

Staffing for Adequate Fire and Emergency Response: The SAFER Grant Program

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Summary

In response to concerns over the adequacy of firefighter staffing, the Staffing for Adequate Fire and Emergency Response Act—popularly called the "SAFER Act"—was enacted by the 108th Congress as Section 1057 of the FY2004 National Defense Authorization Act (P.L. 108-136). The SAFER Act authorizes grants to career, volunteer, and combination local 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. The SAFER grant program is authorized through FY2010.

With the economic turndown adversely affecting budgets of local governments, concerns have arisen that modifications to the SAFER statute may be necessary to enable fire departments to more effectively participate in the program. The American Recovery and Reinvestment Act of 2009 (P.L. 111-5) included a provision (section 603) that waived the matching requirements for SAFER grants awarded in FY2009 and FY2010. The FY2009 Supplemental Appropriations Act (P.L. 111-32) included a provision authorizing the Secretary of Homeland Security to waive further limitations and restrictions in the SAFER statute for FY2009 and FY2010.

The Department of Defense and Continuing Appropriations Act, 2011 (P.L. 112-10) funded SAFER at $405 million. The law also contained language that removes 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 $100,000 per firefighter hired by a SAFER grant.

The Administration's FY2012 budget proposed $670 million for firefighter assistance, including $420 million for SAFER, which according to the FY2012 budget proposal, would fund 2,200 firefighter positions. The Department of Homeland Security Appropriations, 2012, bill (H.R. 2017) was passed by the House on June 2, 2011. The House bill, as amended on the House floor, would provide $335 million for SAFER and would allow FY2012 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 the current five-year duration, and permit the amount of funding per position at levels exceeding the current limit of $100,000.

Concern over local fire departments' budgetary problems has framed debate over the SAFER reauthorization, which is included in S. 550/H.R. 2269, the Fire Grants Authorization Act of 2011. Previously in the 111th Congress, reauthorization legislation for SAFER was passed by the House, but was not passed by the Senate. As part of the reauthorization debate, Congress may consider whether some SAFER rules and restrictions governing the hiring grants should be permanently eliminated or altered in order to make it economically feasible for more fire departments to participate in the program.

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Background and Genesis of SAFER

Firefighting and the provision of fire protection services to the public is traditionally a local responsibility, funded primarily by state, county, and municipal governments. During the 1990s, however, shortfalls in state and local budgets—coupled with increased responsibilities (i.e., counterterrorism) of local fire departments—led many in the fire community to call for additional financial support from the federal government. Since enactment of the FIRE Act[1] in the 106th Congress, the Assistance to Firefighters Grants (AFG) program (also known as "fire grants" and "FIRE Act grants") has provided funding for equipment and training directly from the federal government to local fire departments.[2]

Since the fire grant program commenced in FY2001, funding has been used by fire departments to purchase firefighting equipment, personal protective equipment, and firefighting vehicles. Many in the fire-service community argued that notwithstanding the fire grant program, there remained a pressing need for an additional federal grant program to assist fire departments in the hiring of firefighters and the recruitment and retention of volunteer firefighters. They asserted that without federal assistance, many local fire departments would continue to be unable to meet national consensus standards for minimum staffing levels, which specify at least four firefighters per responding fire vehicle (or five or six firefighters in hazardous or high-risk areas).[3] Fire-service advocates also pointed to the Community Oriented Policing Services (COPS) program[4] as a compelling precedent of federal assistance for the hiring of local public safety personnel.

In support of SAFER, fire-service advocates cited and continue to cite studies performed by the U.S. Fire Administration and the National Fire Protection Association,[5] the *Boston Globe*,[6] and the National Institute for Occupational Safety and Health (NIOSH)[7] which concluded that many fire departments fall below minimum standards for personnel levels. According to these studies,

[1] Title XVII of the FY2001 Floyd D. Spence National Defense Authorization Act (P.L. 106-398).

[2] For more information, see CRS Report RL32341, *Assistance to Firefighters Program: Distribution of Fire Grant Funding*, by Lennard G. Kruger.

