



STAFF REPORT

DATE: FEBRUARY 5, 2013
 TO: HONORABLE MAYOR AND CITY COUNCIL
 FROM: ROD FOSTER, CITY MANAGER
 PREPARED BY: TIM MC HARGUE, FIRE CHIEF
 SUBJECT: CONSIDER ACCEPTANCE OF FY 2012 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT

RECOMMENDED ACTION

It is recommended that the City Council consider the FY 2012 two-year Staffing for Adequate Fire and Emergency Response (SAFER) Grant and take one of the following actions:

1. Adopt Resolution R-03-13 accepting the FY 2012 two-year Staffing for Adequate Fire and Emergency Response (SAFER) Grant to fill nine firefighter positions.

OR

2. Decline acceptance of the FY 2012 two-year Staffing for Adequate Fire and Emergency Response (SAFER) Grant.

GOAL STATEMENT

The proposed action will support the Council's goal to provide an ever improving quality of life.

BACKGROUND

In March 2011, due to the City's fiscal situation, the City implemented the Fire Department Rolling Brown-Out Plan. The Plan called for closing a fire station each day on a rotating basis. As part of the Plan, the Fire Department lost nine suppression positions through attrition (six retirements and three firefighter paramedics being hired by other fire departments).

On August 7, 2012, the City Council approved the Fire Department's second application for a SAFER Grant. On Friday, December 21, 2012, the Fire Department was notified that the grant application submitted under the Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grant Programs Directorate FY 2012 SAFER Grant Program had been approved for award.

Awards made under the Hiring of Firefighters Category require the support of City Council. The Award Notification email states,

“...by accepting this award you are confirming that you have discussed this application with your local officials and that there is a clear understanding of the long-term obligations of a SAFER grant and that both the department and governing body are committed to fulfilling the requirements of this grant immediately upon acceptance. If you choose to decline the award, you waive all future rights to this award.”

The long-term obligations and requirements for SAFER funding include:

- All applicants must certify the primary assignment of all SAFER-funded firefighters will be an operational assignment (e.g., fire suppression) regardless of collateral duties
- Comply with DHS Standard Administrative Terms and Conditions
- SAFER Grantees that lay off any firefighters during the SAFER Grant’s period of performance will be considered in default of their award and the grant will be terminated.

SAFER provides two-year grants to assist fire departments by paying the entry level salaries and benefits of the SAFER-funded firefighters. The goal is to increase frontline firefighters, rehire firefighters that have been laid off, retain firefighters facing imminent layoffs, or fill positions that were vacated through attrition. The DHS FEMA Grant Programs Directorate implements and administers the SAFER Grants.

The objective of the SAFER program is to augment or restore local fire departments’ staffing and deployment capabilities so they may more effectively respond to emergencies. With the enhanced or restored staffing, a SAFER grantee’s response time is anticipated to be noticeably reduced and an appropriate number of trained personnel will be assembled at the incident scene.

ISSUES/ANALYSIS

The Council must officially accept the award in order to receive funding. If no action is taken by February 8, 2013 the award system will retract the award announcement. It should be noted that there is a 90-day recruitment period that began on December 21, 2012 and ends on March 21, 2013. Upon Council acceptance we will request an extension to this provision; other grantees have requested similar extensions.

If Council accepts the SAFER Grant award, the Fire Department will immediately begin the process of hiring or promoting a total of nine positions in the ranks of firefighter/paramedic, captain and engineer, and discontinue the fire station brown outs implemented in March of 2011. The addition of nine new firefighters will assist the City in meeting its goal to decrease response times and increase safety on incidents.

There is no retention commitment for the grant. Grant funding will tentatively end on March 21, 2015. With future Council approval, the Fire Department will request to apply for FY15 SAFER

at the appropriate time. It should be noted that San Bernardino was awarded their third SAFER Grant, for a total of six year's funding, the same day Colton was notified.

FISCAL IMPACTS

The grant amount is \$1,986,300 and will cover entry-level salary and benefits for nine firefighter paramedics for a two-year period. Current cost estimates require the City to fund an estimated \$378,982 each year for staffing costs not covered by the grant and a one-time cost of \$29,124 to purchase nine sets of safety gear the first year. The "Vow to Hire Heroes Act of 2011" provides one additional year of funding for each veteran we hire with SAFER. The Council approved FY2012-13 budget designated \$375,000 toward the reopening of the closed fire station through the SAFER Grant. FY 2013-14 budget will need to include a similar amount of funding as well. If future funding sources are not identified by the March 21, 2015 ending of SAFER, the City will then reinstate the existing rolling brown-out plan.

