

117TH CONGRESS
2D SESSION

S. 4690

To provide grants for fire station construction through the Administrator of the Federal Emergency Management Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2022

Mr. VAN HOLLEN (for himself and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide grants for fire station construction through the Administrator of the Federal Emergency Management Agency, 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 “Fire Station Construc-

5 tion Grants Act”.

6 **SEC. 2. ASSISTANCE TO FIREFIGHTERS FIRE STATION CON-**
7 **STRUCTION GRANTS.**

8 (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Federal
3 Emergency Management Agency.

4 (2) CAREER FIRE DEPARTMENT.—The term
5 “career fire department” means a fire department
6 that has an all-paid force of firefighting personnel
7 other than paid-on-call firefighters.

8 (3) COMBINATION FIRE DEPARTMENT.—The
9 term “combination fire department” means a fire
10 department that has—

11 (A) paid firefighting personnel; and

12 (B) volunteer firefighting personnel.

13 (4) EMS.—The term “EMS” means emergency
14 medical services.

15 (5) NONAFFILIATED EMS ORGANIZATION.—The
16 term “nonaffiliated EMS organization” means a
17 public or private nonprofit EMS organization that is
18 not affiliated with a hospital and does not serve a
19 geographic area in which the Administrator finds
20 that EMS are adequately provided by a fire depart-
21 ment.

22 (6) VOLUNTEER FIRE DEPARTMENT.—The
23 term “volunteer fire department” means a fire de-
24 partment that has an all-volunteer force of fire-
25 fighting personnel.

1 (b) GRANT PROGRAM.—The Administrator shall es-
2 tablish a grant program to provide financial assistance to
3 entities described in subsection (c) to modify, upgrade,
4 and construct fire and EMS department facilities.

5 (c) ELIGIBLE APPLICANTS.—The Administrator may
6 make a grant under this section to the following:

7 (1) Career, volunteer, and combination fire de-
8 partments.

9 (2) Fire training facilities.

10 (3) Nonaffiliated EMS organizations, combina-
11 tion and volunteer emergency medical stations (ex-
12 cept that for-profit EMS organizations are not eligi-
13 ble for a grant under this section).

14 (d) APPLICATIONS.—An entity described in sub-
15 section (c) seeking a grant under this section shall submit
16 to the Administrator an application in such form, at such
17 time, and containing such information as the Adminis-
18 trator determines appropriate.

19 (e) MEETING FOR RECOMMENDATIONS.—

20 (1) IN GENERAL.—The Administrator shall con-
21 vene a meeting of qualified members of national fire
22 service organizations and, at the discretion of the
23 Administrator, qualified members of EMS organiza-
24 tions to obtain recommendations regarding the cri-
25 teria for the awarding of grants under this section.

1 (2) QUALIFICATIONS.—For purposes of this
2 subsection, a qualified member of an organization is
3 a member who—

4 (A) is recognized for firefighting or EMS
5 expertise;

6 (B) is not an employee of the Federal Gov-
7 ernment; and

8 (C) in the case of a member of an EMS
9 organization, is a member of an organization
10 that represents—

11 (i) EMS providers that are affiliated
12 with fire departments; or

13 (ii) nonaffiliated EMS providers.

14 (f) PEER REVIEW OF GRANT APPLICATION.—The
15 Administrator shall, in consultation with national fire
16 service and EMS organizations, appoint fire service per-
17 sonnel to conduct peer reviews of applications received
18 under subsection (d).

19 (g) PRIORITY OF GRANTS.—In awarding grants
20 under this section, the Administrator shall consider the
21 findings and recommendations of the peer reviews carried
22 out under subsection (f).

23 (h) USES OF FUNDS.—

24 (1) IN GENERAL.—A recipient of a grant under
25 this section may use funds received for the following:

1 (A) Building, rebuilding, or renovating fire
2 and EMS department facilities.

3 (B) Upgrading existing facilities to install
4 exhaust emission control systems, install backup
5 power systems, upgrade or replace environ-
6 mental control systems (such as HVAC sys-
7 tems), remove or remediate mold, and construct
8 or modify living quarters for use by male and
9 female personnel.

10 (C) Upgrading fire and EMS stations or
11 building new stations.