[3] These refer to consensus standards developed by the National Fire Protection Association (NFPA): NFPA 1710 ("Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments"), and NFPA 1720 ("Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments"). NFPA standards are voluntary unless adopted as law by governments at the local, state, or federal level, and are also often considered by insurance companies when establishing rates. Another applicable standard to this debate is the federal Occupational Safety and Health Administration (OSHA) standard on respiratory protection in structural firefighting situations (29 CFR 1910.134(g)), which requires at least four firefighters (two in and two for backup) before entering a hazardous environment wearing a Self-Contained Breathing Apparatus.

[4] For more information on the COPS program, see CRS Report RL33308, *Community Oriented Policing Services (COPS): Background and Funding*, by Nathan James.

[5] U.S. Fire Administration and the National Fire Protection Association, *Four Years Later—A Second Needs Assessment of the U.S. Fire Service*, FA-303, October 2006, 159 p. Available at http://www.usfa.dhs.gov/downloads/pdf/publications/fa-303-508.pdf.

[6] Dedman, Bill, "Deadly Delays: The Decline of Fire Response," *Boston Globe Special Report*, January 30, 2005. Available at http://www.boston.com/news/specials/fires/.

[7] National Institute for Occupational Safety and Health, "National Institute for Occupational Safety and Health (NIOSH) Fire Fighter Fatality Investigation and Prevention Program, 1998 - 2005," March 2006, 16 p. Available at http://www.cdc.gov/niosh/fire/pdfs/progress.pdf.

the result of this shortfall can lead to inadequate response to different types of emergency incidents, substandard response times, and an increased risk of firefighter fatalities.

On the other hand, those opposed to SAFER grants contend that funding for basic local government functions—such as paying for firefighter salaries—should not be assumed by the federal government, particularly at a time of high budget deficits. Also, some SAFER opponents disagree that below-standard levels in firefighting personnel are necessarily problematic, and point to statistics indicating that the number of structural fires in the United States has continued to decline over the past 20 years.[8]

Authorization—The SAFER Act

In response to concerns over the adequacy of firefighter staffing, the Staffing for Adequate Fire and Emergency Response Act—popularly called the "SAFER Act"—was introduced into the 107th and 108th Congresses.[9] The 108th Congress enacted the SAFER Act as Section 1057 of the FY2004 National Defense Authorization Act (P.L. 108-136; signed into law November 24, 2003). The SAFER provision was added as an amendment to S. 1050 on the Senate floor (S.Amdt. 785, sponsored by Senator Dodd) and modified in the FY2004 Defense Authorization conference report (H.Rept. 108-354). 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. SAFER grants were authorized through FY2010. **Table 1** shows the authorization levels for the SAFER grant program.

Table 1. Authorization Levels for SAFER Grant Program

(billions of dollars)

FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010
1.0	1.03	1.061	1.093	1.126	1.159	1.194

Two types of grants are authorized by the SAFER Act: hiring grants and recruitment and retention grants. *Hiring grants* cover a four-year term and are cost shared with the local jurisdiction. According to the statute, the federal share shall not exceed 90% in the first year of the grant, 80% in the second year, 50% in the third year, and 30% in the fourth year. The grantee must commit to retaining the firefighter or firefighters hired with the SAFER grant for at least one additional year after the federal money expires. Total federal funding for hiring a firefighter over the four-year

[8] See Lehrer, Eli, "Do We Need More Firefighters?" *Weekly Standard,* April 12, 2004, p. 21-22. Available at http://www.sipr.org/default.aspx?action=PublicationDetails&id=44. See also Easterbrook, Gregg, "Where's the Fire?" *New Republic Online*, August 9, 2004. Available at http://www.tnr.com/doc.mhtml?i=express&s=easterbrook080904.

[9] 107th Congress: S. 1617 (Dodd), H.R. 3992 (Boehlert), H.R. 3185 (Green, Gene). 108th Congress: S. 544 (Dodd), H.R. 1118 (Boehlert).

grant period may not exceed $100,000, although that total may be adjusted for inflation. While the majority of hiring grants will be awarded to career and combination fire departments, the SAFER Act specifies that 10% of the total SAFER appropriation be awarded to volunteer or majority-volunteer departments for the hiring of personnel.

