



CFSI 30th

NATIONAL FIRE AND EMERGENCY SERVICES
SYMPOSIUM and DINNER



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“ENGAGING FUTURE LEADERS

115TH CONGRESS SECOND SESSION
LEGISLATIVE OUTLOOK

CONGRESSIONAL FIRE SERVICES INSTITUTE

2018 LEGISLATIVE OUTLOOK

In 2018, Congress is considering many issues of critical importance to the nation's fire and emergency services. Actions taken by Congress will have a direct impact on the fire service's ability to prepare for, respond to, prevent, and mitigate incidents both large and small, natural and man-made, local and national in scope. This document is synopsis of some critical issues that will be considered during the Second Session of the 115th Congress.

ABOUT THE FIRE SERVICE

(Data was compiled by the National Fire Protection Association – www.nfpa.org/research).

Composition of the U.S. Fire Service (2015)

Approximately 29,727 fire departments in the United States

- 2,651– All career
- 1,893 – Mostly career
- 5,421 – Mostly volunteer
- 19,762 – All volunteer

Approximately 1,160,450 firefighters

- 345,600 career firefighters
- 814,850 volunteer firefighters

Fire Department Calls – 33,635,500 (2015)

- Fires – 1,345,000
- Medical Aid – 21,500,000
- False Alarms – 2,566,500
- Mutual Aid – 1,492,500
- Hazardous Materials – 442,000
- Other – 6,289,000

Fire Losses in the United States (2016)

- 1,342,000 fires were reported
- These fires caused 3,390 civilian deaths, 14,650 civilian injuries, and \$10.6 billion in property damages.
- 475,500 were structure fires, causing 2,950 civilian deaths, 12,775 civilian injuries, and \$7.9 billion in property damage.

Firefighter Deaths and Injuries (2016)

- There were 69 on-duty firefighter deaths in 2016.
- As in most years, sudden cardiac death and internal trauma accounted for the largest share of the on-duty deaths (26 deaths each).
- There were 62,085 firefighter injuries in 2016.
- 24,325 firefighter injuries in 2016 occurred during fireground operations.

FIREFIGHTER ASSISTANCE GRANTS:

HISTORY OF THE ASSISTANCE TO FIREFIGHTERS AND STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT PROGRAMS

The Assistance to Firefighters Grant (AFG) Program was first authorized as part of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001. The legislation gives the Administrator of the Federal Emergency Management Agency (FEMA) the authority to make “grants on a competitive basis directly to fire departments...for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards.” The program also provides funding for national, state, and local organizations to conduct fire prevention and education programs.

In 2003, Congress expanded the program, creating the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. The SAFER grant program awards grants directly to fire departments for the hiring of firefighters. Additionally, SAFER grants can be used for recruitment and retention programs for volunteer firefighters.

Recently, Congress unanimously passed stand-alone legislation reauthorizing the two programs through Fiscal Year 2023 (P.L. 115-98). This was a historic first for the grant programs and is a testament to their enduring success.

ASSISTANCE TO FIREFIGHTER GRANTS

The Assistance to Firefighters Grant (AFG) Program is designed to address the firefighting and emergency response needs of fire departments and non-affiliated emergency medical service organizations. Created in 2001, AFG has helped fire departments obtain essential equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. AFG is a competitive, peer-reviewed program that requires a local match from recipients. The grants are awarded directly to fire departments, ensuring the funds reach the end user.

STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS

The Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program is a competitive grant program that provides funding directly to fire departments and volunteer fire service organizations to help them increase the number of firefighters available in their communities. The goal of SAFER is to enhance a local fire department’s ability to comply with staffing, response and operational standards established by the National Fire Protection Association (NFPA) and the Occupational Safety and Health Administration (OSHA), increasing the level of firefighter health and safety. Similar to the AFG program, SAFER grants are peer-reviewed and require a local match. A portion of the funding is set aside for programs to hire firefighters in mostly-volunteer fire departments and for programs to recruit and retain volunteer firefighters.

FIRE PREVENTION & SAFETY GRANTS

The Fire Prevention and Safety (FP&S) grants are part of the AFG Program. Targeting high-risk populations, the FP&S grants support projects that enhance the safety of the public and firefighters from fire and fire-related hazards. Congress expanded the eligible uses of funds to include Firefighter Safety Research and Development when it reauthorized the grant programs in 2005. Eligible applicants for FP&S Grants include fire departments and organizations recognized for their experience and expertise in fire prevention and safety programs and activities. Both private and public non-profit organizations are eligible to apply for funding in this activity. Recipients of Fire Prevention and Safety grants provide a 5% match.