If the City should choose to accept the Grant, the upcoming mid-year budget review will include formal appropriation of funds and adjustment of all necessary account numbers in order to complete FY 2012-13.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Resolution No. R-03-13
2. 2012 SAFER Congressional Synopsis
3. FY 2012 SAFER Program Guidance

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RESOLUTION NO. R-03-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY'S GRANT PROGRAMS, FOR A STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT

WHEREAS, The Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grant Programs Directorate implements and administers the Staffing for Adequate Fire and Emergency Response (SAFER) Grants; and

WHEREAS, the SAFER Grants provide financial assistance to help fire departments increase frontline firefighters, rehire firefighters that have been laid off, retain firefighters facing imminent layoffs, or fill positions that were vacated through attrition; and

WHEREAS, SAFER grantees should be able to demonstrate that they have achieved more efficient responses and safer incident scenes, thereby insuring communities have improved protection from fire and fire-related hazards; and

WHEREAS, the City of Colton applied for a SAFER Grant to be used to hire nine firefighters and stop the Fire Department Rolling Brown Out Plan implemented in March of 2011; and,

WHEREAS, the City, on Friday, December 21, 2012, was notified that the grant application submitted under the FY 2012 SAFER Grant Program had been approved for award and must be accepted or denied by February 8, 2013; and,

WHEREAS, the City, by accepting this award is confirming that there is a clear understanding of the long-term obligations of a SAFER grant and that both the City and the Fire Department are committed to fulfilling the requirements of this grant immediately upon acceptance; and,

WHEREAS, there is no retention commitment beyond the two-year grant period; and,

WHEREAS, the cost to the City will be for safety equipment and staffing costs not covered by the grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colton:

Section 1. Approves the acceptance of the FY2012 SAFER Grant for \$1,986,300 to hire nine

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firefighters and stop the Fire Department Rolling Brown Out Plan.

Section 2. Authorizes the City Manager and/or his designee to spend the designated funds to purchase safety equipment and for staffing costs not covered in the grant.

Section 3. Designates Timothy M. McHargue, Fire Chief, as the City's authorized representative for purposes of the grant.

Section 4. Resolution No. R-26-12 approved on June 19, 2012 adopted the fiscal year 2012-13 budget. Section 2 and 3 of R-26-12 are hereby eliminated in their entirety and replaced with:

Section 2: Following the effective date of Ordinance No. O-08-12, the General Fund Transfer percentage (the annual administrative transfer from the Electric Utility Fund to the General Fund) shall be set at 12.39% for Fiscal Year 2012-13. Until the effective date, the percentage shall remain at 10%. The percentage will be reviewed annually during the budget process, with a commitment to the gradual reduction of the General Fund Transfer whenever possible.

Section 3: Reserved.

PASSED, APPROVED AND ADOPTED this 5th day of February, 2013.

SARAH S. ZAMORA, Mayor

ATTEST:

EILEEN C. GOMEZ, CMC
City Clerk

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2012 SAFER
Congressional Synopsis



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

Lennard G. Kruger
Specialist in Science and Technology Policy

June 8, 2012

Congressional Research Service

7-5700

www.crs.gov

RL33375

CRS Report for Congress
Prepared for Members and Committees of Congress

Summary

In response to concerns over the adequacy of firefighter staffing, the Staffing for Adequate Fire and Emergency Response Act, known as 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 recruitment and retention of volunteers.

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 (§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. P.L. 112-74, the Consolidated Appropriations Act, FY2012 provided \$337.5 million for SAFER, and included language permitting FY2012 grants to be used to rehire laid-off firefighters and fill positions eliminated through attrition, as well as removing other SAFER restrictions and limitations. P.L. 112-74 also reinstated waiver authority for the restrictions that were not lifted in the FY2011 appropriations act (P.L. 112-10).