Additionally, at least 10% of the total SAFER appropriation is set aside for *recruitment and retention grants*, which are available to volunteer and combination fire departments for activities related to the recruitment and retention of volunteer firefighters. Also eligible for recruitment and retention grants are local and statewide organizations that represent the interests of volunteer firefighters. No local cost sharing is required for recruitment and retention grants.

Appropriations

The SAFER grant program receives its annual appropriation through the House and Senate Appropriations Subcommittees on Homeland Security. Within the appropriations bills, SAFER is listed under the line item, "Firefighter Assistance Grants," which is located in Title III—Protection, Preparedness, Response, and Recovery. "Firefighter Assistance Grants" also includes the Assistance to Firefighters Grant Program.

Although authorized for FY2004, SAFER did not receive an appropriation in FY2004. **Table 2** shows the appropriations history for firefighter assistance, including SAFER, AFG, and the Fire Station Construction Grants (SCG) grants provided in the American Recovery and Reinvestment Act (ARRA). The Bush Administration requested no funding for SAFER in each its budget proposals for FY2005 through FY2009. **Table 3** shows recent and proposed appropriated funding for the SAFER and AFG grant programs.

Table 2. Appropriations for Firefighter Assistance, FY2001-FY2011

	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**
Total	**$5.607 billion**	**$1.514 billion**	**$210 million**	**$7.331 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)

	FY2009 (P.L. 110-329)	FY2010 (Admin. request)	FY2010 (P.L. 111-83)	FY2011 (Admin. request)	FY2011 (P.L. 112-10)	FY2012 (Admin. Request)	FY2012 (H.R. 2017 as passed)
FIRE Grants (AFG)	565	170	390	305	405	250	335
SAFER Grants	210	420	420	305	405	420	335
Total	**775**	**590**	**810**	**610**	**810**	**670**	**670**

FY2010

For FY2010, the Obama Administration proposed $420 million for SAFER, double the amount appropriated in FY2009. According to the budget justification, this increase will enable fire departments to increase staffing and deployment capabilities to attain 24-hour staffing and ensure that communities have adequate protection from fire and fire-related hazards.

Both the House- and Senate-passed versions of H.R. 2892, the FY2010 Department of Homeland Security appropriations bill, provided $420 million for SAFER in FY2010. According to the House Appropriations Committee (H.Rept. 111-157), the additional funding is part of a targeted and temporary effort to "stem the tide of layoffs and ensure our communities are protected by an adequate number of firefighters." The committee directed FEMA to consider the prospect and occurrence of firefighter layoffs at a local fire department when evaluating SAFER grant applications.

The conference report for the FY2010 Department of Homeland Security Appropriations Act (H.Rept. 111-298) was passed by the House on October 15, and by the Senate on October 20. H.Rept. 111-298 provided $420 million for SAFER, identical to the levels in both the House and Senate. The bill was signed into law, P.L. 111-83, on October 28, 2009.

FY2011

The Administration's FY2011 budget proposed $305 million for SAFER (a 27% decrease from the FY2010 level) and $305 million for AFG (a 22% decrease). The total amount requested for firefighter assistance (AFG and SAFER) was $610 million, a 25% decrease from FY2010.

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

On July 19, 2010, the Senate Appropriations Committee approved $810 million for firefighter assistance (including $420 million for SAFER and $390 million for AFG), the same level as FY2010. 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.

H.R. 1, the Full-Year Continuing Appropriations Act, 2011, as introduced on February 11, 2011, would have provided zero funding for SAFER and $300 million to AFG. However, on February 16, 2011, H.Amdt. 223 (offered by Representative Pascrell and agreed to by the House by a vote of 318-113) restored SAFER and AFG to FY2010 levels ($420 million and $390 million, respectively). 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 SAFER at $405 million and AFG 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), funds SAFER at $405 million and AFG at $405 million for FY2011.