FOURTH NEEDS ASSESSMENT OF THE U.S. FIRE SERVICE

The Fourth Fire Service Needs Assessment of the U.S. Fire Service was completed by the National Fire Protection Association (NFPA) in 2016. The goal of all four surveys has been to identify major gaps in the needs of the U.S. fire service, comparing what departments have with what they need for safe and effective operations. Here are some important findings from the four surveys (Data compiled by the National Fire Protection Association – www.nfpa.org).

Personal Protective and Firefighting Equipment:

Unmet needs for all types of personal protective and firefighting equipment have been greatly reduced, though far from eliminated. For example:

- 53% of all fire departments cannot equip all firefighters on a shift with self-contained breathing apparatus (SCBA), but this figure is down from 70% in 2001.
- 28% of all fire departments do not have enough personal alert safety system (or PASS) devices to equip all emergency responders on a shift, but this figure is down from 62% in 2001.
- 50% of all fire departments lack enough portable radios to equip all responders on a shift, down from 77% in 2001.

Facilities (Stations) and Apparatus (Engines, Pumpers, Ladders):

The AFG grants provided considerable support, at least in the early years, for acquisition/replacement of fire department engines and pumpers. These grants have helped to hold the line on the age profile of the fire apparatus inventory. Without engine replacement, nearly all of the 19% of engines that were at least 20 years old in 2005 would have been at least 30 years old in 2015; instead, the actual percentage of engines that were at least 30 years old in 2015 was 8%.

Training:

EMS training, size of need among all departments. Overall, 34% of all departments provide EMS but have not formally trained all their personnel involved in EMS, largely unchanged from 33% in 2010.

Technical rescue training, size of need among all departments. Overall, 40% of all departments provide technical rescue but have not formally trained all their personnel in technical rescue, down from 48% in 2010.

Structural firefighting training, size of need among all departments. Overall, 49% of all departments in 2015 have not formally trained all of their personnel involved in structural firefighting, slightly up from 46% in 2010.

Hazmat training, size of need among all departments. Overall, 60% of all departments provide Hazmat but have not formally trained all their personnel involved in Hazmat, up from 50% in 2010.

Wildland firefighting training, size of need among all departments. Overall, 63% of all departments provide wildland firefighting but have not formally trained all their personnel involved in wildland firefighting, up from 58% in 2010.

(Fourth Needs Assessment of the U.S. Fire Service continued...)

Summarizing the report, NFPA stated, “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 [it] 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 (Fourth Needs Assessment of the U.S. Fire Service, November 2016; page xvii).”

FUNDING FOR FIREFIGHTER ASSISTANCE GRANTS AND THE UNITED STATES FIRE ADMINISTRATION

On March 23rd Congress approved a Fiscal Year 2018 omnibus spending package. The \$1.3 trillion spending package funds programs and activities of the federal government through the end of the current fiscal year. The spending package included funding for several programs of significance to the nation’s fire and emergency services. The Assistance to Firefighters (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER) grant programs are funded at \$700 million, split evenly between the two programs. This is an increase of \$10 million over the previous fiscal year. Additionally, the United States Fire Administration (USFA) is funded at \$44.397 million, a slight increase over Fiscal Year 2017.

The White House’s Fiscal Year 2019 spending plan, which was released on February 12th, requests \$688,688,000 for the Assistance to Firefighters and Staffing for Adequate Fire and Emergency Response grant programs, split evenly between the two programs. This is the same amount the Administration requested in its Fiscal Year 2018 budget proposal, and a slight reduction from the \$700 million Congress appropriated for the programs in Fiscal Year 2018. While it is a positive sign that the Administration is not requesting significant cuts to the grant programs, we encourage Congress to fund these programs at \$810 million evenly divided between the two programs. This funding level represents a restoration to the Fiscal Year 2011 funding levels and will assist local fire departments in meeting the increasing costs of equipment and labor.

Congress created these grant programs to address the baseline needs of our nation’s fire and emergency services. These highly successful programs help ensure that our nation’s 30,000 fire departments have the necessary training, equipment, and staffing to respond to over 30 million emergency calls annually and to continue 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 crucial fire prevention and safety programs targeted toward high-risk populations.

