefighter assistance (\$670 million) is equal to the level requested by the Administration.

The second amendment (offered by Mr. Price of North Carolina and agreed to by a recorded vote of 264-157) prohibited enforcement of various SAFER requirements for grantees. These waivers would allow FY2012 SAFER grants to be used to rehire laid-off firefighters and fill positions eliminated through attrition, remove cost-share requirements, allow grants to extend longer than

³ Office of Management and Budget, Appendix: Budget of the United States Government, FY2012, p. 538.

the current five year duration, and permit the amount of funding per position at levels exceeding the current limit of \$100,000.

The Department of Homeland Security Appropriations, 2012, bill (H.R. 2017) was passed by the House on June 2, 2011.

On September 7, 2011, the Senate Appropriations Committee approved \$750 million for firefighter assistance in FY2012 (S.Rept. 112-74), which is a 12% increase over the House-passed level. The total included \$375 million for AFG and \$375 million for SAFER. As does the House bill, the Senate bill also waived or prohibited SAFER requirements in FY2012.

P.L. 112-74, the Consolidated Appropriations Act, FY2012, provided \$675 million for firefighter assistance, including \$337.5 million for AFG and \$337.5 million for SAFER. The conference report directed FEMA to continue funding applications according to local priorities and those established by the USFA, to maintain an all hazards focus, and to continue the current grant application and review process as specified in the House report.

FY2013

The Administration's FY2013 budget proposed \$670 million for firefighter assistance, including \$335 million for AFG and \$335 million for SAFER. This is a decrease of \$5 million from the FY2012 level. 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.

Historically, DHS has requested that a percentage of AFG funding (up to 5%) be set aside for management and administration of the grant program. Starting in FY2013, grant administration (for AFG and SAFER) would be shifted to the SLP Management and Administration office. According to DHS, this will make an additional \$28.8 million of the Firefighter Assistance appropriation available for grants.

On May 16, 2012, The House Appropriations Committee approved its version of the FY2013 Department of Homeland Security appropriations bill (H.R. 5855). While the committee mark is identical to the Administration requested level—\$335 million for AFG and \$335 million for SAFER—the committee denied the Administration's request to shift AFG and SAFER into the State and Local Programs account. Unlike the Administration request, H.R. 5855 would designate up to 4.7% of the amount appropriated to firefighter assistance for program administration. The committee report (H.Rept. 112-492) directed FEMA to continue granting funds directly to local fire departments and to include the United States Fire Administration during the grant decision process. FEMA was also directed to maintain an all-hazards focus and was prohibited from limiting beyond current law the list of eligible activities, including those related to wellness. The committee continued the requirement for peer review and directed FEMA to provide official notifications to rejected applicants who do not meet the criteria for peer review.

During floor action on June 6, 2012, an amendment was offered by Representative Runyan to increase funding for AFG and SAFER by \$2.5 million each, taking its \$5 million offset from the Office of the Undersecretary for Management. The amendment passed by voice vote, bringing the firefighter assistance account to \$675 million (\$337.5 million AFG, \$337.5 million SAFER), which is identical to the FY2012 level. H.R. 5855 was passed by the House on June 7, 2012.

On May 22, 2012, the Senate Appropriations Committee approved \$675 million for firefighter assistance for FY2013 (S. 3216). This level includes \$337.5 million for AFG and \$337.5 million for SAFER. The Senate level is identical to the FY2012 level. Like the House, the committee denied the Administration's request to shift AFG and SAFER into the State and Local Programs account. However, the committee has included program and administration costs separately under the FEMA "Salaries and Expenses" account. The committee report (S.Rept. 112-169) noted that under this scenario, the entire appropriation of \$675 million would be used for grants, while administrative costs (\$33.75 million) would be funded by the Salaries and Expenses account. The committee report also directed DHS to continue the 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 Continuing Appropriations Resolution, 2013 (P.L. 112-175) funds firefighter assistance programs through the first six months of FY2013 at an increase of 0.612% of the FY2012 level. Therefore, under the FY2013 continuing resolution, AFG is funded at \$339.5 million and SAFER is funded at \$339.5 million. Meanwhile, the potential sequestration across the federal government, if implemented, would subject the DHS State and Local Programs account (which includes AFG and SAFER) to an 8.2% budget reduction on January 2, 2013.

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 non-federal 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 non-federal 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.⁴ 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>.

⁴ Detailed SCG application statistics are available at <http://www.firegrantsupport.com/docs/2009AFSCGAppStats.pdf>.

On February 15, 2011, the Firefighting Investment, Renewal, and Employment Act or FIRE Act (H.R. 716) was introduced to authorize \$210 million for each of fiscal years 2012 through 2016 for competitive grants for modifying, upgrading, or constructing nonfederal fire stations.

