



STATEMENT
Of The
NATIONAL ASSOCIATION OF STATE FIRE MARSHALS

CHAIRWOMAN BARBARA COMSTOCK AND RANKING MEMBER DANIEL LIPINSKI

HEARING ON:

U.S. FIRE ADMINISTRATION AND FIRE GRANT PROGRAMS
REAUTHORIZATION: EXAMINING EFFECTIVENESS AND PRIORITIES

SUBCOMMITTEE ON RESEARCH AND TECHNOLOGY
OF THE
COMMITTEE ON SCIENCE, SPACE AND TECHNOLOGY

PRESENTED BY
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Chairwoman Comstock, Ranking Member Lipinski, and Members of the Subcommittee thank you for allowing me to testify today on behalf of the National Association of State Fire Marshals (NASFM) and the State of Louisiana. My name is Butch Browning and I serve as the President of the National Association of State Fire Marshals, and as the Louisiana State Fire Marshal. I want to thank you for the opportunity to share our solutions to our nation's growing fire safety problem and advocating for additional resources for fire prevention.

The National Association of State Fire Marshals represents the most senior fire officials in each State. Most of our State Fire Marshals began their careers in the fire house, working their way up the ranks, eventually achieving the highest state-level fire service position. Among the many duties of a state fire marshal, one of the most important is fire prevention. As such, incident prevention is a central focus in all our programs.

The National Association of State Fire Marshals supports the reauthorization of The Assistance to Firefighters (AFG), Fire Prevention and Safety (FP&S) and Staffing for Adequate Fire and Emergency Response (SAFER) grant programs to protect the public and the nation's fire service.

The Assistance to Firefighters Grant program, particularly the Fire Prevention and Safety portion, has a history of providing funding for many important and successful programs. Many entities, emergency responders and citizens have benefitted from increased safety from fire events. It is also, however, one of the most sought-after grant programs, as it is also used for research, in addition to fire prevention and safety programs.

Numerous national organizations and institutions of higher learning apply and receive grants under this program, but it remains one of the least funded of the AFG programs, receiving just 10% of the total dollars allocated to the AFG program, and just 5% of the total Fire Grants funds. Under the current AFG and SAFER authorization, State Fire Marshals are only allowed to competitively bid for the 10% of funds under the AFG - Fire Prevention and Safety category.

This funding imbalance has made it extremely difficult for states to ensure the needs of its citizens are addressed in a comprehensive and coordinated manner. A redistribution of funds within the overall AFG program to increase funds in the Fire Prevention and Safety activity will better enable State's to accomplish the fire prevention and safety programs that are at the core of the grant, and vital to public and emergency responder safety across our nation.

NASFM also supports the reauthorization of the United States Fire Administration (USFA), established by Public Law 93-498, the Federal Fire Prevention and Control Act of 1974. The Number 1 Goal of the USFA is to "Reduce Fire and Life Safety Risk Through Preparedness, Prevention and Mitigation". The USFA programs and services contribute to significant reductions in fatalities, injuries and property loss in America. As such, State Fire Marshals look at the USFA as a critical partner in fire prevention in their states. We believe it is in the best interest of the nation to encourage and expand this partnership, and adequate funding is a key component in accomplishing this.

NASFM is committed to the basis and concept of fire prevention activities which prevents incidents from happening, averting fire injuries and damage to property and the economy that ensue, as well as help protect our firefighters who respond to these catastrophic events. As the state's senior fire official, State Fire Marshals are ultimately responsible for fire and public safety in their states and for a variety of emergency situations, including structure fires, arson, pipeline emergencies, hazardous materials response, and wildland/urban interface fires.

The Importance of Fire Prevention

We are extremely concerned that the Fire Prevention and Safety grants do not receive the funding or attention that is needed to save lives and reduce injuries at a viable level. At a time when federal, state and local resources and funding are limited, the most cost-effective way within the AFG grant program to protect the greatest number of individuals and property is to allocate additional funding for Fire Prevention and Safety programs.