Unfortunately, recent years have seen a steep increase in the cost of some of the most common and sought-after firefighting equipment. An analysis by industry experts estimates that from 2011-present, the

(Funding for Grants and USFA continued...)

cost of protective clothing has increased by an estimated 11.4%. During the same time period, the cost of self-contained breathing apparatus (SCBA) increased by an estimated 15%. These cost increases were due in part to the increased costs of raw materials and to necessary changes to equipment standards that improved firefighter safety.

Since 2011, there has also been a sharp increase in the cost of firefighting apparatus. The cost of pumper trucks, which make up approximately 60% of the apparatus market, has increased by an estimated 14.6% due in large part to price increases for materials and labor.

The AFG and SAFER grant programs provide the means to enhance preparedness and response capabilities nationwide for all types of hazards, as well as support fire prevention and education programs. These capabilities are squarely in the federal interest and justify continued federal investments.

The United States Fire Administration (USFA) plays an important role at the national level, ensuring that the fire service is prepared to respond to all hazards. Each year, USFA provides training to approximately 100,000 fire and emergency service personnel through the National Fire Academy (NFA). It also collects important data and conducts research to reduce the threat of fire and other dangers in local communities. Unfortunately, over the past decade, USFA's budget has been reduced by approximately 25% percent. This trend needs to stop. Continued cuts to USFA's budget will eliminate assistance for state fire training systems, reduce technical support for the data collection, and end support for the National Fallen Firefighters Memorial Weekend. We urge Congress to appropriate \$50 million for USFA in Fiscal Year 2019 that would provide the agency with the necessary funds to accomplish their mission.

DID YOU KNOW?

In 2017, nearly 113,700 Americans were employed in the manufacturing sector producing fire and emergency services equipment.

Approximately 95% of the equipment firefighters use to protect our communities is manufactured in the United States.

Source: Fire Apparatus Manufacturers' Association/Fire and Emergency Manufacturers and Services Association (FAMA/FEMSA) Government Affairs Committee
(www.famafemsagac.org)

FIREFIGHTER OCCUPATIONAL CANCER

FIREFIGHTER CANCER REGISTRY ACT

Studies have indicated a strong link between firefighting and an increased risk for several major cancers, including colon, lung, melanoma, mesothelioma, non-Hodgkin's lymphoma, non-melanoma skin cancer, prostate, rectal, testicular, stomach, multiple myeloma and brain cancer. The heightened risk of cancer among firefighters has been attributed to their frequent exposure to a range of harmful toxins.

Some of these recent research studies include:

- LeMasters Review – 32 Studies / 20 Cancer Types (2006)
- NIOSH Firefighter Cancer Study Phase I (2013)
- Nordic Firefighter Cancer Study (2014)
- Australian Firefighter Cancer Study (2014)
- NIOSH Firefighter Cancer Study Phase II (2015)
- Cancer in the Fire Service – Policy Implications: Presented by Dr. Virginia Weaver; Johns Hopkins University (2015)

Studies examining cancer risks among firefighters have been limited by the availability of important data and relatively small sample sizes that have an underrepresentation of women, minorities, and volunteer firefighters. As a result, public health researchers have been unable to fully examine and understand the broader epidemiological cancer trends among firefighters. A specialized national cancer registry would expand access to vital epidemiological data and improve research outcomes.

On September 12, 2017, the House unanimously approved H.R. 931, the Firefighter Cancer Registry Act. This bill would establish a specialized national cancer registry to be managed by the Centers for Disease Control and Prevention. The registry would improve collection infrastructure and activities related to the nationwide monitoring of cancer incidence among firefighters. Specifically, the registry would:

- Develop a firefighter registry of available cancer registry data collected by existing state cancer registries and a strategy to maximize participation;
- Create a registry that will contain relevant history, such as other occupational information, years of service, number of fire incidents responded to, and additional risk factors;
- Make de-identified data available to public health researchers to provide them with robust and comprehensive datasets to expand groundbreaking research;
- Improve our understanding of cancer incidences by requiring the administrators of the registry to consult regularly with public health experts, clinicians, and firefighters.

H.R. 931, the Firefighter Cancer Registry Act was referred to the Senate Health, Education, Labor, and Pensions (HELP) Committee. Identical legislation, S. 382, was introduced by Senator Robert Menendez on February 15, 2017 and referred to the Senate HELP Committee.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

The White House's Fiscal Year 2019 budget request includes a proposal to reorganize the National Institute for Occupational Safety and Health (NIOSH). Currently, NIOSH is located within the Center for Disease Control and Prevention (CDC) and includes the World Trade Center Health Program (WTCHP). Under the Administration's budget proposal, NIOSH would be relocated to the National Institute of Health, but the WTCHP would remain at the CDC.