12 (2) CODE COMPLIANT.—In using funds under
13 paragraph (1), a recipient of a grant under this sec-
14 tion shall meet 1 of the 2 most recently published
15 editions of relevant codes and standards, especially
16 codes and standards that—

17 (A) require up-to-date hazard resistant and
18 safety provisions; and

19 (B) are relevant for protecting firefighter
20 health and safety.

21 (i) GRANT FUNDING.—

22 (1) IN GENERAL.—The Administrator shall al-
23 locate grant funds under this section as follows:

24 (A) 25 percent for career fire and EMS
25 departments.

1 (B) 25 percent for combination fire and
2 EMS departments.

3 (C) 25 percent for volunteer fire and EMS
4 departments.

5 (D) 25 percent to remain available for
6 competition between the various department
7 types.

8 (2) INSUFFICIENT APPLICATIONS.—If the Ad-
9 ministrator does not receive sufficient funding re-
10 quests from a particular department type described
11 in subparagraphs (A) through (C) of paragraph (1),
12 the Administrator may make awards to other de-
13 partments described in such paragraphs.

14 (3) LIMITATION ON AWARDS AMOUNTS.—A re-
15 cipient of a grant under this section may not receive
16 more than \$7,500,000 under this section.

17 (j) PREVAILING RATE OF WAGE AND PUBLIC CON-
18 TRACTS.—

19 (1) IN GENERAL.—All laborers and mechanics
20 employed by contractors or subcontractors in the
21 performance of construction work financed with the
22 assistance of any contribution of Federal funds
23 made by the Administrator under this section shall
24 be paid wages at rates not less than those prevailing
25 on similar construction in the locality as determined

1 by the Secretary of Labor in accordance with sub-
2 chapter IV of chapter 31 of title 40, United States
3 Code (commonly known as the “Davis-Bacon Act”).

4 (2) OVERTIME.—Each employee described in
5 paragraph (1) shall receive compensation at a rate
6 not less than one and ½ times the basic rate of pay
7 of the employee for all hours worked in any work-
8 week in excess of 8 hours in any workday or 40
9 hours in the workweek, as the case may be.

10 (3) ASSURANCES.—The Administrator shall
11 make no contribution of Federal funds without first
12 obtaining adequate assurance that the labor stand-
13 ards described in paragraphs (1) and (2) will be
14 maintained upon the construction work.

15 (4) AUTHORITY OF SECRETARY OF LABOR.—
16 The Secretary of Labor shall have, with respect to
17 the labor standards described in paragraphs (1) and
18 (2), the authority and functions set forth in Reorga-
19 nization Plan Numbered 14 of 1950 (5 U.S.C. App.)
20 and section 3145 of title 40, United States Code.

21 (5) PUBLIC CONTRACTS.—Contractors and sub-
22 contractors performing construction work pursuant
23 to this section shall procure only manufactured arti-
24 cles, materials, and supplies that have been manu-
25 factured in the United States substantially all from

1 articles, materials, or supplies mined, produced, or
2 manufactured in the United States in accordance
3 with the requirements (and exceptions thereto) ap-
4 plicable to Federal agencies under chapter 83 of title
5 41, United States Code.

6 (k) APPLICABILITY OF FACA.—The Federal Advi-
7 sory Committee Act (5 U.S.C. App.) shall not apply to
8 activities carried out pursuant to this section.

9 (l) REPORTING REQUIREMENTS.—

10 (1) ANNUAL REPORT TO ADMINISTRATOR OF
11 FEMA.—Not later than 1 year after the date of en-
12 actment of this Act, and annually thereafter during
13 the term of a grant awarded under this section, the
14 recipient of the grant shall submit to the Adminis-
15 trator a report describing how the recipient used the
16 amounts from the grant.

17 (2) ANNUAL REPORT TO CONGRESS.—Not later
18 than 1 year after the date of enactment of this Act,
19 and annually thereafter until the date on which the
20 rebuilding or renovation of fire facilities and stations
21 are completed using grant funds under this section,
22 the Administrator shall submit to the Committee on
23 Homeland Security and Governmental Affairs of the
24 Senate and the Committees on Transportation and
25 Infrastructure and Science, Space, and Technology

1 of the House of Representatives a report that pro-
2 vides an evaluation of the effectiveness of the grants
3 awarded under this section.

4 (m) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated \$1,000,000,000 for fiscal
6 year 2022 to carry out this section. Funds appropriated
7 under this Act shall remain available until expended.

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