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."⁵ 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,"⁶ 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."⁷

⁵ For full report see <http://www.usfa.fema.gov/downloads/pdf/affgp-fy01-usda-report.pdf>.

⁶ 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/mgmttrpts/OIG_Review_Fire_Assist.pdf.

⁷ 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.

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.⁸ 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.

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.⁹

Reports Mandated by Fire Grants Reauthorization Act of 2012

P.L. 112-239 mandates reports and studies on the AFG and SAFER programs, as well as on the state of the fire service.

- FEMA is directed to develop a performance assessment system to evaluate AFG and SAFER grants. FEMA shall submit annual reports to Congress providing information on its performance assessment system, an evaluation of AFG and SAFER grant effectiveness, and recommendations for legislative changes to improve grant effectiveness.
- The Comptroller General is directed to submit a report to Congress assessing the effect of the amendments to the AFG and SAFER statute made by the Fire Grants Reauthorization of 2012.
- The United States Fire Administration (USFA) is directed to conduct a study on the level of compliance with national voluntary consensus standards for staffing, training, safe operations, personal protective equipment, and fitness among the fire services of the United States.

⁸ 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>.

⁹ 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>.

- The Secretary of Homeland Security is directed to establish a Task Force to Enhance Firefighter Safety, which will review the USFA study on fire service standards and develop a plan to enhance firefighter safety by increasing fire service standards compliance. The Task Force will report its findings to Congress and DHS.
- USFA is directed to conduct a study and report on the needs of the fire service.

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 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).¹⁰ 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.¹¹

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%.¹²

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 FY2001 through FY2011, while **Table 5** shows a state-by-state breakdown of SAFER grant funding for FY2005 through FY2010. **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 113th Congress

The 113th Congress will likely consider FY2013 and FY2014 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.

¹⁰ 15 U.S.C. 2229(b)(9).

¹¹ 44 CFR Part 152.6(c).

¹² Ibid.

The 113th 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-FY2011
(millions of dollars)

	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11	Total
AL	3.085	12.503	23.329	25.097	20.836	22.027	19.903	23.332	19.966	14.591	18.591	203.26
AK	1.303	2.641	5.242	2.522	3.111	0.754	2.454	0.990	0.935	0.568	0.568	21.088
AZ	1.37	3.6	7.490	9.808	7.905	4.041	4.932	5.440	4.716	2.873	4.952	57.127
AR	1.337	4.635	10.675	13.680	10.402	7.699	7.799	7.107	8.174	5.111	4.253	80.872
CA	5.905	18.978	30.060	29.793	25.631	17.856	18.730	26.198	23.644	21.764	35.334	253.893
CO	1.003	3.968	6.168	5.585	6.073	3.213	4.742	2.490	6.11	3.369	5.213	47.934
CT	1.828	4.675	10.841	9.991	7.287	5.479	6.630	6.925	5.231	3.166	3.67	65.723
DE	0.132	0.372	1.096	1.755	1.161	1.107	0.518	0.231	1.251	0.282	0.366	8.271
DC	0	0.22	0	0	0.453	0	0.376	1.171	0	0.368	1.38	3.968
FL	2.865	10.16	16.344	15.969	17.922	6.787	8.288	6.738	12.581	12.557	16.2	126.411
GA	2.375	6.079	13.791	11.857	10.168	8.887	9.068	7.959	8.981	6.192	5.174	90.531
HI	0	1.182	0.947	0.864	1.205	0.264	0.436	0.772	0.609	0.261	1.534	8.074
ID	0.916	2.744	6.001	4.828	4.684	2.712	4.297	2.687	2.883	2.361	0.439	34.552
IL	2.417	13.398	28.810	27.238	25.433	21.120	21.923	21.325	25.24	14.809	12.753	214.466
IN	2.703	8.739	20.456	18.646	15.779	14.447	13.831	13.092	15.179	10.759	7.728	141.359
IA	1.301	7.284	16.087	16.430	13.119	10.064	9.298	9.877	9.695	5.818	6.629	105.602
KS	1.153	5.118	10.850	10.211	7.165	4.984	5.502	3.928	6.682	3.055	3.072	61.72
KY	2.215	7.896	19.832	16.150	14.215	13.308	13.081	17.153	13.108	8.081	5.426	130.465
LA	3.344	10.084	12.248	11.101	11.630	6.935	5.473	7.033	8.073	4.414	6.337	86.672
ME	1.296	4.319	10.323	10.031	6.124	6.702	5.486	4.904	3.462	1.348	2.118	56.113
MD	0.739	4.08	8.153	10.227	8.771	10.368	7.712	5.525	5.221	4.545	4.524	69.865
MA	2.301	8.386	15.715	13.958	13.529	8.957	11.644	9.532	11.957	8.083	10.679	114.741
MI	2.815	8.948	17.247	20.005	15.088	15.798	15.399	15.482	18.045	9.502	16.904	155.233
MN	2.133	8.149	17.510	18.609	14.894	14.718	16.600	13.082	17.253	18.923	10.638	152.509
MS	1.763	6.755	15.679	11.329	9.856	7.885	8.052	7.761	8.436	5.66	3.694	86.87
MO	3.079	10.291	19.573	17.757	14.246	13.202	10.611	11.589	12.973	9.21	7.594	130.125
MT	1.164	3.726	8.361	7.271	6.656	5.839	7.330	4.670	5.179	3.204	0.725	54.125
NE	1.034	2.392	7.820	6.577	5.116	4.399	4.443	4.324	4.341	0.441	1.378	42.265
NV	0.282	1.446	3.312	1.405	1.946	0.857	1.530	0.687	0.855	1.437	0.564	14.321
NH	0.594	1.887	4.584	5.694	4.563	3.307	3.219	2.723	2.834	1.496	1.69	32.591
NJ	2.596	6.339	19.982	16.488	14.691	12.386	13.266	13.201	15.502	9.687	10.402	134.54
NM	1.455	3.463	5.048	3.653	2.259	1.461	1.367	1.101	1.605	1.632	2.122	25.166
NY	3.978	14.728	34.320	35.030	36.009	33.804	22.664	30.204	23.235	13.367	10.253	257.592
NC	1.949	10.239	22.864	22.360	19.315	18.309	20.031	18.460	20.881	13.137	13.864	181.409