The Administration's FY2013 budget proposed \$670 million for firefighter assistance, including \$335 million for SAFER and \$335 million for AFG. The Administration requested that all previous SAFER waivers again be enacted for FY2013. Both the House-passed FY2013 appropriations bill (H.R. 5855) and the Senate Appropriations Committee bill (S. 3216) provide \$675 million (\$337.5 million for SAFER and \$337.5 million for AFG). Both the House and Senate bills contain SAFER waiver language.

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 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 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 Act¹ 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) program⁴ 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, 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.

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 National Fire Protection Association, *Third Needs Assessment of the U.S. Fire Service*, June 2011, available at <http://www.nfpa.org/assets/files/2011NeedsAssessment.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>.

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 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

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).

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-FY2012

	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
Total	\$5.944 billion	\$1.851 billion	\$210 million	\$8.005 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)

	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)
FIRE Grants (AFG)	305	405	250	337.5	335	337.5	337.5
SAFER Grants	305	405	420	337.5	335	337.5	337.5
Total	610	810	670	675	670	675	675

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 the Department of Homeland Security (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 Representative LaTourette and Representative 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 Representative 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 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 SAFER and \$375 million for AFG. As does the House bill, the Senate bill also waived or prohibited SAFER requirements in FY2012. The committee included a provision (§559) which allows SAFER grants to be used to retain firefighters and prohibits or waives SAFER limitations and restrictions. The committee stated its expectation that this provision would be applied in the same manner as similar provisions in the Supplemental Appropriations Act, 2009, and the American Recovery and Reinvestment Act of 2009 for fiscal years 2009 and 2010.

P.L. 112-74, the Consolidated Appropriations Act, FY2012, provided \$337.5 million for SAFER, and included language permitting FY2012 grants to be used to rehire laid-off firefighters and fill positions eliminated through attrition, as well as prohibiting DHS from enforcing the other SAFER restrictions and limitations. P.L. 112-74 also reinstated DHS waiver authority for the restrictions that were not lifted in the FY2011 appropriations bill (P.L. 112-10).

FY2013

The Administration’s FY2013 budget proposed \$670 million for firefighter assistance, including \$335 million for SAFER and \$335 million for AFG. The Administration requested that all

previous SAFER waivers again be enacted for FY2013. The Administration has estimated that the requested SAFER budget would fund more than 1700 firefighter positions in FY2013.¹⁰

Also, in the budget proposal, FEMA strongly encouraged applying fire departments to seek, recruit, and hire post-9/11 veterans to increase their ranks within their department in order to take advantage of the provisions of the VOW To Hire Heroes Act of 2011 (Title II of P.L. 112-56). In FY2013, according to the budget proposal, “FEMA anticipates a preference for all SAFER applicants to have a policy in place addressing their intent to implement strategies to support this Act and have recruiting efforts aimed at post-9/11 veterans.”

On May 16, 2012, The House Appropriations Committee approved its version of the FY2013 Department of Homeland Security appropriations bill. The Committee mark is identical to the Administration requested level—\$335 million for SAFER and \$335 million for AFG. By voice vote, the full Committee adopted an amendment during the Committee markup specifying that that SAFER restrictions will not apply to the FY2013 SAFER grants.

The Committee report (H.Rept. 112-492) stated that the Committee “is perplexed” as to why FEMA has not already given preference to post-9/11 veterans for SAFER hiring grants, and directed FEMA to report to the Committee quarterly on implementation efforts on the hiring of veterans, including the number of hirings.

During floor action on June 6, 2012, an amendment was offered by Representative Runyan to increase funding for SAFER and AFG 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 for SAFER and \$337.5 million for AFG), 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. This level included \$337.5 million for SAFER and \$337.5 million for AFG. The Senate level is identical to the FY2012 level. The Senate Committee bill (S. 3216) also included SAFER waiver authority language, including a provision which allows grants to be used to retain firefighters, instead of only for increasing the number of firefighters. The Committee report (S.Rept. 112-169) 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. Regarding the SAFER waivers, the Committee stated its expectation that DHS will take into consideration economic hardship when exercising the waiver authority.

