

CRS Report for Congress

Received through the CRS Web

United States Fire Administration: An Overview

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Summary

The U.S. Fire Administration (USFA) — which includes the National Fire Academy (NFA) — is an entity within the Federal Emergency Management Agency (FEMA), now part of the Emergency Preparedness and Response Directorate of the Department of Homeland Security (DHS). Its objective is to significantly reduce the nation's loss of life from fire, while also achieving a reduction in property loss and non-fatal injury due to fire. A major issue in the 109th Congress is the viability and status of the USFA and NFA within the Department of Homeland Security. Currently, fire service groups are expressing concerns that USFA and NFA programs are being progressively diminished by DHS, pointing to reductions in the USFA and NFA budgets since FEMA was incorporated into DHS. Meanwhile, the FY2004 National Defense Authorization (P.L. 108-136) contains a provision (the "SAFER Act") which establishes a federal grant program administered by USFA to provide funding to fire departments for hiring personnel. While no money was appropriated for SAFER grants in FY2004, and the Administration requested no funding for SAFER grants in FY2005, the FY2005 Homeland Security Appropriations Act (P.L. 108-334) provides SAFER Act grants with \$65 million for FY2005. The Administration is requesting no funding of the SAFER grants for FY2006. On May 17, 2005 the House passed H.R. 2360, the FY2006 Homeland Security Appropriations bill. The House appropriation is \$75 million for SAFER Act grants. This report will be updated as events warrant.

Background

The U.S. Fire Administration (USFA) is currently an entity within the Federal Emergency Management Agency (FEMA), now part of the Emergency Preparedness and Response Directorate of the Department of Homeland Security. Its mission is to provide leadership, coordination, and support for the nation's fire prevention and control, fire training and education, and emergency medical services activities. USFA's ultimate objective is to significantly reduce the nation's loss of life from fire, while also achieving a reduction in property loss and non-fatal injury due to fire. Although fire loss has improved significantly over the past 25 years, the fire problem in the U.S. remains

serious. The U.S. still has one of the highest fire death rates in the industrialized world, with 14.8 deaths per million population. According to the National Fire Protection Association, there were 3,925 civilian fire deaths in 2003, with property loss estimated at \$12.3 billion.¹ According to the U.S. Fire Administration, there were 107 firefighter duty-related deaths in 2004.²

The genesis of USFA and FEMA's fire prevention and control activities can be found in the landmark 1973 report of the National Commission on Fire Prevention and Control,³ entitled *America Burning*. The Commission recommended the creation of a federal fire agency which would provide support to state and local governments and private fire organizations in their efforts to reduce fire deaths, injuries, and property loss. The Commission recommended that this new agency be placed within the Department of Housing and Urban Development. Congress instead opted to place the agency in the Department of Commerce, and with the passage of the Federal Fire Prevention and Control Act of 1974 (P.L. 93-498),⁴ the National Fire Prevention and Control Administration (NFPCA) was established. In 1978, Congress changed the name of NFPCA to USFA (P.L. 95-422), and in 1979, President Carter's Reorganization Plan No. 3 placed the USFA within the newly created FEMA. Also in 1979, the National Fire Academy (NFA) in Emmitsburg, Maryland was opened, offering courses and training to fire service personnel and other persons engaged in fire prevention and control.

During the early 1980s, the Reagan Administration proposed the elimination of the USFA (while preserving the Fire Academy). Although Congress did not allow the termination of the USFA, the agency suffered severe staff reductions and the Fire Academy was separated from the USFA and housed organizationally with other FEMA emergency training programs. In 1991, the NFA was subsequently reorganized back into the USFA, where it remains today.

Currently, the USFA is located on the grounds of the National Emergency Training Center in Emmitsburg, Maryland. USFA programs include the following:

Data Collection — USFA's National Fire Data Center (NFDC) administers a national system for collecting, analyzing and disseminating data and information on fire and other emergency incidents to State and local governments and the fire community. The NFDC provides a national analysis of the fire problem, identifying problem areas for which prevention and mitigation strategies are needed.

