

108TH CONGRESS  
1ST SESSION

# H. R. 1118

To establish the SAFER Firefighter Grant Program.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2003

Mr. BOEHLERT (for himself, Mr. PASCRELL, Mr. QUINN, and Mr. GREEN of Texas) introduced the following bill; which was referred to the Committee on Science

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## A BILL

To establish the SAFER Firefighter Grant Program.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Staffing for Adequate  
5 Fire and Emergency Response Firefighters Act of 2003”.

6 **SEC. 2. OFFICE OF GRANT MANAGEMENT.**

7       The Federal Fire Prevention and Control Act of 1974  
8 (15 U.S.C. 2201 et seq.) is amended by redesignating the  
9 second section 33 and section 34 as sections 35 and 36,  
10 respectively, and by inserting after the first section 33 the  
11 following new section:

1 **“SEC. 34. GRANT AUTHORITY.**

2 “(a) AUTHORITY TO MAKE GRANTS.—(1) The Ad-  
3 ministrator shall make grants directly to career, volunteer,  
4 and combination fire departments, in consultation with the  
5 chief executive of the State in which the applicant is lo-  
6 cated, for the purpose of increasing the number of fire-  
7 fighters to help communities meet industry minimum  
8 standards to provide adequate protection from fire and  
9 fire-related hazards, including acts of terrorism.

10 “(2)(A) Grants made under paragraph (1) shall be  
11 for 4 years and be used for programs to hire new, addi-  
12 tional firefighters.

13 “(B) Grantees are required to commit to retaining  
14 for at least 1 year beyond the termination of their grants  
15 those firefighters hired under paragraph (1).

16 “(3) In awarding grants under this section, the Ad-  
17 ministrator may give preferential consideration to applica-  
18 tions that involve a non-Federal contribution exceeding the  
19 minimums under paragraph (5).

20 “(4) The Administrator may provide technical assist-  
21 ance to States, units of local government, Indian tribal  
22 governments, and to other public entities, in furtherance  
23 of the purposes of this section.

24 “(5) The portion of the costs of hiring firefighters  
25 provided by a grant under paragraph (1) may not ex-  
26 ceed—

1           “(A) 90 percent in the first year of the grant;

2           “(B) 80 percent in the second year of the  
3 grant;

4           “(C) 50 percent in the third year of the grant;  
5 and

6           “(D) 30 percent in the fourth year of the grant.

7           “(6) The authority under paragraph (1) of this sec-  
8 tion to make grants for the hiring of additional firefighters  
9 shall lapse at the conclusion of 10 years from the date  
10 of enactment of this section. Prior to the expiration of this  
11 grant authority, the Administrator shall submit a report  
12 to Congress concerning the experience with and effects of  
13 such grants. The report may include any recommendations  
14 the Administrator may have for amendments to this sec-  
15 tion and related provisions of law.

16           “(b) APPLICATIONS.—(1) No grant may be made  
17 under this section unless an application has been sub-  
18 mitted to, and approved by, the Administrator.

19           “(2) An application for a grant under this section  
20 shall be submitted in such form, and contain such infor-  
21 mation, as the Administrator may prescribe.

22           “(3) At a minimum, each application for a grant  
23 under this section shall—

24           “(A) explain the applicant’s inability to address  
25 the need without Federal assistance;

1           “(B) explain how the applicant plans to meet  
2           the requirements of subsection (a)(2)(B) and (5);

3           “(C) specify long-term plans for retaining fire-  
4           fighters following the conclusion of Federal support  
5           provided under this section; and

6           “(D) provide assurances that the applicant will,  
7           to the extent practicable, seek, recruit, and hire  
8           members of racial and ethnic minority groups and  
9           women in order to increase their ranks within fire-  
10          fighting.

11          “(c) LIMITATION ON USE OF FUNDS.—(1) Funds  
12          made available under this section to fire departments of  
13          a State for salaries and benefits to hire new, additional  
14          firefighters shall not be used to supplant State or local  
15          funds, or, in the case of Indian tribal governments, funds  
16          supplied by the Bureau of Indian Affairs, but shall be used  
17          to increase the amount of funds that would, in the absence  
18          of Federal funds received under this section, be made  
19          available from State or local sources, or in the case of In-  
20          dian tribal governments, from funds supplied by the Bu-  
21          reau of Indian Affairs.

22          “(2) Funds appropriated by the Congress for the ac-  
23          tivities of any agency of an Indian tribal government or  
24          the Bureau of Indian Affairs performing firefighting func-  
25          tions on any Indian lands may be used to provide the non-

1 Federal share of the cost of programs or projects funded  
2 under this section.

3 “(3)(A) Total funding provided under this section  
4 over 4 years for hiring a firefighter may not exceed  
5 \$100,000.

6 “(B) The \$100,000 cap shall be adjusted annually  
7 for inflation beginning in fiscal year 2005.

8 “(d) PERFORMANCE EVALUATION.—The Adminis-  
9 trator may require a grant recipient to submit any infor-  
10 mation the Administrator considers reasonably necessary  
11 to evaluate the program.

12 “(e) REVOCATION OR SUSPENSION OF FUNDING.—  
13 If the Administrator determines that a grant recipient  
14 under this section is not in substantial compliance with  
15 the terms and requirements of an approved grant applica-  
16 tion submitted under this section, the Administrator may  
17 revoke or suspend funding of that grant, in whole or in  
18 part.

19 “(f) ACCESS TO DOCUMENTS.—(1) The Adminis-  
20 trator shall have access for the purpose of audit and exam-  
21 ination to any pertinent books, documents, papers, or  
22 records of a grant recipient under this section and to the  
23 pertinent books, documents, papers, or records of State  
24 and local governments, persons, businesses, and other en-

1 tities that are involved in programs, projects, or activities  
2 for which assistance is provided under this section.

3 “(2) Paragraph (1) shall apply with respect to audits  
4 and examinations conducted by the Comptroller General  
5 of the United States or by an authorized representative  
6 of the Comptroller General.

7 “(g) DEFINITIONS.—In this section, the term—

8 “(1) ‘firefighter’ has the meaning given the  
9 term ‘employee in fire protection activities’ under  
10 section 3(y) of the Fair Labor Standards Act (29  
11 U.S.C. 203(y)); and

12 “(2) ‘Indian tribe’ means a tribe, band, pueblo,  
13 nation, or other organized group or community of  
14 Indians, including an Alaska Native village (as de-  
15 fined in or established under the Alaska Native  
16 Claims Settlement Act (43 U.S.C. 1601 et seq.)),  
17 that is recognized as eligible for the special pro-  
18 grams and services provided by the United States to  
19 Indians because of their status as Indians.

20 “(h) AUTHORIZATION OF APPROPRIATIONS.—

21 “There are authorized to be appropriated for the pur-  
22 poses of carrying out this section—

23 “(1) \$1,000,000,000 for fiscal year 2004;

24 “(2) \$1,030,000,000 for fiscal year 2005;

25 “(3) \$1,061,000,000 for fiscal year 2006;

- 1           “(4) \$1,093,000,000 for fiscal year 2007;
- 2           “(5) \$1,126,000,000 for fiscal year 2008;
- 3           “(6) \$1,159,000,000 for fiscal year 2009; and
- 4           “(7) \$1,194,000,000 for fiscal year 2010.”.

