



## INTERNATIONAL ASSOCIATION OF FIRE CHIEFS LEGISLATIVE HOT SHEET

*A Guide for Talking with Members of Congress*

August 2017

### The 115<sup>th</sup> Congress

#### Protect the FIRE/SAFER Grant Programs

- **The Problem:** Many fire departments across the country cannot afford the equipment, training, and staffing necessary to meet a baseline level of readiness. This situation puts firefighters and their communities in danger.
- **The Solution:** The FIRE and SAFER grant programs augment local funding and provide much needed assistance to meet these needs. To date, the programs are working well to improve preparedness and response capabilities, but much more needs to be done. The Fiscal Year (FY) 2017 Consolidated Appropriations Act (P.L. 115-31) appropriated \$345 million each for the FIRE and SAFER grant programs. For FY 2018, President Trump proposes funding the FIRE and SAFER grant programs at \$344.344 million each, while the House Appropriations Committee proposed maintaining \$345 million for each program. Senators John McCain (R-AZ) and Jon Tester (D-MT) introduced the AFG and SAFER Program Reauthorization Act (S. 829) to reauthorize funding for both programs through FY 2023. S. 829 passed the Senate on August 2.
- **The Explanation:** *If you have received a grant under the FIRE or SAFER grant programs*, explain how you used the money and how it has improved your ability to serve your community in response to all hazards. *If you have not received a grant under these programs*, explain how you could use that grant money. Give a specific example of how a FIRE or SAFER grant has helped or could help you serve your community.
- **The “Ask:”** Ask your representatives and senators to support at least \$405 million each for the FIRE and SAFER grant programs in FY 2018. Ask your representatives to reauthorize these programs by passing S. 829.

#### Funding for the U.S. Fire Administration (USFA) and National Fire Academy (NFA)

- **The Problem:** Many fire service leaders have been concerned about the level of funding that the USFA and NFA receive, and whether they will be able to fulfill their missions and respond to emerging challenges. The Fiscal Year (FY) 2017 Consolidated Appropriations Act (P.L. 115-31) appropriated \$44 million for USFA. Of that \$44 million, \$1.5 million is allocated for infrastructure improvements at the National Fire Academy. For FY 2018, President Trump is proposing \$43.41 million for USFA, which includes \$1.497 million for the National Emergency Training Center.
- **The Solution:** Because America’s fire and emergency service is critically important to national preparedness and response, it needs to have a strong voice within DHS. Also, fire programs need a consistent and high level of funding.
- **The Explanation:** Explain the importance of receiving training through the NFA. *If you have taken NFA courses on campus or online*, explain what you learned and how it has helped you to do your job better. Also, discuss why your community needs up-to-date information from the National Fire Incident Reporting System.

- The “Ask:” Ask your representatives and senators to support \$50 million for the USFA and NFA in FY 2018 and to reauthorize the USFA.

### **Federal Taxation of Volunteer Incentives**

- The Problem: State and local governments use property tax rebates and other incentives to recruit and retain volunteer firefighters. The Internal Revenue Service views these incentives as income. A previous federal law excluded any property tax benefit and up to \$360 per year of all other state and local benefits to volunteer firefighters and EMS personnel from taxable income. *This law expired at the end of 2010.*
- The Solution: The Volunteer Responder Incentive Protection Act (VRIPA; H.R. 1550/S. 1238) would permanently reinstate the tax benefit and raise the \$360 cap to \$600.
- The Explanation: Explain that taxing such incentives makes them ineffective, and may hinder recruitment and retention of volunteer emergency responders. Further, point out that the number of volunteer firefighters nationwide has decreased from 880,000 in 1984 to 814,850 in 2015 according to the NFPA’s *U.S. Fire Department Profile*. State and local incentives are important when recruiting and retaining volunteers who must struggle to balance their careers and the obligations of today’s two-income families.  
The “Ask:” Ask your representatives and senators to protect state and local benefits for volunteer firefighters by becoming an original cosponsor of the Volunteer Responder Incentive Protection Act, H.R. 1550/S. 1238.

