



Congressional Fire Services Institute

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July 12, 2017

The Honorable Barbara Comstock
Chair, Subcommittee on Research and
Technology
House Committee on Science, Space and
Technology
229 Cannon House Office Building
Washington, DC 20515

The Honorable Daniel Lipinski
Ranking Member, Subcommittee on Research and
Technology
House Committee on Science, Space and
Technology
2346 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Comstock and Ranking Member Lipinski:

On behalf of the Board of Directors of the Congressional Fire Services Institute (CFSI) I would like to thank you for conducting today's hearing, "U.S. Fire Administration and Fire Grant Programs Reauthorization: Examining Effectiveness and Priorities," and for the opportunity to submit comments for the record.

Established by the Federal Fire Prevention and Control Act of 1974 (FFPCA), the United States Fire Administration is the lead federal agency for our nation's fire and emergency services. Its core mission is divided into four program areas: data collection, public education, technology development, and training. The reauthorization process provides an opportunity for Congress to conduct a review of these four program areas to determine if USFA is performing its mission effectively. I hope the subcommittee members will ask the panelists for their thoughts as part of the review process during your hearing.

It is important for your subcommittee to understand the funding challenges facing the United States Fire Administration. In Fiscal Year 2004, it received \$51 million in appropriated funding, the high-water mark for the agency. Since then, USFA has been asked to do more with less. From Fiscal Year 2012 to Fiscal Year 2017, Congress appropriated no more than \$44.1 million, annually. The question needs to be asked how the lead federal agency for the fire service can perform its mission in the areas of data collection, public education, technology development, and training with diminishing federal support, while meeting its many obligations in other areas – including rural and wildland-urban interface assistance, codes, emergency medical services, hazardous materials, fire sprinklers, and supporting the annual National Fallen Firefighters Memorial Ceremony. We hope that the reauthorization process will raise awareness on Capitol Hill of the growing challenges facing USFA and the impact of budget constraints on their mission.

Congress created the Assistance to Firefighters (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER) grant programs in 2000 and 2003, respectively, to address the baseline needs of our nation's fire and emergency services. These two highly successful programs help ensure that our nation's more than 30,000 fire departments have the necessary training, equipment, and staffing to respond to over 30 million emergency calls annually, and work to reduce community risk. Every community across the country relies on our firefighters to respond to a variety of emergency situations, including structure fires, emergency medical services, hazardous materials response, technical rescue, and wildland/urban interface fires. Both the AFG and SAFER grant programs improve the response capabilities in each of these emergency response areas, and provide funding for fire prevention and safety programs targeted toward high-risk populations. CFSI urges Congress to reauthorize these

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programs without delay.

When Congress reauthorized the programs in 2013, it stated the two grant programs “have proven equally valuable in protecting the health and safety of the public and firefighting personnel throughout the United States against fire and fire-related hazards... (P.L. 112-239).” To this day, CFSI agrees with this assessment, which is why we believe it is important that any reauthorizing legislation makes only limited changes to the program. Specifically, CFSI recommends that Congress make the following adjustments to the authorizing statute:

- 1. Elimination of the sunset provision:** The current statute authorizing the AFG and SAFER grant programs contains a sunset provision that will permanently eliminate both programs on January 2, 2018. We recommend removing this provision in order to keep the programs from expiring.
- 2. Individual waiver authorities:** Currently, the SAFER grant program contains a provision giving the FEMA Administrator the discretion to waive (for jurisdictions with demonstrated local hardship) the prohibition on using SAFER funds to supplant state and local funds, the local match, and the requirement that applicants have sustained their fire-related programs and emergency response budgets by at least 80% in the three preceding years. Unfortunately, the statute only waives the reference to the local match requirement in one part of the statute (subsection (a)(1)(e)) and not the other (subsection (c)(4)). This discrepancy has created a situation where FEMA is unable to exercise the waiver authority as Congress intended. We recommend Congress implement a technical correction to the waiver authority that references both subsection (a)(1)(e) and subsection (c)(4).
- 3. Maintenance of expenditures:** The current SAFER statute does not allow FEMA to award a SAFER grant to a jurisdiction that reduced its annual budget for fire-related programs and emergency response “below 80 percent of the average funding level in the 3 years prior to November 24, 2003.” The November 24, 2003 date is an anachronism. We recommend updating the statute by replacing “November 24, 2003” with “the application date”.
- 4. 21st Century Cures Act:** The 21st Century Cures Act (P.L. 114-255) contains a provision that amended the SAFER grant program “to provide specialized training to paramedics, emergency medical service workers, and other first responders to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness, including strategies for verbal de-escalation of crises.” However, the SAFER program provides grants specifically for staffing, not training. We recommend amending the law so this provision is listed under 15 USC 2229(c)(3), the section outlining the “Use of Grant Funds” under the AFG grant program. This section details the allowable uses for grant funds, including eligible training activities.
- 5. Technical correction to the SAFER application requirements:** 15 U.S.C. 2229a(b) details specific requirements that applicants for a SAFER grant must meet. Unfortunately, (b)(3) (B) references subsection (a)(1)(B) (ii) which doesn’t exist. We recommend amending this section by striking “(a)(1)(B)(ii).”

Both the AFG and SAFER grant programs improve the capabilities of our nation’s firefighters, and provide funding for crucial fire prevention and safety programs targeted toward high-risk populations. It is imperative that Congress reauthorizes these programs without delay.

CFSI remains grateful for your continued leadership in ensuring that America’s fire and emergency

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services are prepared to protect the public from all hazards – both natural and manmade. We look forward to working with you as Congress moves forward with reauthorizing these important programs. Thank you for your continued commitment to the nation's fire service and best wishes on your continued success and safety

Sincerely,

A handwritten signature in black ink, reading "William F. Jenaway". The signature is written in a cursive style with a large, looping initial "W".

William F. Jenaway, PhD
President, Congressional Fire Services Institute