

106TH CONGRESS
2D SESSION

H. R. 4128

To authorize appropriations to address the needs of State and local emergency responders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2000

Mr. SMITH of Michigan (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WELDON of Pennsylvania, Mr. BISHOP, Mr. BOEHLERT, Mr. EHLERS, Mr. SHERWOOD, Mr. LARSON, and Mr. BARCIA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture, Commerce, Banking and Financial Services, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize appropriations to address the needs of State and local emergency responders, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Help Emergency Re-
5 sponders Operate Act”.

1 **SEC. 2. VOLUNTEER FIRE ASSISTANCE PROGRAM.**

2 There are authorized to be appropriated to the Sec-
 3 retary of Agriculture for carrying out section 10(b)(1)
 4 through (3) of the Cooperative Forestry Assistance Act
 5 of 1978 (16 U.S.C. 2106(b)(1) through (3)), \$10,000,000
 6 for each of the fiscal years 2001 and 2002.

7 **SEC. 3. LOAN GUARANTEES FOR LOW-INTEREST LOANS**
 8 **FOR VOLUNTEER FIRE AND RESCUE**
 9 **SERVICES.**

10 Subtitle A of title VI of the Robert T. Stafford Dis-
 11 aster Relief and Emergency Assistance Act (42 U.S.C.
 12 5196 et seq.) is amended by adding at the end the fol-
 13 lowing new section:

14 **“SEC. 616. LOAN GUARANTEES FOR LOW-INTEREST LOANS**
 15 **FOR VOLUNTEER FIRE AND RESCUE**
 16 **SERVICES.**

17 “(a) IN GENERAL.—The Director may, using
 18 amounts in the account established under subsection
 19 (i)(1), guarantee loans to volunteer fire and rescue agen-
 20 cies for the purposes described in subsection (b) for the
 21 entire principal and interest on the loan.

22 “(b) USE OF AMOUNTS.—The proceeds of a loan
 23 guaranteed under this section to a volunteer fire and res-
 24 cue agency may be used only—

25 “(1) to purchase equipment necessary for prop-
 26 er performance of the duties of the agency, including

1 fire fighting apparatus and equipment, ambulances
2 and rescue vehicles, protective equipment and cloth-
3 ing, and training equipment;

4 “(2) to repair, rehabilitate, or otherwise im-
5 prove existing facilities of the agency;

6 “(3) to carry out public education programs re-
7 garding fire prevention, life safety, and arson;

8 “(4) for enforcement of fire codes;

9 “(5) for carrying out and improving training
10 programs regarding arson investigation, hazardous
11 materials, and anti-terrorism; or

12 “(6) to develop or enhance safety programs for
13 firefighters and rescue personnel.

14 “(c) LOAN TERMS.—A loan guaranteed under this
15 section shall—

16 “(1) be made for a term not to exceed 20 years;

17 “(2) involve a rate of interest established by the
18 Director that does not exceed the rate that is 2 per-
19 centage points below the then prevailing interest rate
20 for loans of a similar nature, as determined by the
21 Director;

22 “(3) involve a principal obligation not exceeding
23 \$200,000;

1 “(4) be subject to such requirements regarding
2 security for repayment as the Director considers ap-
3 propriate;

4 “(5) contain terms providing for the complete
5 amortization of the loan principal that require peri-
6 odic payments by the borrower not in excess of the
7 capacity of the borrower to make such payments, as
8 the Director considers appropriate; and

9 “(6) contain such other terms with respect to
10 insurance, repairs, default reserves, delinquency
11 charges, anticipation of maturity, additional and sec-
12 ondary liens, and other matters as the Director con-
13 siders appropriate.

14 “(d) GUARANTEE FEE.—At the time of issuance of
15 a loan guaranteed under this section, the Director may
16 collect from the lender of the loan a fee of 1 percent of
17 the principal obligation of the loan.

18 “(e) PROHIBITION AGAINST ASSUMPTION.—Notwith-
19 standing the transfer of any property acquired with the
20 proceeds of a loan under this section, the borrower under
21 the loan may not be relieved of liability with respect to
22 the loan.

23 “(f) SELECTION OF BORROWERS.—The Director
24 shall establish and use criteria for selection of applicants

1 to receive loan guarantees under this section, which
2 shall—

3 “(1) provide for the Director to make loan
4 guarantees for as many qualified applicants as is
5 practicable, taking into consideration the aggregate
6 limitations on the amount of guarantees under this
7 section and the appropriate size of a loan necessary
8 to allow an applicant to effectively carry out the ac-
9 tivities for which the loan guaranteed under this sec-
10 tion was made; and

11 “(2) in the case of a loan to be used for the
12 purposes under paragraph (1) or (2) of subsection
13 (b), take into consideration the extent to which—

14 “(A) the equipment, apparatus, or facilities
15 to be replaced, repaired, or modified are out-
16 dated or unsafe; or

17 “(B) the demand for the services of the
18 volunteer fire and rescue agency that is the bor-
19 rower has increased during the 2-year period
20 preceding the date of the application for the
21 guarantee.