### **Incentivizing Fire Sprinkler Retrofits**

- The Problem: Automatic fire sprinkler systems are a proven way to reduce the chances of being killed or injured in a fire as well as significantly limit damage to a building. However, retrofitting an existing building with an automatic fire sprinkler system can be very expensive. The current tax code provides a dis-incentive for building owners to install these life-saving systems by impeding the ability of property owners to recover the costs of installing the fire sprinkler system.
- The Solution: The Fire Sprinkler Incentive Act (FSIA, S. 602/H.R. 1481) would provide two mechanisms to incentivize owners of low, medium, and high-rise buildings to retrofit their properties with fire sprinkler systems. The FSIA would classify fire sprinkler systems as a Section 179-eligible expense, thus allowing low- and medium-rise property owners to deduct the cost of these systems from their taxes. The FSIA also would accelerate the depreciation schedule for fire sprinkler systems to 15-years and allow high-rise building owners to recover more quickly the costs of retrofitting their properties with automatic fire sprinkler systems.
- The Explanation: Explain that fire sprinkler systems are proven to reduce an occupant’s chance of dying in a fire by 83%, decrease property damage by 74%, and confine a fire to its room of origin in 95% of fires. Consider explaining that the costs of retrofit installations can place fire sprinkler systems can be out of the reach of many business owners, but the FSIA will make these systems more affordable.  
The “Ask:” Ask your representatives and senators to incentivize the installation of fire sprinkler systems by cosponsoring the Fire Sprinkler Incentive Act (S. 602/H.R. 1481).

## **The Creation of a Nationwide Voluntary Cancer Registry for Firefighters**

- **The Problem:** There is an overall higher risk of cancer among firefighters. Research has shown that there are significant increases in the risks of cancers in the colon, prostate, intestine, lung, bladder, kidney and other organs in firefighters. For some types of cancer, the risk relative to the general population can be 229% higher.
- **The Solution:** There is a need for more comprehensive research into the links between firefighting and cancer. The Firefighter Cancer Registry Act (H.R. 931/S. 382) would create a voluntary national firefighter registry. Researchers would be able to compare the information in this registry with state cancer registries to investigate what is causing the increased risk of cancer in firefighters and prevent that risk.
- **The Explanation:** The legislation would establish the national firefighter registry at the Centers for Disease Control and Prevention (CDC). The information would be anonymous and submitted on a voluntary basis. Researchers that use data from this registry would have to make their research and results available to the fire and emergency service to develop personal protective equipment and tactics and procedures to mitigate the risk of cancer.
- **The “Ask”:** Ask your representatives and senators to cosponsor the Firefighter Cancer Registry Act (H.R. 931/S. 382).

## **Requirement to Give Back Public Safety Communications Spectrum in the T-Band**

- **The Problem:** On February 22, 2012, President Obama signed Public Law 112-96. The law requires that the Federal Communications Commission begin auctioning the public safety T-Band spectrum by February 2021 and clear all public safety operations from the band within two years of auction close (i.e., by early 2023). The T-Band (470-512 MHz) is a key spectrum resource allocated for land mobile communications operations in 11 major urban areas of the United States. While the law provides that auction revenues can be used toward the cost of relocating public safety operations to other spectrum bands, the law is silent on identifying a new spectrum home. The IAFC estimates that it will cost \$5.9 billion to complete this spectrum migration. In addition, at least five jurisdictions have no excess spectrum to which to migrate.
- **The Solution:** Ultimately, the best solution is to change the law and allow the 11 metropolitan areas to remain in the T-Band spectrum until the nationwide public safety broadband network being developed by FirstNet can support mission-critical voice communications as part of its interoperable network.
- **The Explanation:** *If your agency’s land-mobile radio communications are on the T-Band*, explain how this requirement to migrate from the T-Band will hurt your communications. Explain why it is important for your agency to have adequate spectrum for its voice communications.
- **The “Ask:”** Ask your representatives and senators to re-examine the requirement that public safety agencies vacate the T-Band spectrum and consider the findings of the National Public Safety Telecommunications Council.

## **Protecting Access to Emergency Medications**

- **The Problem:** Fire departments and EMS agencies regularly rely upon “standing orders” from their medical directors to permit paramedics and other advanced life support (ALS) providers to administer medications to patients experiencing certain medical emergencies. The U.S. Drug Enforcement Administration (DEA) is currently developing regulations which may prohibit fire and EMS agencies from relying upon “standing orders” when administering medications which fall under DEA

scheduling. These new regulations could make it significantly harder for EMS agencies to administer commonly utilized medications such as epinephrine. Any delay in delivering these important medications could delay care for patients experiencing cardiac arrest, mental health emergencies, extreme pain, or other conditions.