FY2012

The Administration's FY2012 budget proposed $670 million for firefighter assistance, including $420 million for SAFER and $250 million for AFG. According to the FY2012 budget proposal, the request would fund 2,200 firefighter positions and approximately 5000 AFG grants.

The Department of Homeland Security Appropriations, 2012, bill (H.R. 2017) was reported by the House Appropriations Committee on May 26, 2011. The House bill, as reported by the committee, would have provided $350 million for firefighter assistance, including $150 million for SAFER and $200 million for AFG. These FY2012 levels would have constituted a 63% cut for SAFER and a 51% cut for AFG compared to the FY2011 appropriation. There was no SAFER waiver language in the committee-approved bill.

The House Appropriations bill report (H.Rept. 112-91) urged DHS to review the costs associated with the SAFER program, noting that "the cost per fighter is extremely high," and that "the budget requests $405 million to enable the hiring of more than 2,200 firefighter positions, or $184,000 per fire-fighter." H.Rept. 112-91 also directed FEMA to continue granting funds directly to local fire departments and to include the United States Fire Administration during the grant decision process.

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) prohibits 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 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.

Waiver of SAFER Requirements

With the economic turndown adversely affecting budgets of local governments, concerns have arisen that modifications to the SAFER statute may be necessary to enable fire departments to more effectively participate in the program. The American Recovery and Reinvestment Act of 2009 (P.L. 111-5) included a provision (section 603) that waived the matching requirements for SAFER grants awarded in FY2009 and FY2010. Currently, according to the statute, the federal share shall not exceed 90% in the first year of the grant, 80% in the second year, 50% in the third year, and 30% in the fourth year.

Subsequently, the FY2009 Supplemental Appropriations Act (P.L. 111-32) included a provision (section 605) giving the Secretary of Homeland Security authority to waive certain limitations and restrictions in the SAFER statute. For grants awarded in FY2009 and FY2010, waivers permit grantees to use SAFER funds to rehire laid-off firefighters and fill positions eliminated through attrition, allow grants to extend longer than the current five-year duration, and permit the amount of funding per position at levels exceeding the current limit of $100,000.

Because the SAFER waiver authority in P.L. 111-32 applied only to FY2009 and FY2010, an amendment addressing this issue was offered to H.R. 1, the Full-Year Continuing Appropriations Act, 2011. H.Amdt. 79, offered by Representative Price of North Carolina, stated that none of the funds made available in the FY2011 appropriation may be used to enforce the requirements in the SAFER statute that essentially prohibit using SAFER funds to rehire laid-off firefighters and fill positions eliminated through attrition. Funds would also not be permitted to enforce the five-year duration of the hired position and the limit of $100,000 per hired firefighter. On February 17, 2011, H.Amdt. 79 was agreed to by the House by a vote of 267-159. 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—contains waiver authority which would allow using SAFER funds to rehire laid-off firefighters and fill positions eliminated through attrition. Waivers would also allow exceptions to the requirement for the five-year duration of the hired position and the limit of $100,000 per hired firefighter. Unlike the House-passed version of H.R. 1, the Senate amendment would allow a waiver of cost-share requirements.

The Department of Defense and Continuing Appropriations Act, 2011 (P.L. 112-10) contained language that removes cost-share requirements and allows SAFER grants to be used to rehire laid-off firefighters and fill positions eliminated through attrition. However, the law 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. (P.L. 112-10) also did not waive the cap of $100K per firefighter hired by a SAFER grant. According to fire service advocates, these unwaived SAFER requirements (the mandatory five-year position duration, the 100K cap) will be a disincentive for many communities to apply for SAFER grants, because localities will be reluctant to apply for grants that would require future expenditure of local funds.[10]

The Department of Homeland Security Appropriations, 2012, bill (H.R. 2017) was passed by the House on June 2, 2011. The House bill, as amended on the House floor, would allow FY2012 grants to be used to rehire laid-off firefighters and fill positions eliminated through attrition,

[10] International Association of Fire Fighters, *News Release*, "Budget: Agreement Retains Level Funding for FIRE Act and SAFER grants, But Restricts Flexibility on SAFER Grants," April 14, 2011, available at http://www.iaff.org/11News/041311Waivers.htm.

remove cost-share requirements, allow grants to extend longer than the current five year duration, and permit the amount of funding per position at levels exceeding the current limit of $100,000.