22 “(g) PAYMENT OF GUARANTEES.—The Director may
23 take such actions as may be necessary to provide for pay-
24 ment of guarantees under this section and protection of
25 the interests of the United States under such guarantees.

1 “(h) DEFINITIONS.—For purposes of this section:

2 “(1) FACILITY.—The term ‘facility’ means a
3 building that houses equipment or personnel used di-
4 rectly to provide fire and rescue services, not includ-
5 ing administrative support services.

6 “(2) VOLUNTEER FIRE AND RESCUE AGENCY.—
7 The term ‘volunteer fire and rescue agency’ includes
8 volunteer fire companies, ambulance services, haz-
9 ardous materials units, and rescue squads.

10 “(i) FUNDING AND ACCOUNT.—

11 “(1) VOLUNTEER FIRE AND RESCUE SERVICES
12 LOAN ACCOUNT.—There is established in the Treas-
13 ury of the United States an account for the purpose
14 of providing loan guarantees under this section. The
15 account shall be credited with any amounts appro-
16 priated to the account, any guarantee fees collected
17 under subsection (d), and any other collections of
18 the Director pursuant to this section. Amounts in
19 the account shall be available, to the extent provided
20 in appropriation Acts, for fulfilling obligations under
21 loan guarantees made under this section and for car-
22 rying out all operations relating to making and pay-
23 ment of such guarantees, which shall include any ad-
24 ministrative expenses relating to making such guar-
25 antees.

1 “(2) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to the ac-
3 count under paragraph (1) \$35,000,000 for each of
4 the fiscal years 2001 and 2002 to cover the costs (as
5 such term is defined in section 502 of the Congres-
6 sional Budget Act of 1974) of loan guarantees pro-
7 vided under this section.”.

8 **SEC. 4. COUNTERTERRORISM TRAINING.**

9 Subtitle A of title VI of the Robert T. Stafford Dis-
10 aster Relief and Emergency Assistance Act (42 U.S.C.
11 5196 et seq.), as amended by section 3 of this Act, is fur-
12 ther amended by adding at the end the following new sec-
13 tion:

14 **“SEC. 617. COUNTERTERRORISM TRAINING.**

15 “There are authorized to be appropriated to the Di-
16 rector \$20,000,000 for each of the fiscal years 2001 and
17 2002 to make grants directly to local fire and rescue serv-
18 ices, including volunteer fire companies, ambulance serv-
19 ices, hazardous materials units, and rescue squads, for
20 equipment, including interoperability radio equipment.”.

21 **SEC. 5. BURN GRANT PROGRAMS.**

22 (a) ESTABLISHMENT OF OFFICE.—The Director of
23 the Federal Emergency Management Agency shall estab-
24 lish an office in the Agency to establish specific criteria

1 of grant recipients and to administer grants under this
2 section.

3 (b) BURN PREVENTION.—The Director may make
4 grants, on a competitive basis, to safety organizations that
5 have experience in conducting burn safety programs for
6 the purpose of assisting those organizations in conducting
7 burn prevention programs or augmenting existing burn
8 prevention programs.

9 (c) ACUTE BURN CARE.—The Director may make
10 grants, on a competitive basis, to hospitals that serve as
11 regional burn centers to conduct acute burn care research.

12 (d) AFTER-BURN TREATMENT AND COUNSELING.—
13 The Director may make grants, on a competitive basis,
14 to governmental and nongovernmental entities to provide
15 after-burn treatment and counseling to individuals that
16 are burn victims.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to the Director for car-
19 rying out this section \$10,000,000 for each of the fiscal
20 years 2001 and 2002.

21 **SEC. 6. FIRE AND EMERGENCY MEDICAL GRANTS PRO-**
22 **GRAM.**

23 (a) ESTABLISHMENT.—The Director of the Federal
24 Emergency Management Agency shall establish a program

1 to award grants to volunteer, paid, and combined depart-
2 ments that provide fire and emergency medical services.

