



## Legislative Bulletin.....May 12, 2005

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**H.R. 1544**—Amendments to the Faster and Smarter Funding for First Responders Act

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H.R. 1544, the Faster and Smarter Funding for First Responders Act (sponsored by Rep. Chris Cox), is scheduled to be considered on the House floor on Thursday, May 12<sup>th</sup>, subject to a structured rule (H.Res. 269). Below are the summaries of the five amendments made in order under the rule. All amendments are debatable for 20 minutes, except for number one.

Note: summaries are based on RSC staff's review of actual amendment text. For a summary of the underlying bill, see a separate RSC document released earlier in the week.

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**1. Berry (D-AR) #12**: Adds the Administrator of Animal and Plant Health Inspection Service to the First Responder Grants Board.

**2. Berry (D-AR) #11**: Requires the First Responder Grants Board to coordinate with state, local, and tribal governments in establishing criteria for evaluating and prioritizing applications for first responder grants.

**3. Bass (R-NH)/ Norwood (R-GA) #2**: Allows applicants to petition the Secretary of Homeland Security for reimbursement of the cost of any activity relating to the detection of, prevention of, preparation for, response to, or recovery from acts of terrorism, that is a federal duty usually performed by a federal agency and that is being performed by a state or local government (or both) under an agreement with a federal agency.

**4. Weiner (D-NY) #7**: Limits the number of Urban Area Security Initiative grants during any fiscal year to 50.

**5. Castle (R-DE) #1**: Shields from civil liability under any state or federal law any person who donates fire control or fire rescue equipment to a volunteer fire company that results in personal injuries, property damage, property loss, or death from the equipment after donation. However, such liability would not be waived if the person's actions or omissions constitute gross negligence or intentional misconduct or if the donor is the manufacturer of the equipment. This amendment explicitly preempts state laws that provide less protection from civil liability for such donations.

According to the amendment sponsor, the threat of civil liability under current law has caused some organizations to destroy, rather than donate, fire fighting equipment to fire companies.

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