SAFER Provisions in Jobs Legislation

The Administration’s American Jobs Act (introduced as S. 1549 on September 13, 2011, by Senator Reid, and introduced as H.R. 12 on September 21, 2011, by Representative Larson) would provide \$1 billion in additional FY2012 appropriations for SAFER. The legislation would also give DHS the authority to waive SAFER limitations and restrictions. Additionally in the House, H.R. 2914, the Emergency Jobs to Restore the American Dream Act, was introduced by

¹⁰ Testimony of the Honorable Janet Napolitano, Secretary of the Department of Homeland Security, before the Senate Subcommittee on Homeland Security Appropriations, March 8, 2012.

Representative Schakowsky on September 14, 2011. H.R. 2914 would provide \$1.2 billion in FY2012 and \$1.2 billion in FY2013 for SAFER, and would prohibit the enforcement of SAFER limitations and restrictions. Similar provisions are in the Teachers and First Responders Back to Work Act of 2011 (S. 1723), the Act for the 99% (H.R. 3638), and the Rebuild America Act (H.R. 5727).

Waiver of SAFER Requirements

With the economic downturn 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 (§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 (§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 \$100,000 per firefighter hired by a SAFER grant. According to fire service advocates, these unwaived SAFER requirements (the mandatory five-year position duration, the \$100,000 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.¹¹

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, 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. Similarly, the Senate FY2012 Department of Homeland Security Appropriations bill, as approved by the Senate Appropriations Committee, would maintain waivers and prohibitions of SAFER restrictions as they were applied in FY2009 and FY2010.

Finally, P.L. 112-74, the Consolidated Appropriations Act, FY2012, included language (§561) prohibiting using any funds to enforce all of the SAFER restrictions that have been lifted since FY2009. Additionally, Section 562 of P.L. 112-74 reinstated DHS waiver authority for the restrictions that were not lifted in the FY2011 appropriations bill (P.L. 112-10).

In the FY2013 budget proposal, the Administration requested that all previous SAFER waivers again be enacted for FY2013. The House bill (H.R. 5855) states that the SAFER restrictions do not apply to the FY2013 SAFER grants. The Senate appropriations bill (S. 3216) would reinstate SAFER restriction waiver authority for FY2013 and directs DHS to take into consideration economic hardship when exercising the waiver authority.

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 of SAFER

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.¹² 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

¹¹ 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>.

¹² See http://science.house.gov/publications/hearings_markup_details.aspx?NewsID=2539.

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."¹³ 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."¹⁴

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 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 \$100,000 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.

¹³ 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.

¹⁴ 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.

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 Representative Eddie Bernice Johnson of Texas. H.R. 2269 is virtually identical to H.R. 3791 of the 111th Congress.

Senate Reauthorization of SAFER

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 H.R. 2269, S. 550 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 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 FY2010. 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).¹⁵ Of the FY2010 SAFER awards, grants for hiring accounted for 84.3% 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>.

Table 4. 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	3.496	10.807
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

¹⁵ Latest SAFER application statistics are available at <http://www.fema.gov/firegrants/safer/statistics.shtm>.

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

	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	Total
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
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	6.814	16.062
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

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

	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	Total
Virgin Islands	0	0	0	0	0	0	0
Republic of Palau	0	0	0	0	0	0	0
Total	61.356	105.142	113.665	203.964	207.258	413.017	1104.402

Source: Department of Homeland Security. Current as of October 7, 2011.

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FY 2012 SAFER Program Guidance



Staffing for Adequate Fire and Emergency Response (SAFER) Grants Program

Program Guidance

June 2012

Fiscal Year 2012



U.S. Department of Homeland Security

Appendix I

STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS PROGRAM

What's New – Fact Sheet

Available Funding

Appropriated Amount - \$337,500,000

Available for Funding - \$320,625,000

New Tools

Updated Get Ready Guide – A handy guide to give you a kick start in prepping your grant application and better prepare you to thoroughly answer the application questions is available at <http://www.fema.gov/firegrants>.

Quick Reference Guide – A reference guide to assist you in answering application questions and funding priorities is available at <http://www.fema.gov/firegrants>.

Guidance and Application Kit

- **Appendix I – Application and Review Information**

- Part I. Funding Opportunity Description

- Program priorities are listed as High **H**, Medium **M**, or Low **L**.

- Within each identified program priority (H, M, L); all the proposed activities have an equal value.

