

“(i) the applicant is requesting grant funds to obtain one or more automated external defibrillator devices, as authorized by paragraph (3)(O);

“(ii) the award of such grant will result in the applicant possessing exactly one such device for each first-due emergency vehicle operated by the applicant;

“(iii) the applicant certifies to the Secretary of Homeland Security that the applicant possesses, at the time such application is filed, a number of such devices that is less than the number of first-due emergency vehicles operated by the applicant and that the applicant is capable of storing, in a manner conducive to rapid use, such devices on each such vehicle; and

“(iv) the applicant has not previously received a grant under this subsection to obtain such devices.

“(B) MATCHING REQUIREMENTS.—If an applicant meets the criteria set out in clauses (i), (ii), (iii), and (iv) of subparagraph (A), the Secretary of Homeland Security shall reduce the percentage of non-Federal matching funds required by paragraph (6) by 2 percentage points for all assistance requested in the application submitted by such applicant.

“(C) FIRST-DUE DEFINED.—In this paragraph, the term ‘first-due’ means the fire-fighting and emergency medical services vehicles that are utilized by a fire service for immediate response to an emergency situation.”

SEC. 3509. GRANT RECIPIENT LIMITATIONS.

(a) LIMITATIONS ON GRANT AMOUNTS.—Subparagraph (A) of section 33(b)(10) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(b)(10)) is amended to read as follows:

“(A) LIMITATIONS ON GRANT AMOUNT.—

“(i) GENERAL LIMITATION.—Subject to clause (ii), a recipient of assistance under this section may not receive in a fiscal year an amount of such assistance that exceeds the greater of \$2,250,000 or the amount equal to 0.5 percent of the total amount of funds appropriated for such assistance for such fiscal year.

“(ii) LIMITATIONS ON BASIS OF POPULATION.—Subject to clause (iii), a recipient of assistance under this section that serves a jurisdiction of less than 1,000,000 individuals may not receive more than \$1,500,000 of such assistance for a fiscal year, except that such a recipient that serves a jurisdiction of less than 500,000 individuals may not receive more than \$1,000,000 of such assistance during a fiscal year.

“(iii) WAIVER.—With respect to assistance provided in a fiscal year before fiscal year 2007, the Secretary of Homeland Security, in consultation with the Administrator, may waive the limitations set out in clause (ii) if the Secretary determines that a waiver is warranted by an extraordinary need for assistance for fire suppression activities by a jurisdiction, whether such need is caused by the likelihood of terrorist attack, natural disaster, destructive fires occurring over a large geographic area, or some other cause.”

(b) LIMITATIONS ON GRANTS FOR VOLUNTEER EMERGENCY MEDICAL SERVICES.—Such section, as amended by subsection (a), is further amended by adding at the end the following new subparagraph:

“(C) LIMITATIONS ON EXPENDITURES FOR VOLUNTEER EMERGENCY MEDICAL SERVICES.—Not more than 3.5 percent of the funds appropriated to provide grants under this section for a fiscal year may be awarded to volunteer emergency medical service organizations.”

SEC. 3510. OTHER CONSIDERATIONS.

Section 33(b) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(b)), as amended by section 8, is amended by adding at the end the following new paragraph:

“(14) OTHER CONSIDERATIONS.—In providing assistance under this section, the Secretary of Homeland Security shall—

“(A) consider the extent to which the recipient of such assistance is able to enhance the daily operations of a fire service and to improve the protection of people and property from fire; and

“(B) ensure that such assistance awarded to a volunteer emergency medical service organization will not be used to provide emergency medical services in a geographic area if such services are adequately provided by a fire service in such area.”

SEC. 3511. REPORTS TO CONGRESS.

(a) STUDY AND REPORT ON ASSISTANCE TO FIREFIGHTERS.—

(1) STUDY.—The Secretary, in conjunction with the National Fire Protection Association, shall conduct a study—

(A) to assess the types of activities that are carried out by fire services;

(B) to determine whether the level of Federal funding made available to fire services is adequate;

(C) to assess categories of services, including emergency medical services, that are not adequately provided by fire services on either the national or State level; and

(D) to measure the effect, if any, of the assistance provided under section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) on the needs of fire services identified in the report submitted to Congress under section 1701(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-363).

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the findings of the study described in paragraph (1).

(b) REPORT BY GAO.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the administration of the assistance provided under section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229); and

(2) the success of the Secretary in administering the Federal Emergency Management Agency.

(c) REPORT ON WAIVER OF AMOUNT LIMITATIONS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the instances, if any, of the use of the waiver authority set out in section 33(b)(10)(A)(iii) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(b)(10)(A)(iii)), as added by section 9.

(d) DEFINITIONS.—In this section:

(1) FIRE SERVICE.—The term “fire service” has the meaning given that term in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203).

(2) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

SEC. 3512. TECHNICAL CORRECTIONS.

(a) REPEAL OF DUPLICATIVE DEFINITION.—Subsection (d) of section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is repealed.

(b) REDESIGNATIONS NECESSITATED BY DUPLICATIVE NUMBERING.—The sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2230 and 2231) that were added by sections 105 and 106 of Public Law 106-503 (114 Stat. 2301) are redesignated as sections 34 and 35, respectively.

SEC. 3513. AUTHORIZATION OF APPROPRIATIONS.

(a) FIREFIGHTER ASSISTANCE PROGRAMS.—Section 33(e) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(e)) is

amended by striking the first sentence and inserting “There are authorized to be appropriated for the purposes of this section \$900,000,000 for fiscal year 2005, \$950,000,000 for fiscal year 2006, and \$1,000,000,000 for each of the fiscal years 2007 through 2010.”

(b) STUDY ON ASSISTANCE TO FIREFIGHTERS.—There are authorized to be appropriated to the Secretary of Homeland Security \$300,000 for fiscal year 2005 to carry out the requirements of section 4011(a).

MEASURE PLACED ON THE CALENDAR—H.R. 4359

Mr. GRASSLEY. I understand there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER. The Senator is correct. The clerk will report the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (H. R. 4359) to amend the Internal Revenue Code of 1986 to increase the child tax credit.

Mr. GRASSLEY. I object to further proceedings on the measure at this time in order to place the bill on the calendar under the provisions of rule XIV.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

ORDERS FOR WEDNESDAY, JULY 7, 2004

Mr. GRASSLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 7. I further ask unanimous consent that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and that the Senate then begin a period of morning business for up to 60 minutes with the first 30 minutes under the control of the Democratic leader or his designee, and the final 30 minutes under the control of the majority leader or his designee; provided that following morning business the Senate resume consideration of S. 2062, the class action bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. GRASSLEY. Mr. President, tomorrow, following morning business, the Senate will resume consideration of the class action bill. The majority leader stated this morning that it is his desire to consider related amendments to the pending class action bill and finish the bill in a reasonable timeframe. It is our hope that progress can be made on the bill during tomorrow's session.

Again, to reiterate, this is a bipartisan bill, and I would encourage Senators to show restraint in offering non-relevant amendments.