



NVFC Legislative Report – March 28, 2018

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- Assistance to Firefighters Grant (AFG)/Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program Reauthorization
- AFG/SAFER Grant Program Appropriations
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AFG/SAFER Reauthorization (S. 829)

OVERVIEW: AFG provides funding to local fire departments to purchase equipment, apparatus and training. Ten percent of AFG funds are allocated for the Fire Prevention and Safety (FP&S) grant program. SAFER funding helps fire departments hire and retain career staff as well as recruit and retain volunteers.

CURRENT STATUS: President Trump signed legislation reauthorizing AFG and SAFER through FY 2023 into law on January 3, 2018.

AFG/SAFER Appropriations

OVERVIEW: In March 2018, Congress provided \$350 million each for AFG and SAFER for FY 2018, representing a \$5 million increase for each program. President Trump has asked for \$344.44 million for AFG and SAFER in FY 2019.

CURRENT STATUS: The NVFC has asked Congress to provide \$405 million for AFG and SAFER in FY 2019, which would restore funding to the level provided in FY 2011.

LOSAP Cap Adjustment Priority (LOSAP CAP) Act (H.R. 1720)

OVERVIEW: The LOSAP CAP Act (H.R. 1720) would increase the cap on annual contributions into an individual's LOSAP account from \$3,000 to \$6,000 and create a mechanism for the cap to increase with inflation.

CURRENT STATUS: LOSAP CAP was attached to H.R. 1, the Tax Cuts and Jobs Act, which was enacted at the end of 2017.

Volunteer Responder Incentive Protection Act (H.R. 1550/S. 1238)

OVERVIEW: The NVFC supports the Volunteer Responder Incentive Protection Act (VRIPA), which extends an income tax exemption on volunteer benefits that lapsed at the end of 2010. In 2007, Congress passed legislation that exempted any property tax benefit and up to \$360 per year of any other type of benefit that volunteers receive from being taxed as income. VRIPA would extend the exemption permanently and increase to \$600 the benefit amount that volunteers can receive tax-free in a year.

H.R. 1550 was introduced on March 15 by Representatives Dave Reichert (R-WA) and John Larson (D-CT). S. 1238 was introduced on May 25 by Senators Susan Collins (R-ME) and Ben Cardin (D-MD).

CURRENT STATUS: A one-year extension of VRIPA was included in the Retirement Enhancement and Savings Act (H.R. 5282/S. 2526) that was introduced in March 2018. Although H.R. 5282 and S. 2526 are identical, the House and Senate are still discussing what the final version of the bill will look like. The NVFC does not have a formal position on RESA and is asking members of Congress to cosponsor VRIPA.

USFA Appropriations

OVERVIEW: The United States Fire Administration (USFA) provides training to more than 80,000 fire and emergency services personnel each year. USFA also performs research and collects data specific to the fire service and fire service activities and educates the public on the importance of fire safety. The long-term health of USFA and its National Fire Academy (NFA) are critical to the fire service. In FY 2018 Congress provided \$44 million for USFA, a \$400,000 increase over FY 2017.

CURRENT STATUS: The NVFC is asking Congress to provide \$50 million for USFA in FY 2019.

Fire Police Fairness Act (H.R. 3918)

OVERVIEW: The Fire Police Fairness Act (FPFA) establishes “fire police officer” as a new category of public safety officer, defined as an individual who, “is serving in accordance with State or local law as an officially recognized or designated member of a legally organized public safety agency...” and “provides scene security or directs traffic in response to any fire drill, fire call, or other fire, rescue, or police emergency; or at a planned special event.” Fire police officers perform a vital public safety function, assisting emergency services agencies by performing traffic incident management duties at the scene of emergencies, drills and planned special events.

The Department of Justice has included, at the request of the NVFC, language in draft regulations that were published in August 2016 clarifying that fire police officers who are members of a qualified fire department are firefighters. The final regulations are expected to be published any day, and if they are adopted without modification it would accomplish the goal of the Fire Police Fairness Act.

CURRENT STATUS: The final regulations have not been published but I am operating under the assumption based on some information from the administration that we will need to address this issue with legislation. Representative Joe Courtney (D-CT) introduced the House version of the Fire Police Fairness Act (H.R. 3918) in later 2017 and I am talking to potential Senate sponsors now.

Volunteer Fire Assistance (VFA)

OVERVIEW: VFA is a grant program that provides funding to rural fire departments on a 50/50 cost share basis to pay for training, equipment, and protective clothing to help them prepare for wildland fires. VFA is administered by the U.S. Forest Service and funds are distributed by state forestry agencies. In FY 2012 VFA assisted 10,200 communities and provided training to 27,865 firefighters.

Congress funded VFA at \$16 million in FY 2018, a \$1 million increase over the level provided in FY 2017 and consistent with the amount requested by the NVFC. President Trump’s FY 2019 budget request includes \$11.4 million for VFA. Representatives Peter King (R-NY) and Bill Pascrell (D-NJ) both submitted FY 2019 appropriations requests asking for \$16 million for VFA.

CURRENT STATUS: The NVFC is asking Congress to provide \$16 million for VFA in FY 2019.

Firefighter Cancer Registry Act (H.R. 931/S. 382)

OVERVIEW: The Firefighter Cancer Registry Act (H.R. 931/S. 382) directs the Secretary of Health and Human Services (HHS) to develop a registry to collect health and exposure information about a representative group of firefighters on a voluntary basis. If and when the firefighters from that representative group contract cancer their profile in the Registry would be linked to information about them in the existing state cancer registries, which capture more than 99 percent of cancer cases currently. The registry will be used to establish and make possible nationwide monitoring of the incidence of cancer by collecting, consolidating, storing and making publicly available epidemiological information related to cancer incidence and trends among firefighters.

H.R. 931 was introduced by Representatives Chris Collins (R-NY) and Bill Pascrell (D-NJ) on February 7, 2017, and was approved by voice vote by the full House in September. S. 382 was introduced on February 15 by Senator Robert Menendez (D-NJ) and Senator Lisa Murkowski (R-AK).

CURRENT STATUS: Since the House passed H.R. 931 in September there has been no movement in the Senate. I met with staff for the bill sponsors in October 2017 and met with staff on the health committee in the Senate in December. There was some talk about including the bill language in the Omnibus Appropriations Act that passed in March, but the Chair of the Senate Committee of jurisdiction has some minor changes that he wants to make in a committee markup. The NVFC is still asking members of Congress to cosponsor H.R. 931 and S. 382.

Ambulance Transport Add-On Payments

OVERVIEW: The rate that Medicare reimburses EMS providers for ambulance transport was reduced on January 1, 2018, after Congress failed to extend “add-on” payments – increases of 2-23 percent (depending location, urban, suburban, rural) over the base rate for ambulance transport – that were set to expire on that date. There have been competing proposals to extend the add-on payments. The main differences are how to pay for it and whether to implement cost reporting or cost surveying, and how/whether to penalize agencies that fail to report costs. The NVFC has endorsed each of the competing proposals and is asking Congress to act to extend the add-on payments retroactively to January as soon as possible.

CURRENT STATUS: The add-on payments were extended for five years earlier this month.