Public safety advocates have expressed concerns about the proposal. Many of the WTCHP staff, including the director of the program, are NIOSH staff. The reallocation of staff and resources from the WTCHP to NIH has the potential to interrupt services for individuals suffering from 9/11-related illnesses. Nearly 84,000 individuals are enrolled in WTCHP. It is imperative for Congress to reject the White House's proposal in order to preserve the integrity of WTCHP.

CAMPUS FIRE SAFETY

PRESERVE THE CAMPUS FIRE SAFETY RIGHT-TO-KNOW ACT

In 2008, Congress passed the Campus Fire Safety Right-to-Know Act, as part of the Higher Education and Opportunity Act (P.L. 110-315). This landmark legislation requires colleges and universities to provide students with basic fire safety statistics, including the number of fires on campus and their causes, the number of injuries and deaths related to fires, and the amount of property damage related to fire. The legislation also requires the institutions to report on fire safety systems, the number of regular fire drills, fire prevention and education policies, and any future fire safety activities and plans.

Recently, the House Education and Workforce Committee approved H.R. 4508, the Promoting Real Opportunity, Success, and Prosperity through Education Reform (PROSPER) Act. Unfortunately, the legislation severely weakens the fire safety reporting requirements enacted by Congress a decade ago.

According to the National Fire Protection Association (NFPA), from 2011-2015, U.S. fire departments responded to an annual average of 4,100 structure fires in dormitories, fraternities, sororities, and other related properties. These fires caused an annual average of 35 civilian injuries and \$14 million in direct property damage. Furthermore, the Center for Campus Fire Safety reports that from January 2000 - January 2017, 128 fatalities occurred on a college campus, in Greek housing or in off-campus housing within three miles of a campus.

The fire safety reporting requirements Congress implemented in 2008 have had a tremendous benefit in improving fire safety awareness on college and university campuses across the nation, as well as enhancing existing fire prevention and coordination efforts. It is imperative for members of the fire service to urge their members of Congress to preserve these important reporting requirements.

CAMPUS FIRE SAFETY EDUCATION ACT

On January 30, 2017, Congressman Bill Pascrell, Jr. (NJ-9) and Senator Robert Menendez (NJ) introduced the Campus Fire Safety Education Act. The legislation (H.R. 746 and S. 246, respectively) would establish a grant program at the Department of Education for awards to institutes of higher education for fire prevention and education programs. The legislation was first introduced in response to a deadly fire at Seton Hall University on January 19, 2000. The fire claimed the lives of three students and injured over 50 others.

H.R. 746 has been referred to the House Education and Workforce Committee. S. 246 has been referred to the Senate Health, Education, Labor and Pensions (HELP) Committee.

From 2011-2015, U.S. fire departments responded to an estimated annual average of 4,100 structure fires in dormitories, fraternities, sororities, and other related properties.

These fires caused annual averages of 35 civilian injuries and \$14 million in direct property damage. (www.nfpa.org/research)

From 2000 - 2015, 89 fires that killed 126 people have occurred on a college campus, in Greek housing or in off-campus housing within three miles of the campus. (www.campusfiresafety.org)

From January 2000 – May 2015 smoke alarms were either missing or tampered with (disconnected or battery removed) in 58 percent of fatal campus fires. (www.usfa.fema.gov)

PUBLIC SAFETY COMMUNICATIONS

On February 26, 2018, Congressman Eliot Engel (NY-16) and Congressman Lee Zeldin (NY-1) introduced H.R. 5085, the Don't Break Up the T-Band Act. The legislation would repeal section 6103 in Title VI of P.L. 112-96, which mandates that the Federal Communications Commission begin an auction of the public safety spectrum in the T-Band (470-512 MHz) by February 21, 2021, and clear public safety operations from that band within 2 years after the auction.

The T-Band spectrum is currently available for public safety use within the greater metropolitan areas of Boston, Dallas, Chicago, Houston, Los Angeles, Miami, Pittsburgh, New York City, Philadelphia, Washington D.C., and San Francisco. The National Public Safety Telecommunications Council (NPSTC) has conducted comprehensive studies on the public safety T-Band spectrum use in these areas and has issued reports addressing the significant negative impact of requiring public safety to relocate out of the T-Band.

Public safety organizations use the T-Band spectrum to support both day-to-day operations and regional interoperability. Because of the mission-critical nature of the communications required, local public safety organizations have spent many years and millions of dollars in federal, state, and local taxpayer funds to plan and build out T-Band networks that are tested and designed for the operational needs in each of these metropolitan areas.