- The Solution: Congress should pass the Protecting Patient Access to Emergency Medications Act of 2017 (H.R. 304/S. 916), introduced by Representative Richard Hudson (R-NC) and Senator Bill Cassidy (R-LA), respectively. This legislation will preserve the ability of fire departments to rely upon standing orders when administering medication to patients. Additionally, this legislation would permit fire departments to file a single registration directly with the DEA rather than the current system which forces fire departments to indirectly register through their medical directors and declare every location where controlled substances are maintained by the agency. This legislation passed the House unanimously on January 9.
- The Explanation: Controlled substances play an important role in the provision of pre-hospital emergency medical care. If fire and EMS departments are prohibited from using standing orders, then EMS personnel will need to consult a physician for each individual administration of medication to a patient. This process may cause severe delays in patient care, particularly in rural areas where there is already a recognized shortage of physicians. This legislation also would ease the administrative burden which forced fire and EMS departments to maintain many different DEA registrations for each fire station and vehicle carrying ALS medications.
- The “Ask:” Ask your senators to pass the Protecting Patient Access to Emergency Medications Act of 2017 (H.R.304/S. 916).

### **Extending the Medicare Ambulance Add-On Payments**

- The Problem: Medicare continues to under-reimburse fire departments for the pre-hospital medical care that they provide to Medicare beneficiaries. In order to better align the cost of care with reimbursements, the Centers for Medicare and Medicaid Services created the Ambulance Add-On Payments which provide additional payments to a fire or EMS agency depending upon a patient’s location. If Congress does not act, the authorization for these payments will expire on January 1.
- The Solution: Representative Devin Nunes (R-CA) introduced the Ambulance Medicare Budget and Operations Act of 2017 (H.R. 3236). This legislation would re-authorize the Ambulance Add-On Payments for five years and create a cost reporting mechanism to assess how Medicare’s Ambulance Fee Schedule could be improved to better align reimbursements with the cost of care.
- The Explanation: The IAFC strongly supports a long-term reauthorization of the Ambulance Add-On Payments as well as the creation of a cost reporting process for fire and EMS agencies. However, the IAFC has taken a neutral position on H.R. 3236 due to a concern that the penalties for not participating on cost reporting could be unduly burdensome for municipal and non-profit fire and EMS agencies.
- The “Ask:” Ask your representatives and senators to support a five-year reauthorization of the Medicare Ambulance Add-On Payments.

### **Improve Hazardous Materials Response Training for First Responders**

- The Problem: The national energy boom has focused attention on the importance of safely transporting crude oil and other hazardous materials across the country. According to the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA), the overall volume of crude oil moving by rail has quadrupled in less than a decade. Recent incidents in the

transport of crude oil have demonstrated the need for local fire and emergency services to be prepared for hazmat incidents.

- The Solution: In FY 2015, Congress created the ALERT grants to provide hazardous materials training for volunteer or remote emergency responders. The IAFC was awarded \$2.6 million in ALERT grant funds to develop a training program in coordination with the IAFF, NVFC and the other major fire service organizations. The grant program is focused on providing training for incidents involving rail shipments of crude oil, ethanol, and other flammable liquids. The training will consist of both in-person and web-based components. The FY 2017 Consolidated Appropriations Act (P.L. 115-31) reauthorized PHMSA to use unspent funds under the Hazardous Materials Emergency Preparedness Grants program to continue funding the ALERT grants.
- The Explanation: *If you have crude oil or other hazmat rail shipments in your jurisdiction*, explain how you plan and train for possible incidents. Also, explain the time commitments and expenses of planning and training for rail and hazmat incidents. Explain how federally-funded, web-based and in-person training can help your department prepare for a potential incident involving the transportation of crude oil or other hazardous materials.
- The “Ask:” Ask your representatives and senators to continue to support funding for the ALERT grants.

For further information about federal legislative issues, please feel free to contact the IAFC’s Government Relations and Policy Department at (703) 273-0911 or go to [www.iafc.org/gr](http://www.iafc.org/gr). In addition, you can [Follow @IAFC on Twitter](#) for real-time updates and information!