Public Education and Awareness — Through partnerships and special initiatives, USFA involves the fire service, the media, other federal agencies and safety interest groups in the development and delivery of fire safety awareness and education programs.

¹ Karter, Michael J., National Fire Protection Association, *Fire Loss in the United States During 2003*, October 2004, available at [<http://www.nfpa.org/assets/files/PDF/OS.fireloss.pdf>]

² U.S. Fire Administration, *A Provisional Report: On-Duty Firefighter Fatalities in the United States*, Date Range 1/1/2004 to 12/31/2004. Available at [<http://www.usfa.fema.gov/downloads/pdf/04-fatality-summary.pdf>]

³ The Commission was created by P.L. 90-259, the Fire Research and Safety Act of 1968.

⁴ 15 U.S.C. 2201 *et seq.*

These programs are targeted at those groups most vulnerable to the hazards of fire, including the young, elderly, and disabled.

Training — USFA's National Fire Academy (NFA) offers educational opportunities for the advanced professional development of the mid-level and senior fire/EMS officer and allied professionals involved in fire prevention and life safety activities. The Academy develops and delivers educational and training programs with a national focus that supplement and support State and local fire service training.

Technology — Through research, testing and evaluation, USFA works with public and private entities to promote and improve fire and life safety. Research and special studies are conducted on fire detection, suppression and notification systems as well as issues related to firefighter and emergency responder health and safety. Research results are published and made available to the public free of charge through the USFA Publications Center.

Budget

In previous years, the USFA, through FEMA, received its yearly appropriation through the House and Senate Appropriations Subcommittees on VA, HUD, and Independent Agencies. Beginning in FY2004, the USFA received its appropriation through the House and Senate Appropriations Subcommittees on the Department of Homeland Security. The USFA is authorized in the House by the Committee on Science, Subcommittee on Basic Research. The USFA is authorized in the Senate by the Committee on Homeland Security & Governmental Affairs.

Appropriations. Beginning in FY2004, the USFA was funded through the Preparedness, Mitigation, Response, and Recovery (PMRR) account within the Emergency Preparedness and Response Directorate of the Department of Homeland Security. The Administration's FY2005 budget proposal requested \$208 million for PMRR. However, the FY2005 DHS budget documents did not include specific budget levels for the USFA or the National Fire Academy. The House Appropriations Homeland Security bill (H.R. 4567; H.Rept. 108-541), passed by the House on June 18, 2004, would have provided \$210.5 million for PMRR in FY2005. On June 17, 2004, the Senate Appropriations Committee reported S. 2537 (S.Rept. 108-280), its version of the FY2005 Homeland Security Appropriations bill. The Senate FY2005 Homeland Security Appropriations bill, passed on September 14, 2004, would have provided \$231.5 million for PMRR in FY2005. The final Conference Agreement on H.R. 4567 (H.Rept. 108-774) provided PMRR with \$239.5 million for FY2005. The bill was signed into law (P.L. 108-334) on October 18, 2004. No specific budget levels are detailed for the USFA or the National Fire Academy in the appropriations language.

Table 1 shows a funding history of the USFA and the National Fire Academy from FY2002 through FY2006. This information was presented by R. David Paulison, USFA Administrator, at the February 24, 2005 summit meeting of fire service leaders.

The President's FY2006 budget proposal would provide \$235.5 million for PMRR. No specific budget levels are detailed for the USFA or the National Fire Academy in the FY2006 budget proposal. However, according to the USFA Administrator, the proposed FY2006 budget for USFA is \$52.6 million. On May 17, 2005 the House passed H.R.

2360, the FY2006 Homeland Security Appropriations bill. H.R. 2360 provides \$249.5 million for PMRR.