Assistance to Firefighters Program: Distribution of Fire Grant Funding

	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11	Total
ND	0.546	2.613	5.105	3.391	2.673	2.459	3.100	3.297	2.527	1.594	0.71	28.015
OH	2.731	13.742	26.997	29.107	27.344	25.380	26.433	26.938	33.164	20.168	23.281	255.285
OK	1.864	4.939	10.540	10.393	8.757	10.852	7.220	6.875	7.239	3.527	3.187	75.393
OR	1.596	4.892	9.896	10.122	10.014	9.288	5.943	8.438	5.986	6.332	5.59	78.097
PA	2.89	16.97	45.179	47.898	39.233	41.259	43.610	41.041	37.231	19.623	26.227	361.161
RI	0.407	1.507	2.327	1.917	2.129	2.025	0.855	1.395	2.46	1.533	2.314	18.869
SC	1.554	5.257	11.832	14.150	10.544	8.028	10.470	11.040	11.227	8.684	4.948	97.734
SD	0.904	3.142	5.602	4.693	3.570	2.989	2.474	2.069	2.527	0.753	1.135	29.858
TN	2.46	11.509	19.306	18.686	15.047	11.209	12.955	16.074	13.311	11.259	6.268	138.084
TX	3.697	15.644	29.264	30.118	23.480	18.035	17.691	20.458	19.469	9.941	11.031	198.828
UT	0.9	2.754	4.628	3.880	2.188	2.213	3.378	0.934	2.295	2.985	0.883	27.038
VT	0.451	1.971	5.163	4.747	2.071	1.456	1.820	1.046	1.974	0.689	0.498	21.886
VA	2.066	8.79	15.816	16.668	14.357	8.317	10.403	8.370	6.405	5.991	3.5	100.683
WA	1.535	7.544	18.808	19.565	15.763	16.150	12.951	13.050	10.064	7.961	7.341	130.732
WV	1.067	3.966	9.942	9.133	10.143	5.838	7.164	7.238	5.331	5.074	2.173	67.069
WI	2.077	7.518	18.234	19.668	17.685	13.994	19.439	15.216	15.17	9.569	8.635	147.205
WY	1.09	1.612	3.507	1.811	2.032	1.197	1.645	1.023	1.427	0.086	0.488	15.918
PR	0.657	0.382	1.643	1.140	1.104	0.528	0.019	0.074	1.154	0	0.876	7.577
MP	0.145	0.225	0	0	0.220	0.172	0	0	0	0	0	0
GU	0	0.016	0	0	0	0.287	0	0	0	0	0	0
AS	0.164	0	0	0.284	0	0	0	0	0	0	0	0
VI	0.741	0	0.544	0	0	0	0	0.233	0	0	0	0
	91.97	334.41	695.09	679.29	585.59	491.35	494.20	492.50	503.79	337.84	345.85	5051.9

Source: Department of Homeland Security.