Fire prevention activities play an important role in protecting the vitality of our nation. The Federal Fire Prevention and Control Act (FFPCA) of 1974 codified the federal role as Congress realized the federal government has a significant stake in protecting our local communities – and thus – the nation. One of the findings in the legislation described the prevailing public attitude at the time about fire and indisputable facts that had been preventing progress in fire protection. It stated:

“The Nation’s fire problem is exacerbated by (A) the indifference with which some Americans confront the subject; (B) the Nation’s failure to undertake enough research and development into fire and fire-related problems; (C) the scarcity of reliable data and information; (D) the fact that designers and purchasers of buildings and products generally give insufficient attention to fire safety; (E) the fact that many communities lack adequate building and fire prevention codes; and (F) the fact that local fire departments spend about 95 cents of every dollar appropriated to the fire services on efforts to extinguish fires and only 5 percent on fire prevention.”

Sadly, it often takes a major tragedy to capture national attention about the devastating consequences of fire, such as the tragic fire that occurred at the Ghost Ship warehouse in Oakland, California in 2016. Fires most often occur in places where the victims are most vulnerable – in structures that lack built-in protection systems such as smoke alarms, smoke control, adequate egress, and fire sprinklers. When fires occur in large structures that involve mass casualties, such as this, it raises many questions about fire prevention, especially about modern codes, code enforcement, occupancy inspections and the presence of fire protection features.

In the state of Louisiana, we provide fire prevention programs to include a partnership with our local fire departments. One such example is where the Office of the State Fire Marshal provides smoke alarms to needy citizens. For the year of 2014 we documented 12 lives saved by the more than 32,000 units that were issued for local installation. Today, our program, due to lack of state funding and unsuccessful Fire Prevention & Safety grant awards, we are unable to meet requests for new alarms.

The State of Tennessee faces similar challenges in realizing the full potential of their statewide smoke alarm campaign. Like Louisiana, the Tennessee Office of the State Fire Marshal coordinates the installation of smoke alarms to citizens in targeted, high risk areas. They have documented 186 lives saved since 2012 directly tied to the installation of free smoke alarms, yet many areas of the state are underserved due to the lack of resources. Many states throughout the nation have initiated prevention programs designed to prevent fires, yet lack resources to fully address the issues without assistance, all at a time when the often-catastrophic results of fire are on the rise.

Incidents of fire, loss to fire, and fire deaths are on the rise. Prevention is the most efficient and effective means to combat this rise, and the State Fire Marshals are in the best position to help this national problem.

- Public fire departments responded to 1,298,000 fires in 2014, a 4.7 percent increase from the previous year. Public fire departments also responded to 1,345,500 fires in 2015, a 3.6 percent increase from the previous year.
- Civilian deaths from fire have risen every year since 2012. In 2015 alone, 3,280 civilians died in a fire, most in their own home.
- Property loss from fire has increased every year since 2010. In 2015, 14.5 billion dollars in property was lost to fire.

*Source: Fire Loss in the United States. 2015, Hylton J.G. Haynes, NFPA.

Active fire extinguishment is an important and irreplaceable necessity for every community in our nation, but every fire and the devastating effects to lives, property, the economy and the environment that ensue, signal we in the fire service have failed. At the very core of governmental responsibility is to protect our citizens, yet every fire that is not prevented exposes both citizens and first responders to undue harm. This potential for harm is great as shown by these examples from the most current data on the number of fire incidents occurring every day. The 2015 U.S. fire loss clock shows:

- A fire department responded to a fire every 23 seconds.
- One structure fire was reported every 63 seconds.
- One home structure fire was reported every 86 seconds.
- One civilian fire injury was reported every 34 minutes.
- One civilian fire death occurred every 2 hours and 40 minutes.
- One highway vehicle fire was reported every 3 minutes 1 seconds.
- On average, fire claimed nine lives every day.