**Table 1. Funding History of the U.S. Fire Administration,
FY2002-FY2006**
(\$ millions)

	FY2002 (actual)	FY2003 (actual)	FY2004 (actual)	FY2005 (estimated)	FY2006 (proposed)
U.S. Fire Administration	57.327*	53.041	53.182	51.294	52.600
<i>National Fire Academy (includes S&E & program funding)</i>	10.738	10.433	9.586	9.646	10

*FY2002 budget number above does **not** include \$5 million for a one-time fire safety awareness campaign, nor \$4.9 million for an anti-terrorism training grant program in the NFA, which was subsequently transferred to the First Responder grant program. The FY2002 budget total is \$67.267 million if those two programs are included.

Source: U.S. Fire Administration

See [http://www.iafc.org/downloads/USFA_summit022405.ppt] for detailed budget table.

Authorizations. The U.S. Fire Administration Reauthorization Act of 2003 (P.L. 108-169) was signed into law on December 6, 2003. The act reauthorizes the USFA through FY2008 at the following levels: \$63 million for FY2005, \$64.85 million for FY2006, \$66.796 million for FY2007, and \$68.8 million for FY2008. P.L. 108-169 also reestablishes the Presidentially-appointed position of the U.S. Fire Administrator, which had been statutorily abolished by the Homeland Security Act of 2002. Additionally, the legislation (incorporating S. 321/H.R. 545, Firefighting Research and Coordination Act) directs the USFA to develop new firefighting technologies and standards in coordination with private sector standards groups and federal, state, and local agencies. P.L. 108-169 requires that equipment purchased with fire grant money meet or exceed voluntary consensus standards when feasible.

Assistance to Firefighters Program (FIRE Act Grants)⁵

During the 106th Congress, many in the fire community asserted that local fire departments require and deserve greater support from the federal government. Accordingly, H.R. 1168, the Firefighter Investment and Response Enhancement (FIRE) Act, was introduced on March 17, 1999 by Representative Pascrell. Ultimately, FIRE Act authorization language was incorporated into Title XVII of the FY2001 National Defense Authorization Act (P.L. 106-398, H.R. 4205/H.R. 5408), which was signed into law on

⁵ For more information, see CRS Report RS21302, *Assistance to Firefighters Program*, by Lennard G. Kruger.

October 30, 2000. P.L. 106-398 established a new office in FEMA to administer grants to fire departments and fire prevention organizations for a variety of purposes, including hiring and training personnel, prevention programs, equipment and facilities, and public education.

At its inception, the fire grant program was administered by the USFA and focused on enhancing the basic needs of fire departments across the nation. In the FY2004 budget request, as part of its effort to consolidate terrorism preparedness grants under a single entity, the Administration proposed to relocate the fire grant program within the Office for Domestic Preparedness (ODP), whose mission is to provide state and local governments with assistance to improve their readiness for terrorism incidents. The FY2004 DHS Appropriations Act (P.L. 108-90) acceded to the Administration's request, and relocated the fire grants to ODP. The Conferees directed that DHS shall "continue current administrative practices in a manner identical to the current fiscal year, including a peer review process of applications, granting funds directly to local fire departments, and the inclusion of the United States Fire Administration during grant administration." On January 26, 2004, DHS Secretary Ridge informed Congress of his intention to consolidate ODP, including the Assistance to Firefighters Program, into the Office of State and Local Government Coordination Preparedness (OSLGCP). The FY2005 Homeland Security appropriations act (P.L. 108-334) places the fire grant program within OSLGCP. However, the Assistance to Firefighters Grant Program Reauthorization Act of 2004 (P.L. 108-375) designates administration of the fire grant program to USFA. The FY2005 fire grant program is being administered by OSLGCP.