Reauthorization of SAFER

The most recent authorization of SAFER expired on September 30, 2010. Previously in the 111th Congress, reauthorization legislation for SAFER and AFG was passed by the House, but was not passed by the Senate. In the 112th Congress, virtually identical versions of the House and Senate bills from the 111th Congress have been introduced.

House Reauthorization Bill

On July 8, 2009 (in the 111th Congress), the House Committee on Science and Technology, Subcommittee on Technology and Innovation, held a hearing on the reauthorization of both SAFER and AFG.[11] Testimony was heard from FEMA and many of the major fire-service organizations including the International Association of Fire Chiefs (IAFC), the International Association of Fire Fighters (IAFF), the National Volunteer Fire Council (NVFC), and the National Fire Protection Association (NFPA).

Witnesses asserted that under current economic conditions, many jurisdictions find it difficult to comply with current SAFER statutory restrictions governing the hiring grants sought by career and combination departments. For example, according to the IAFF, DHS data show that "since SAFER's inception four years ago, seventy-eight grantees have had to repay the federal government a total of $62.7 million because they failed to meet the rigorous requirements," and that an "additional seventy-one grants totaling $51.4 million were declined by municipalities that felt they could not meet the program's obligations."[12] According to the IAFC, in 2008, "the DHS reported a greater than 12 percent drop in SAFER grant applications from 2007, including a 20 percent drop in applications from all-career and combination departments with a majority of career firefighters."[13]

According to hearing witnesses, current restrictions that make it difficult for fire departments to use SAFER hiring grants include the requirement that a SAFER hiring grant extend for five years with an increasing local match required each year (with the fifth year completely funded by the local fire department); the requirement that departments must maintain staffing levels over that five-year period; the statutory cap of $100,000 per firefighter; and restrictions on using SAFER funds to rehire laid-off firefighters and fill positions eliminated through attrition.

The ARRA and the FY2009 Supplemental Appropriations Act gave DHS the authority to waive some of those SAFER restrictions only for FY2009 and FY2010. With respect to the longer-term

[11] See http://science.house.gov/publications/hearings_markups_details.aspx?NewsID=2539.

[12] Kevin O'Connor, Assistant to the General President, International Association of Fire Fighters, written statement before the House Subcommittee on Technology and Innovation, Committee on Science and Technology, July 8, 2009, p. 8, http://democrats.science.house.gov/Media/file/Commdocs/hearings/2009/Tech/8jul/O'Connor_Testimony.pdf.

[13] Jeffrey Johnson, First Vice President, International Association of Fire Chiefs, written statement before the House Subcommittee on Technology and Innovation, Committee on Science and Technology, July 8, 2009, p. 6, http://democrats.science.house.gov/Media/file/Commdocs/hearings/2009/Tech/8jul/Johnson_Testimony.pdf.

reauthorization provisions affecting SAFER hiring grants, witnesses at the July 8 hearing recommended

- establishing an across-the-board 20% match rather than the sliding scale under current law;
- shortening the length of the grant period from five years to three years;
- eliminating the funding cap of 100K per firefighter for hiring grants that currently cover salary and benefits over a four-year period; and
- making the temporary waiver authority granted in the ARRA and the 2009 Supplemental Appropriations Act permanent, thereby granting DHS authority to waive the restriction on using grants to avoid or reverse layoffs, to waive the local match, and to waive the requirement that personnel levels must be maintained during the life of the grant.

Meanwhile, the NVFC expressed strong support for the recruitment and retention SAFER grants, and argued that in addition to currently eligible state and local interest organizations, national interest organizations should also be eligible for those grants.