*Source: NFPA Resource: www.nfpa.org/research

Ensuring an Efficient and Effective Culture of Safety

To specifically address the need to increase fire prevention activities both at the state level and in local communities, and to support the specific mission of the AFG Fire Prevention and Safety grant programs, the National Association of State Fire Marshals is requesting support for the

following changes to the authorizing legislation. All figures are based on the current allocated funding levels and do not reflect any changes that may occur in this legislative year.

- An overall increase of eight percent of the total allocation be set aside for the Fire Prevention and Safety Grants. This would increase the amount to 18 percent of the total, redistributing approximately \$27.6 million of \$690 million under current funding levels.
 - Funding for this increase can come from the percentage currently provided for Open Competition. Thus, while the money goes toward fire prevention, no organization's eligibility to receive those monies is affected, merely what they must use it for.
- Under the AFG Staffing for Adequate Emergency Response (SAFER) grant program, agencies should be allowed to hire fire inspectors, fire investigators and fire prevention staff. These individuals support the specific mission of the grant program and the fire service as a whole, but are currently ineligible to be hired under this program.
- State Fire Marshal Offices should be added to the list of eligible organizations for general AFG grants, expanding opportunities beyond just Fire Prevention & Safety. Despite providing necessary support to the public and fire departments around the country who receive grants, the agencies are currently ineligible under this program.
- A set aside of not less than 17 percent be provided under the Fire Prevention and Safety grants for State Fire Marshals Offices, specifically to fulfill the mission of this grant program.
 - This set aside can be accomplished in a manner similar to the statutory changes done to accommodate State Fire Training Academies during the previous reauthorization.
- The total summation of these changes does not increase the overall AFG budget numbers. Instead, through redistribution it increases the overall Fire Prevention and Safety funds by \$17M, in addition to the \$10.6M for State Fire Marshal Office's to aid them in accomplishing and fulfilling the mission of the grant program.

A redistribution of funds within the overall AFG program to increase funds in the Fire Prevention and Safety activity is vital to public and emergency responder safety. Below is what NASFM requests for FP&S percentage allocation in the reauthorization legislation.

AFG Current Allocation (FY17 \$345 Million)

25% Career Fire Service (\$86.25)
25% Volunteer Fire Service (\$86.25)
25% Combined Career and Volunteer (\$86.25)
10% Open Competition (\$34.5)
10% Fire Prevention and Safety (FP&S) (\$34.5)
2% Non-Affiliated EMS (\$6.9)
3% State Training Academies (\$10.35)

AFG Proposed Allocation (FY17 \$345 Million)

25% Career Fire Service (\$86.25)
25% Volunteer Fire Service (\$86.25)
25% Combined Career and Volunteer (\$86.25)
2% Open Competition (\$6.9)
18% Fire Prevention and Safety (FP&S) (\$34.5 + \$27.6 = \$62.1)
2% Non-Affiliated EMS (\$6.9)
3% State Training Academies (\$10.35)

NASFM is proposing 8% of the Open Competition allocation be moved into the Fire Prevention and Safety category increasing all FP&S funds available from \$34.5 million to \$62.1 million. And further proposing that 17% of the FP&S proposed allocation be provided under the FP&S grants for State Fire Marshals Offices across the country, specifically to fulfill the mission of this grant program. (17% of \$62.1 million = \$10.55 million using current funding levels)

Certain elements of the AFG program have created additional requirements of a State Fire Marshal Office. Projects awarded at the local level under Fire Prevention and Safety require a State Fire Marshal's Office to undertake additional responsibilities. As such, the National Association of State Fire Marshals is requesting your consideration of changes to the program for the following reasons:

- State Fire Marshal Offices are the central collection and distribution point for fire incident data, ultimately providing National Fire Incident Reporting Data to the Federal government. This data is vital to local, state, and federal government efforts in fire prevention and mitigation. Many states dedicate significant resources to this effort.
 - AFG grants require recipients to report to these programs in order to be eligible to receive an AFG grant, thus increasing the overall workload on a state with no remuneration or assistance.
- Using the data collected, State Fire Marshals Offices can determine where, and to what audiences, fire prevention programs should be targeted. They provide this information to local jurisdictions as well as reporting up to the federal government. On numerous occasions, however, they are passed over for grants and are unable to enact programs to respond to data dependent risks that exist in our communities.
 - Independent, private organizations outside the state's authority may receive a grant and conduct safety programs, but without consulting states, or addressing specific prevention needs. Thus, their efforts may be going to those that do not necessarily need it, or worse they provide a false sense of security without addressing the core area of prevention in a coordinated manner.

