

Congressional Fire Services Institute / International Association of Fire Chiefs /
International Association of Fire Fighters / National Fire Protection Association /
National Volunteer Fire Council

April 29, 2020

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
300 7th Street, SW
Washington, D.C. 20024

The Honorable Peter T. Gaynor
Administrator
Federal Emergency Management Agency
500 C St SW
Washington, D.C. 20024

Dear Acting Secretary Wolf and Administrator Gaynor,

On behalf of the nation's fire and emergency services, we write to urge you to utilize your waiver authorities for the fiscal year (FY) 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, including allowing departments to use funds for retention and rehiring. We also request that you waive the cost-share and maintenance of expenditures requirements for the FY2020 Assistance to Firefighters Grant (AFG) Program. As the nation struggles to cope with the COVID-19 pandemic, fire and emergency medical services (EMS) personnel are on the front lines working to keep their communities safe. Their jobs are made more difficult, however, by the associated economic downturn, which is hitting local budgets hard, affecting fire and EMS budgets.

In fact, a recent report from the National League of Cities and the United States Conference of Mayors showed that almost 100% of municipalities with populations greater than 50,000 anticipate revenue shortfalls in the coming year. In addition, 87% of municipalities with populations less than 50,000 anticipate a revenue shortfall in the next year.¹ This economic downturn is also likely to continue affecting fire departments and EMS agencies for years to come as municipal budgets tend to lag approximately two years behind more general economic recovery.²

In times of economic strife, local fire departments – both career and volunteer – are forced to cut services and staffing, placing local communities at greater risk, especially during a pandemic. The United States Conference of Mayors has warned that due to the pandemic, “many [cities] will be forced to lay off employees and make cuts that will hurt public safety.”³ Furthermore, as

¹ Burns, D. W. (2020, April 14). The Economy and Cities: What America's Leaders Are Seeing. Retrieved from <https://www.usmayors.org/2020/04/14/the-economy-and-cities-what-americas-leaders-are-seeing/>

² See Kemp, R. L. (Ed.). (2012). The municipal budget crunch: a handbook for professionals. Jefferson, NC: McFarland & Co., page 217. See also McFarland, C., & Pagano, M. A. (2016). City Fiscal Conditions 2016. National League of Cities. Page 20. Retrieved from [https://www.nlc.org/sites/default/files/2016-12/City Fiscal Conditions 2016_1.pdf](https://www.nlc.org/sites/default/files/2016-12/City_Fiscal_Conditions_2016_1.pdf)

³ Durr, S. (2020, April 18). U.S. Mayors to Congress: This Crisis is Urgent, Cities Need Help Now. Retrieved from <https://www.usmayors.org/2020/04/18/u-s-mayors-to-congress-this-crisis-is-urgent-cities-need-help-now/>

of April 14, 2020, 52% of the more than 2,400 cities responding to a Conference survey said that budget cuts will impact public safety.⁴

The Secretary of Homeland Security has the ability to mitigate some of these risks by utilizing the waiver authorities bestowed on the position by Congress.

For SAFER, the Consolidated Appropriations Act of 2020 states that “the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).”⁵

These waiver authorities, if used, would make it easier for fire departments to access much-needed SAFER grant funding during these challenging times. Providing waivers for circumstances such as cost-share requirements, period of performance, and salary limits would help to ensure that SAFER grant program funding can be used by departments to maximum effect during the pandemic and its aftermath. Furthermore, allowing fire departments to be eligible for SAFER grants for retention and rehiring purposes would help the program achieve its ultimate goal: to ensure fire departments have adequate personnel to provide protection to their communities.

Following the economic downturn in 2008, SAFER waiver authorities were used by the Secretary to great effect. Many departments benefited from the ability to use SAFER funds to rehire laid off firefighters without worrying about factors like cost-sharing, periods of performance, retention commitments, etc. Given the situation the economy is facing today, exercising your existing waiver authorities for FY2020 SAFER funds is critical to ensuring thousands of fire departments across the country - many of which are already operating with limited staff and funding - are able to use these funds to meet their communities’ needs.

The Administrator of the Federal Emergency Management Agency also has existing authority to waive cost-share and maintenance of expenditures requirements for the AFG program.⁶ At a time when almost 100% of larger municipalities and 87% of smaller municipalities are anticipating budget shortages, waiving cost-share requirements is a logical course of action. Such an action would help municipalities across the country provide their fire and EMS personnel with the tools and equipment needed to do their jobs safely - in line with the goals of the AFG program.

We ask our firefighters and emergency services personnel to risk their lives each day, but too often they are forced to cope with insufficient staffing and equipment. We, as a nation, have an obligation to provide them with the necessary resources to perform their jobs as safely and effectively as possible.

⁴ Durr, S. (2020, April 14). Cities Report Pandemic Creating Painful Budget Shortfalls, May Force Furloughs and Layoffs. Retrieved from <https://www.usmayors.org/2020/04/14/cities-report-pandemic-creating-painful-budget-shortfalls-may-force-furloughs-and-layoffs/>.

⁵ Consolidated Appropriations Act, 2020, Pub. L. No. 116-93., 133 Stat. 2522 (2019).

⁶ 15 U.S. Code § 2229(k)(4)

As such, we ask that the waiver authorities be used to make the FY2020 SAFER program function as effectively as possible - including allowing funds to be used for retention and rehiring purposes. In addition, we ask that cost-share and maintenance of expenditures requirements for the FY2020 AFG program be waived. We would respectfully ask your staff to brief our staff about the details of these grant announcements at least one week prior to any public announcement.

Thank you very much for your attention to our request. We look forward to working with you as you make SAFER and AFG grants available for FY2020.

Sincerely,

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