3 (b) AUTHORIZED USES.—Grants awarded under this
4 section may be used—

5 (1) to acquire personal protective equipment re-
6 quired for firefighting personnel by the Occupational
7 Safety and Health Administration, and other per-
8 sonal protective equipment for firefighting personnel;

9 (2) to acquire additional firefighting equipment,
10 including equipment for communication and moni-
11 toring;

12 (3) to establish wellness and fitness programs
13 for firefighting personnel to reduce the number of
14 injuries and deaths related to health and condi-
15 tioning problems;

16 (4) to promote professional development of fire
17 code enforcement personnel;

18 (5) to integrate computer technology to improve
19 records management and training capabilities;

20 (6) to train firefighting personnel in fire-
21 fighting, emergency response, and arson prevention
22 and detection;

23 (7) to enforce fire codes;

1 (8) to fund fire prevention programs and public
2 education programs about arson prevention and de-
3 tection, and juvenile fire setter intervention; and

4 (9) to modify fire stations, fire training facili-
5 ties, and other facilities to protect the health and
6 safety of firefighting personnel.

7 (c) CONTENTS OF APPLICATIONS.—Applications for
8 grants under this section shall include—

9 (1) a demonstration of financial need;

10 (2) evidence of a commitment for at least an
11 equal amount as the amount of the grant sought, to
12 be provided by non-Federal sources;

13 (3) a cost benefit analysis linking the funds to
14 improvements in public safety; and

15 (4) a commitment to provide information to the
16 National Fire Incident Reporting System for the pe-
17 riod for which the grant is received.

18 (d) AUDITS.—Grant recipients under this section
19 shall be subject to audits to ensure that the funds are
20 spent for their intended purposes.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to the Director for car-
23 rying out this section \$80,000,000 for each of the fiscal
24 years 2001 and 2002.

1 **SEC. 7. ALLOCATION OF ELECTROMAGNETIC SPECTRUM.**

2 Section 337 of the Communications Act of 1934 (47
3 U.S.C. 337) is amended—

4 (1) by redesignating subsection (f) as sub-
5 section (g); and

6 (2) by adding after subsection (e) the following
7 new subsection:

8 “(f) **ALLOCATION FOR INTEROPERABILITY USE BY**
9 **PUBLIC SAFETY ENTITIES.**—In addition to the allocations
10 and assignments otherwise made pursuant to this section,
11 within 30 days after the date of the enactment of the Help
12 Emergency Responders Operate Act, the Commission shall
13 allocate the electromagnetic spectrum between 139 mega-
14 hertz and 140.5 megahertz, inclusive, and between 141.5
15 megahertz and 143 megahertz, inclusive, to interoper-
16 ability use by public safety services.”.

17 **SEC. 8. SATELLITE SYSTEM.**

18 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There
19 are authorized to be appropriated to the Secretary of the
20 Interior for fiscal year 2001 for the United States Geologi-
21 cal Survey for the Hazard Support System, \$15,000,000
22 for system improvements, and \$4,000,000 for operation
23 and maintenance.

24 (b) **STUDY.**—Not later than 9 months after the date
25 of the enactment of this Act, the Secretary of the Interior
26 shall transmit to the Congress a report on the results of

1 a study, carried out in consultation with the National
 2 Interagency Fire Center and State fire services, of the best
 3 methods of disseminating data from the Hazard Support
 4 System to State and local fire mitigation entities for real-
 5 time fire detection.

6 **SEC. 9. ELIGIBILITY OF FIRE FIGHTING FACILITIES AND**
 7 **EQUIPMENT UNDER COMMUNITY DEVELOP-**
 8 **MENT BLOCK GRANT PROGRAM.**

9 (a) ELIGIBLE ACTIVITIES.—Section 105(a) of the
 10 Housing and Community Development Act of 1974 (42
 11 U.S.C. 5305(a)) is amended—

12 (1) in paragraph (23), by striking the period at
 13 the end and inserting a semicolon; and

14 (2) by inserting after paragraph (23) the fol-
 15 lowing new paragraph:

16 “(24) provision of assistance to local fire fight-
 17 ing, emergency medical, or rescue services for—

18 “(A) acquisition, repair, or rehabilitation
 19 of equipment (including any accessory, commu-
 20 nications, or protective equipment) or vehicles
 21 for fire fighting, emergency medical, or rescue
 22 services,

23 “(B) construction, acquisition, rehabilita-
 24 tion, or improvement of facilities for local fire

1 fighting, emergency medical, or rescue services,
2 or
3 “(C) training or planning involved in pro-
4 viding fire fighting, emergency medical, or res-
5 cue services; and”.

6 (b) USE FOR LOW- AND MODERATE-INCOME
7 AREAS.—Section 105(c) of the Housing and Community
8 Development Act of 1974 (42 U.S.C. 5305(c)) is amended
9 by adding at the end the following new paragraph:
10 “(5) An assisted activity described in subsection
11 (a)(24) shall be considered to benefit persons of low and
12 moderate income if the service provides such services to
13 all persons in the geographical area served, including any
14 low and moderate income persons.”.

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