- Programs enacted at the state level have the greatest potential for efficient and effective results carefully coordinated to help the greatest number of citizens (Many communities may be involved but the fire prevention plan is accomplished through a carefully orchestrated plan).
 - State Fire Marshals Offices who apply, however, are often passed over to fund national research programs that while valuable, affect a much smaller number of individuals focusing primarily on firefighter safety. These types of grants are important, as research is vital, but there is a need to address fire prevention activities to keep people safe and property resilient. The State Fire Marshals are charged across this nation with protecting the citizens of their state through fire prevention, data collection and analyzation, fire investigation and public education; core tenets of the AFG program and the Fire and Prevention Control Act of 1974, yet very few receive any funding outside of state appropriations to conduct these important efforts.
- State level programs take a community risk reduction approach to fire prevention. Not only are they concerned with home fire safety, but wildland fire safety, arson, fire code enforcement, fire investigation, helping special needs and disabled populations, and numerous others. This approach is key to the realization of the AFG Fire Prevention and Safety grant program, and States are uniquely placed to utilize grants received.
- Many sections of the AFG grant authorizing statute fall under the purview of the State Fire Marshals Offices. Specifically, PUBLIC LAW 112–239 “SEC. 33. FIREFIGHTER ASSISTANCE. “(3) USE OF GRANT FUNDS”:
 - (A) To enforce fire codes and promote compliance with fire safety standards.
 - (B) To fund fire prevention programs, including programs that educate the public about arson prevention and detection.
 - (D) To certify—
 - (i) fire inspectors; and “(ii) building inspectors (I) whose responsibilities include fire safety inspections;
 - (E) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate
 - (K) To educate the public about arson prevention and detection.

Conclusion

On October 29, 1974, President Gerald R. Ford signed the Federal Fire Prevention and Control Act affirming a federal responsibility to help address the nation’s fire problem. In his statement, President Ford said:

“While fire prevention and control is and will remain a State and local responsibility, I believe the Federal Government can make a useful difference.”

Forty-four years have elapsed since President Ford issued that proclamation. On behalf of the National Association of State Fire Marshals I ask you to consider the importance of your support

in protecting our communities and the critical infrastructure of our nation. Together we can make a “useful difference” for our citizens.

As the senior fire officials for their state, State Fire Marshals are charged across this nation with protecting the citizens of their state through fire prevention, data collection and analyzation, fire investigation and public education. As such, we are uniquely positioned to carry out the basic tenets of the Assistance to Firefighters Grant Program, especially the Fire Prevention and Safety grants. Often, we simply lack the additional resources that can be made available through this grant program to protect the lives of not only the citizens of our states and communities, but also the vitality and security of our nation.

In closing, I would like to emphasize one important element of this proposed enhancement to the Federal Fire Prevention and Control Act; namely, the redistribution of funds from the open competition category into the Fire Prevention and Safety grants will not reduce the funds available to fire service organizations. Instead, it will simply redirect those funds to be available for fire prevention activities by both state and local jurisdictions within their communities. It is our firm belief this action, and fire prevention activities in general provides the most efficient use of our tax dollars.

I want to assure you, the National Association of State Fire Marshals remains committed to fire prevention and the protection of lives and the economy, a mission we can better accomplish with your support. Again, I thank you personally and on behalf of the National Association of State Fire Marshals for this opportunity and am pleased to answer any questions.

NASFM - 50 States – One Strong Voice for Fire Prevention

The mission of NASFM is to protect human life, property and the environment from fire and related hazards. The principal membership of NASFM comprises the senior fire officials in the United States.