It is essential for Congress to pass H.R. 5085 and preserve the T-band for public safety operations.

VOLUNTEER RESPONDER INCENTIVE PROTECTION ACT

The Volunteer Responder Incentive Protection Act (H.R. 1550) allows communities to provide volunteer firefighters and EMS with personnel property tax reductions and up to \$600 per year of recruitment and retention incentives, without those benefits being subjected to federal income tax and withholding.

Without the donated services of volunteer fire service personnel, many communities could not provide emergency services protection, while others would need to raise taxes to pay salaries and benefits for full or part-time staff. Unfortunately, emergency services agencies are finding it increasingly difficult to recruit and retain the next generation of volunteers. In small communities, where volunteer firefighters are nearly ubiquitous, more than 30 percent of firefighters are 50 years of age or older, up from just 18 percent in 2000. To bolster recruitment and retention, many volunteer fire departments now provide a number of incentives, including non-monetary gifts, reductions in property taxes or other fees, per-call payments, stipends, and retirement benefits. Volunteer benefits are typically small, but demonstrate community support.

As volunteer incentives have become more prevalent, the Internal Revenue Service (IRS) has made ensuring that benefits are properly reported and taxed a priority. Complying with IRS reporting requirements can often be burdensome for some volunteer fire departments, many of which are located in small communities that may not employ full-time administrative staff. The Volunteer Responder Incentive Protection Act would allow local agencies to provide nominal benefits without having to worry about being audited by the IRS. It would also enhance the incentive value of volunteer benefits by allowing individuals to keep the entire amount.

H.R. 1550 was introduced by Congressman David Reichert (WA-8) on March 15, 2017. Senator Susan Collins (ME) introduced identical legislation, S. 1238, on May 25, 2017. The Volunteer Responder Incentive Protection Act has also been included as a provision in the Retirement Enhancement and Savings Act (S. 2526/H.R. 5282), legislation recently introduced by Senator Orrin Hatch (UT) and Congressman Mike Kelly (PA-3).

CONGRESSIONAL FIRE SERVICES CAUCUS

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Senator John McCain (AZ)
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Congressman Steny Hoyer (MD-5)
Congressman Peter King (NY-2)
Congressman Bill Pascrell, Jr. (NJ-9)
Congressman David Reichert (WA-8)

CONGRESSIONAL FIRE SERVICES CAUCUS

In 1987, the Congressional Fire Services Caucus was established to educate members of Congress about the fire and emergency services. The Caucus was created to be a bipartisan group where Republicans and Democrats could work together to improve the readiness of local first responders and to jointly recognize their valor and dedication. To preserve the bipartisan spirit of the Caucus, the chairmanship rotates every two years between Republican and Democratic members. Previous chairmen include Senators John McCain (AZ), Paul Sarbanes (MD), William V. Roth, Jr. (DE), Joseph Biden (DE), Congressmen Curt Weldon (PA), Steny Hoyer (MD), Sherwood Boehlert (NY), Robert Andrews (NJ), David Reichert (WA), Peter King (NY) and Bill Pascrell, Jr. (NJ).

Today, the Fire Caucus is one of the largest caucuses in Congress. The Caucus is not about ideology, but rather respect and support for our nation's first responders. The Congressional Fire Services Caucus unites all members of Congress in support of fire service legislation that benefits all of our nation's fire and emergency services. Acting in a bipartisan manner, the Caucus is dedicated to addressing the needs and challenges of our nation's fire and emergency services. The Caucus serves as a forum for education and discussion on a broad range of issues that impact the readiness and response capabilities of our nation's first responders to all forms of hazards.

Members of Congress can build upon their relationships with local fire service leaders by joining the Fire Caucus. In many instances, members of the fire service are the pillars of a community. They attend the Rotary and Chamber meetings. They organize the blood drives and the Fourth of July picnics. In many smaller communities, the volunteer firefighters are also prominent business leaders. Most importantly, firefighters are among the first on the scene when a disaster strikes.

Joining the Congressional Fire Services Caucus is a win-win proposition for members of Congress and local fire departments. By joining, members are not expected to support an agenda, but rather a cause. Members of Congress interested in joining the Fire Caucus should contact one of the current co-chairs listed above.

**Is your member of Congress a member of the
Congressional Fire Services Caucus?**

Find out by visiting www.cfsi.org/legislation-advocacy/congressional-fire-services-caucus/
or scan the QR code.

