

112TH CONGRESS  
1ST SESSION

# S. 568

To establish a pilot grant program for first responder agencies that experience an extraordinary financial burden resulting from the deployment of employees.

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## IN THE SENATE OF THE UNITED STATES

MARCH 14, 2011

Mr. PRYOR (for himself, Mr. CONRAD, Mr. LEAHY, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To establish a pilot grant program for first responder agencies that experience an extraordinary financial burden resulting from the deployment of employees.

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 “Strengthening Commu-  
5 nity Safety Act of 2011”.

6 **SEC. 2. FIRST RESPONDER AGENCY GRANTS.**

7 (a) IN GENERAL.—Title XX of the Homeland Secu-  
8 rity Act of 2002 (6 U.S.C. 601 et seq.) is amended by  
9 adding at the end the following:

1       **“Subtitle C—Other Assistance**

2       **“SEC. 2041. FIRST RESPONDER AGENCY GRANTS.**

3       “(a) DEFINITIONS.—In this section—

4               “(1) the term ‘active duty’ has the meaning  
5               given that term in section 101 of title 10, United  
6               States Code;

7               “(2) the term ‘eligible first responder agency’  
8               means a first responder agency for which the cost of  
9               personnel of the agency has increased by not less  
10              than 5 percent as a direct result of 1 or more em-  
11              ployees of the agency who are reservists being placed  
12              on active duty;

13              “(3) the term ‘first responder agency’—

14                      “(A) means—

15                              “(i) a law enforcement agency or fire  
16                              service (as defined in section 4 of the Fed-  
17                              eral Fire Prevention and Control Act of  
18                              1974 (15 U.S.C. 2203)) of a State or local  
19                              government; or

20                              “(ii) a publicly or privately operated  
21                              ambulance service that is—

22                                      “(I) authorized or licensed by a  
23                                      State to engage in rescue activity or  
24                                      to provide emergency medical services;  
25                                      and

1                   “(II) designated by a State as a  
2                   prehospital emergency medical re-  
3                   sponse agency; and

4                   “(B) shall not include a for-profit organi-  
5                   zation; and

6                   “(4) the term ‘reservist’ means a member of a  
7                   reserve component of the Armed Forces, as defined  
8                   in section 10101 of title 10, United States Code.

9                   “(b) GRANTS AUTHORIZED.—

10                   “(1) IN GENERAL.—Subject to paragraph (2),  
11                   the Administrator may make a grant to an eligible  
12                   first responder agency for the additional costs in-  
13                   curred by the eligible first responder agency as a di-  
14                   rect result of 1 or more employees of the agency or  
15                   service who are reservists being placed on active  
16                   duty.

17                   “(2) LIMITATION FOR FEDERALLY FUNDED PO-  
18                   SITIONS.—The Administrator may not make a grant  
19                   under this section for costs relating to an employee  
20                   being placed on active duty if Federal funds are  
21                   used, in whole or in part, for the pay or benefits of  
22                   the employee.

23                   “(3) MAXIMUM AMOUNT.—The total amount of  
24                   all grants made under this section to an eligible first

1 responder agency in any fiscal year may not exceed  
2 \$100,000.

3 “(4) TERMINATION OF GRANT AUTHORITY.—

4 The authority of the Administrator to make a grant  
5 under this section shall terminate 3 years after the  
6 date of enactment of this section.

7 “(c) USE OF FUNDS.—

8 “(1) IN GENERAL.—A grant under this section  
9 may be used for—

10 “(A) pay and benefits for an individual  
11 hired to replace an employee placed on active  
12 duty that are in addition to any pay and bene-  
13 fits that would have been provided to the de-  
14 ployed employee;

15 “(B) overtime expenses for an employee  
16 who performs tasks that would have been per-  
17 formed by an employee placed on active duty;  
18 and

19 “(C) the costs associated with filling a va-  
20 cancy created by an employee placed on active  
21 duty, including costs for advertising, inter-  
22 viewing, performing background investigations,  
23 employment training, and hiring bonuses and  
24 incentives.

1           “(2) TIME PERIOD FOR REIMBURSABLE EX-  
2 PENSES.—An eligible first responder agency that re-  
3 ceives a grant under this section may use the grant  
4 funds to cover expenses incurred during the period  
5 that begins 90 days before the deployment of an em-  
6 ployee of the agency and ends on the date on which  
7 the employee returns to fully paid employment sta-  
8 tus.

9           “(d) APPLICATION.—

10           “(1) IN GENERAL.—Each eligible first re-  
11 sponder agency desiring a grant under this section  
12 shall submit an application to the Administrator at  
13 such time, in such manner, and accompanied by  
14 such information as the Administrator may reason-  
15 ably require.

16           “(2) CONTENTS.—Each application submitted  
17 under paragraph (1) shall—

18           “(A) describe the activities for which as-  
19 sistance under this section is sought; and

20           “(B) provide documentation that dem-  
21 onstrates that the first responder agency meets  
22 the requirements in subsection (a)(2).

23           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
24 are authorized to be appropriated to the Administrator

1 \$5,000,000 to carry out this section for fiscal years 2012  
2 through 2014.”.

3 (b) REPORTING.—

4 (1) DEFINITIONS.—In this subsection, the  
5 terms “active duty”, “first responder agency”, and  
6 “reservist” have the meanings given those terms in  
7 section 2041 of the Homeland Security Act of 2002,  
8 as added by subsection (a).

9 (2) REPORT.—Not later than 2 years after the  
10 date of enactment of this Act, the Administrator of  
11 the Federal Emergency Management Agency shall  
12 submit to Congress a report regarding the placing  
13 on active duty of employees of first responder agen-  
14 cies that are reservists, including an evaluation of—

15 (A) the effects, including financial effects,  
16 of placing the employees on active duty on—

17 (i) the operation of the first responder  
18 agencies; and

19 (ii) the services the first responder  
20 agencies provide to the communities served  
21 by the first responder agencies; and

22 (B) first responder agency grants under  
23 section 2041 of the Homeland Security Act of  
24 2002, as added by subsection (a), including the  
25 effect of the grants on—

1 (i) the operation of the first responder  
2 agencies; and

3 (ii) the services the first responder  
4 agencies provide to the communities served  
5 by the first responder agencies.

6 (c) OFFSET.—Section 1532(k)(1)(D) of the Imple-  
7 menting Recommendations of the 9/11 Commission Act of  
8 2007 (6 U.S.C. 1182(k)(1)(D)) is amended by striking  
9 “\$25,000,000” and inserting “\$20,000,000”.

10 (d) TECHNICAL AND CONFORMING AMENDMENT.—  
11 The table of contents in section 1(b) of the Homeland Se-  
12 curity Act of 2002 (6 U.S.C. 101 et seq.) is amended by  
13 adding at the end the following:

“Subtitle C—Other Assistance

“Sec. 2041. First responder agency grants.”.

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