- Part II. Award Information

- Part III. Eligibility Information

- Part IV. Application and Submission Information

- Part V. Application Review Information

- **Appendix II – Award Administration Information**

- Part I. Award Administration Information

- Part II. FEMA Contacts

- Part III. Other Information

Note: These changes **ONLY** affect the FY 2012 SAFER Grants; the new conditions are **NOT** retroactive and may not remain in effect beyond FY 2012.

Additional Overview Information – Key Changes

The content of this Program Guidance reflects the Department of Homeland Security (DHS) Secretary and FEMA's implementation of the Federal Fire Prevention and Control Act of 1974, (codified, as amended, at 15 U.S.C. §2229a et seq.).

Under authorities provided under the Federal Fire Prevention and Control Act of 1974, as amended, the following requirements are being waived for the FY 2012 SAFER Grants Program:

Salary limits: There are no annual salary limits.

Retention commitment: Grantees in the Hiring of Firefighters Category do not have to commit to retaining the SAFER-funded firefighters.

Supplanting requirement: Grants may be used for the purpose of retaining firefighters currently employed who are facing imminent lay-offs or rehiring laid-off firefighters.

If applying to retain firefighters facing lay-offs, applicants will answer questions within the online application as if these positions had already been laid off.

Period of performance: For Hiring of Firefighters Category Grants, the period of performance has been reduced to two years.

Attrition of firefighters during the period of performance: Grantees who are unable to back-fill firefighting positions that were vacated due to documentable economic hardship may petition FEMA for a waiver of staffing maintenance requirements. In order to qualify for this waiver, the economic hardship must affect the entire public safety sector in your jurisdiction, not only the fire department. Waivers will not be granted for SAFER-funded positions.

Under the Hiring of Firefighters Category, we will distinguish between grants to hire new firefighters and grants to rehire laid-off firefighters, giving applications for the rehiring of firefighters who have been laid off the highest priority over any other hiring request.

Part I.

FUNDING OPPORTUNITY DESCRIPTION

A. Introduction

The Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grant Programs Directorate implements and administers the Staffing for Adequate Fire and Emergency Response (SAFER) Grants.

SAFER Grants provide financial assistance to help provide funding directly to fire departments and volunteer firefighter interest organizations in order to help them increase the number of trained, "front line" firefighters available in their communities rehire firefighters that have been laid off, retain firefighters facing imminent layoffs, or filling of positions that were vacated through attrition.

SAFER Goal

Assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, assuring communities have adequate protection from fire and fire-related hazards.

Maintenance of Staffing Requirement

For Hiring of Firefighters Category Grants, FY 2012 grantees who are unable to back-fill firefighting positions that were vacated due to documentable economic hardship may petition FEMA for a waiver of staffing maintenance requirements. In order to qualify for this waiver, the economic hardship must affect the entire public safety sector in your jurisdiction, and not only the fire department. Waivers will not be granted for SAFER-funded positions.

Period of Performance

For Hiring of Firefighters Category Grants, the period of performance has been reduced to two years.

Salary Cap Waiver

There are no annual salary limits.

Retention of Firefighters

For Hiring of Firefighters Category Grants, FEMA will consider petitions for waivers on supplanting in light of the applicable waiver provisions. The primary intent for the supplanting waiver is to assist departments that have issued a formal layoff notice.

This includes a specific date for the layoff action, prior to the start of the application period, and those who face imminent layoff within 90 days of the close of the application period.

Layoffs

For Hiring of Firefighters Category Grants, SAFER Grantees that lay off any firefighters during the SAFER Grant's period of performance will be considered in default of their award and the grant will be terminated.

B. Criteria Development Process

Each year, FEMA convenes a panel of fire service professionals to develop funding priorities for AFG Grant opportunities. The panel makes recommendations about funding priorities as well as developing criteria for awarding grants.

The nine major fire service organizations represented on the panel include:

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Service Institute

The content of this SAFER Program Guidance reflects implementation of the criteria development panel's recommendations with respect to the priorities, direction, and criteria for awards. Based on the recommendations, funding priority is given to applications that effectively address the evaluation elements as outlined.

1. Hiring of Firefighters Category

The highest priority in the Hiring of Firefighters Category is for departments seeking to rehire firefighters who have been laid off.

Hierarchy of Priorities

First priority: Rehiring laid-off firefighters