Issues

A major issue in the 109th Congress is the viability and status of the USFA and National Fire Academy within the Department of Homeland Security. While initially supportive of the reorganization of FEMA into DHS, many in the fire service community have cautioned that USFA and NFA programs — which address the day-to-day challenges faced by fire departments — should not be overshadowed in an organization which focuses on homeland security and counterterrorism. Since the establishment of DHS in March 2003, fire service groups have opposed a number of actions DHS has taken with respect to the USFA and NFA. These include the abolishment of the presidentially-appointed position of U.S. Fire Administrator (subsequently reestablished by enactment of the USFA Reauthorization Act); proposed cancellations of some NFA courses in 2003 due to an across-the-board FEMA budget cut (those NFA courses were subsequently restored after fire service protests); and the transfer of the fire grants program from USFA to the Office for Domestic Preparedness.

Currently, fire service groups are expressing concerns that USFA and NFA programs are being progressively diminished by DHS, pointing to reductions in the USFA and NFA budget since FEMA was incorporated into DHS (see Table 1, above). On February 24, 2005, the International Association of Fire Chiefs convened a summit meeting of 18 major fire service organizations to address concerns about the USFA and NFA budget and to discuss the position and status of the fire service within DHS. At the summit meeting, USFA Administrator Paulison presented a detailed look at the USFA budget. Administrator Paulison maintained that while some USFA programs have been cut over

the past four years, the cuts have not been dramatic, the budget remains manageable, and that some programs are getting funds under new programs at DHS.⁶

At the summit, the fire service identified five policy goals: (1) America's fire services must be represented by fire chiefs and other senior fire service officials within the office of the Secretary of Homeland Security and in key positions throughout the department; (2) the U.S. Fire Administration must occupy a key position and function in a comprehensive role within the Department of Homeland Security proportionate to the responsibilities of the fire services in responding to incidents of terrorism and all hazards events; (3) the Office of Management and Budget and the Department of Homeland Security need to recognize and designate the U.S. Fire Administration and the National Fire Academy as being "homeland security critical" in the federal budgeting process; (4) the U.S. Fire Administration and the National Fire Academy must be fully funded to the authorized levels to support the ongoing mission to reflect contemporary issues and community risks; and that (5) to ensure the most effective utilization of training resources, the Department of Homeland Security should be required to work more closely with the National Fire Academy and state and local fire training academies regarding the use of curriculum and the delivery system for terrorism response training. The fire service is currently developing a strategy to implement these goals.

Another issue is the role of the federal government in assisting fire departments to hire personnel. Firefighters have argued that inadequate state and local budgets leave many fire departments critically understaffed, and that federal assistance is needed. On the other hand, the Administration has argued that funding the hiring of firefighters is not an appropriate federal role. In the first session of the 108th Congress, Congress enacted the Staffing for Adequate Fire and Emergency Response Firefighters (SAFER) Act as Section 1057 of the FY2004 National Defense Authorization Act (P.L. 108-136; signed into law November 24, 2003). The SAFER Act authorizes federal grants of over \$1 billion per year through 2010 directly to fire departments for the hiring of personnel. The SAFER Act gives the U.S. Fire Administrator authority to issue four-year grants for new hires, with the condition that the recipient fire department must assume an increasing percentage of the cost in each year. No money was appropriated for SAFER grants in FY2004, and the Administration requested no funding for SAFER grants in FY2005. The FY2005 Homeland Security Appropriations Act (P.L. 108-334; H.Rept. 108-774) provides SAFER Act grants with \$65 million for FY2005.

The FY2005 SAFER program will provide funding to support hiring of firefighters and recruitment and retention of volunteers. The application period is scheduled for May 31 through June 28, 2005.⁷ The Administration is requesting no funding of the SAFER grants for FY2006. On May 17, 2005 the House passed H.R. 2360, the FY2006 Homeland Security Appropriations bill. The House appropriation is \$75 million for SAFER Act grants.

⁶ "Paulison Offers Status Report at IAFC Summit Meeting," *Fire Chief*, March 1, 2005, available at [<http://firechief.com/ar/paulison-status-report/>]

⁷ For SAFER program guidance and application information, see [<http://www.firegrantsupport.com/safer/>]