On October 13, 2009, H.R. 3791, the Fire Grants Reauthorization Act of 2009, was introduced by Representative Mitchell. The legislation reflected an agreement reached among the major fire service organizations on the reauthorization language. H.R. 3791 was referred to the House Committee on Science and Technology, and approved (amended) by the Subcommittee on Technology and Innovation on October 14, 2009, and by the full committee on October 21, 2009. H.R. 3791 was reported (amended) by the committee on November 7, 2009 (H.Rept. 111-333, Part I), and passed by the House on November 18, 2009.

H.R. 3791, as passed by the House, would have reauthorized SAFER grants at a level of $1.194 billion per year through FY2014. The legislation would modify the SAFER grant program by shortening the grant period to three years, establishing a 20% local matching requirement for each year, removing the existing federal funding cap per hired firefighter, making national organizations eligible for recruitment and retention funds, and allowing DHS in the case of economic hardship to waive cost share requirements, the three-year grant period, and/or maintenance of expenditure requirements.

On June 22, 2011, H.R. 2269, the Fire Grants Reauthorization Act of 2011 was introduced into the 112th Congress by Ms. Eddie Bernice Johnson of Texas. H.R. 2269 is virtually identical to H.R. 3791 of the 111th Congress.

Senate Reauthorization Bill

On March 10, 2011, S. 550, the Fire Grants Authorization Act of 2011, was introduced by Senator Lieberman, chairman of the Senate Committee on Homeland Security and Governmental Affairs. On May 18, 2011, the Senate Committee on Homeland Security and Governmental Affairs ordered S. 550 to be reported with two amendments. One approved amendment is a requirement that the inspector general of DHS submit to Congress a report detailing whether and to what degree the grant programs are duplicative. The other adopted amendment would sunset both SAFER and AFG grant programs on October 1, 2016, requiring the programs to subsequently be reauthorized past that date in order to continue.

Regarding SAFER, S. 550 would

- shorten the grant period to three years, with grantees required to retain for at least one year beyond the termination of their grants those firefighters hired under the grant;
- establish a 25% local matching requirement for each year;
- limit the amount of funding provided for hiring a firefighter in any fiscal year at not to exceed 75% of the usual annual cost of a first-year firefighter in that department;
- make national organizations eligible for recruitment and retention funds;
- allow DHS in the case of economic hardship to waive cost share requirements, the required retention period, the prohibition on supplanting local funds, and/or maintenance of expenditure requirements; and
- reauthorize the SAFER grant program from FY2012 through FY2016 at a level of $950 million per year, with each year adjusted for inflation.

In comparison with House bill, the Senate bill has a higher match requirement for hiring grants, retains a maximum amount limit for hiring grants per firefighter, and continues to require applicants to retain hired firefighters for at least one year after the grant expires (unless a waiver is obtained).

Implementation of the SAFER Program

Prior to FY2007, the SAFER grant program was administered by the Office of Grants and Training within the Preparedness Directorate of the Department of Homeland Security (DHS). However, Title VI of the Conference Agreement on the DHS appropriations bill (P.L. 109-295; H.Rept. 109-699), the Post Katrina Emergency Management Reform Act of 2006, transferred most of the existing Preparedness Directorate (including SAFER and fire grants) back to an enhanced FEMA.

Table 4 shows the state-by-state distribution of SAFER grant funds, from FY2005 through FY2009. Of the total federal share requested for FY2009, 54.6% was requested by all paid/career departments, 9.3% by all volunteer, 14.7% by combination (majority paid/career), and 19% by combination (majority volunteer).[14] Of the FY2009 SAFER awards, grants for hiring accounted for 89.5% of the total federal share awarded. For the latest information and updates on the application for and awarding of SAFER grants, see the official SAFER grant program website at http://www.fema.gov/firegrants/safer/index.shtm.

[14] Latest SAFER application statistics are available at http://www.fema.gov/firegrants/safer/statistics.shtm.