**Table 5. State-by-State Distribution of SAFER Grants,
FY2005-FY2010**
(millions of dollars)

	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	Total
Alabama	1.611	6.215	4.236	7.314	4.288	8.531	32.195
Alaska	1.051	0.205	0.418	1.438	0.328	6.072	9.512
Arizona	1.560	3.559	4.428	6.613	6.768	10.357	33.285
Arkansas	0.394	1.820	0.377	3.834	0.976	2.206	9.607
California	5.221	5.212	4.259	4.212	31.501	63.13	113.535
Colorado	1.584	3.479	1.730	2.02	0.955	3.384	13.152
Connecticut	0.130	0.191	0.856	3.92	2.214	1.312	8.623
Delaware	0	0.135	0	0.398	0	1.723	2.256
District of Columbia	0	0	0	0	0	0	0
Florida	6.576	9.329	6.217	17.185	24.105	17.721	81.133
Georgia	5.354	2.085	2.842	17.438	4.844	10.384	42.947
Hawaii	0	0	0	1.626	0	0.1	1.726
Idaho	0.063	0.621	0.626	0.774	1.336	2.897	6.317
Illinois	1.340	4.463	9.933	5.85	2.496	10.848	34.93
Indiana	0	0.099	2.687	4.577	8.295	9.931	25.589
Iowa	0.169	0.144	0.980	1.288	1.045	0.081	3.707
Kansas	0.667	0.045	1.029	1.872	2.806	2.285	8.704
Kentucky	0.152	2.890	0.429	2.466	0.338	0.893	7.168
Louisiana	3.430	3.078	4.728	8.62	10.515	0.182	30.553
Maine	0.081	0	0.316	0.951	0.739	1.047	3.134
Maryland	0.096	1.862	1.526	3.171	4.429	2.145	13.229
Massachusetts	1.300	2.079	4.372	2.690	18.385	34.422	63.248
Michigan	1.759	0.592	0	0.628	13.286	22.493	38.758
Minnesota	0.300	1.089	0.375	3.246	1.256	0.789	7.055
Mississippi	0.756	0.594	0.115	1.608	0	1.209	4.282
Missouri	1.467	3.547	4.551	2.381	1.474	5.618	19.038
Montana	0.034	0.255	2.635	2.955	0.458	0.973	7.31
Nebraska	0	0.873	0.632	1.951	0.802	0.493	4.751
Nevada	1.500	1.714	0.632	0.086	0.577	2.459	6.968
New Hampshire	0.400	1.035	1.528	0.225	0	0.353	3.541
New Jersey	6.374	3.971	2.953	4.389	0.556	56.648	74.891
New Mexico	0	3.123	1.309	0.108	0.499	1.854	6.893
New York	1.540	2.991	2.845	4.412	8.227	18.239	38.254
North Carolina	2.155	5.533	5.371	18.183	2.256	6.375	39.873

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	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	Total
North Dakota	0	0.609	0	1.518	1.517	2.139	5.783
Ohio	1.319	1.881	2.255	3.737	29.606	21.04	59.838
Oklahoma	0.147	0.699	0.531	2.782	0	9.127	13.286
Oregon	1.710	2.141	2.649	2.071	0.677	6.166	15.414
Pennsylvania	1.244	1.475	2.633	3.515	1.176	7.926	17.969
Rhode Island	0.400	0	0.105	0	1.561	4.249	6.315
South Carolina	0.456	0.863	3.218	8.158	2.41	2.064	17.169
South Dakota	0.063	0.311	0.211	0.552	0	0.648	1.785
Tennessee	2.700	2.719	3.683	1.856	1.148	7.374	19.48
Texas	0.951	10.961	8.779	19.06	3.158	12.65	55.559
Utah	0.900	3.312	2.098	3.955	1.824	4.583	16.672
Vermont	0	0.621	0.632	0	0.119	0	1.372
Virginia	2.091	3.554	0.782	1.849	4.891	8.995	22.162
Washington	2.298	2.897	7.340	9.476	2.847	13.779	38.637
West Virginia	0	0.187	0.681	0.16	0.287	0.398	1.713
Wisconsin	0	0.072	1.223	4.502	0	0.12	5.917
Wyoming	0	0	0.316	2.329	0.263	0.997	3.905
Puerto Rico	0	0	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0	1.404	1.404
Marshall Islands	0	0	0	0	0	0	0
Guam	0	0	0	0	0	0	0
American Samoa	0	0	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0	0
Republic of Palau	0	0	0	0	0	0	0
Total	61.343	105.13	112.071	203.949	207.238	410.813	1100.544

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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