Table 4. State-by-State Distribution of SAFER Grants, FY2005-FY2009

(millions of dollars)

	FY2005	FY2006	FY2007	FY2008	FY2009	Total
Alabama	1.611	6.215	4.236	7.314	4.288	23.664
Alaska	1.051	0.205	0.418	1.438	0.328	3.44
Arizona	1.560	3.559	4.428	6.613	6.768	22.928
Arkansas	0.394	1.820	0.377	3.834	0.976	7.401
California	5.221	5.212	4.259	4 .212	31.501	50.405
Colorado	1.584	3.479	1.730	2.02	0.955	9.768
Connecticut	0.130	0.191	0.856	3.92	2.214	7.311
Delaware	0	0.135	0	0.398	0	0.533
District of Columbia	0	0	0	0	0	0
Florida	6.576	9.329	6.217	17.185	24.105	63.412
Georgia	5.354	2.085	2.842	17.438	4.844	32.563
Hawaii	0	0	0	1.626	0	1.626
Idaho	0.063	0.621	0.626	0.774	1.336	3.42
Illinois	1.340	4.463	9.933	5.85	2.496	24.082
Indiana	0	0.099	2.687	4.577	8.295	15.658
Iowa	0.169	0.144	0.980	1.288	1.045	3.626
Kansas	0.667	0.045	1.029	1.872	2.806	6.419
Kentucky	0.152	2.890	0.429	2.466	0.338	6.275
Louisiana	3.430	3.078	4.728	8.62	10.515	30.371
Maine	0.081	0	0.316	0.951	0.739	2.087
Maryland	0.096	1.862	1.526	3.171	4.429	11.084
Massachusetts	1.300	2.079	4.372	2.690	18.385	28.826
Michigan	1.759	0.592	0	0.628	13.286	16.265
Minnesota	0.300	1.089	0.375	3.246	1.256	6.266
Mississippi	0.756	0.594	0.115	1.608	0	3.073
Missouri	1.467	3.547	4.551	2.381	1.474	13.42
Montana	0.034	0.255	2.635	2.955	0.458	6.337
Nebraska	0	0.873	0.632	1.951	0.802	4.258
Nevada	1.500	1.714	0.632	0.086	0.577	4.509
New Hampshire	0.400	1.035	1.528	0.225	0	3.188
New Jersey	6.374	3.971	2.953	4.389	0.556	18.243
New Mexico	0	3.123	1.309	0.108	0.499	5.039
New York	1.540	2.991	2.845	4.412	8.227	20.015
North Carolina	2.155	5.533	5.371	18.183	2.256	33.498

	FY2005	FY2006	FY2007	FY2008	FY2009	Total
North Dakota	0	0.609	0	1.518	1.517	3.644
Ohio	1.319	1.881	2.255	3.737	29.606	38.798
Oklahoma	0.147	0.699	0.531	2.782	0	4.159
Oregon	1.710	2.141	2.649	2.071	0.677	9.248
Pennsylvania	1.244	1.475	2.633	3.515	1.176	10.043
Rhode Island	0.400	0	0.105	0	1.561	2.066
South Carolina	0.456	0.863	3.218	8.158	2.41	15.105
South Dakota	0.063	0.311	0.211	0.552	0	1.137
Tennessee	2.700	2.719	3.683	1.856	1.148	12.106
Texas	0.951	10.961	8.779	19.06	3.158	42.909
Utah	0.900	3.312	2.098	3.955	1.824	12.089
Vermont	0	0.621	0.632	0	0.119	1.372
Virginia	2.091	3.554	0.782	1.849	4.891	13.167
Washington	2.298	2.897	7.340	9.476	2.847	24.858
West Virginia	0	0.187	0.681	0.16	0.287	1.315
Wisconsin	0	0.072	1.223	4.502	0	5.797
Wyoming	0	0	0.316	2.329	0.263	2.908
Puerto Rico	0	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0	0
Marshall Islands	0	0	0	0	0	0
Guam	0	0	0	0	0	0
American Samoa	0	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0
Republic of Palau	0	0	0	0	0	0
Total	**61.356**	**105.142**	**113.665**	**203.964**	**207.258**	**691.385**

Source: Department of Homeland Security.

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