

HR 642 IH

110th CONGRESS

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H. R. 642

To establish a demonstration incentive program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

January 23, 2007

Mrs. JONES of Ohio (for herself and Mr. WHITFIELD) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a demonstration incentive program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS.

(a) Short Title- This Act may be cited as the 'College Fire Prevention Act'.

(b) Findings- The Congress finds the following:

- (1) On March 2, 2006, a fire destroyed a residence hall at Salve Regina University in Newport, Rhode Island.
- (2) On January 24, 2006, a college-owned home at Monmouth College in Illinois was destroyed by a fire, displacing five students.
- (3) On October 8, 2005, a security officer, rather than fire alarms, alerted 22 occupants of a residence hall at Taylor University in Fort Wayne, Indiana to an early-morning fire. Due to the extensive amount of damage, all residents were forced to relocate to other rooms on campus.

(4) On April 26, 2005, a fire at Southern Adventist University in Collegedale, Tennessee claimed the life of Kelly Weimer, a junior English major from Woodridge, Illinois. Occurring in the kitchenette and lounge area of Thatcher Hall, a three-story women's residence hall, the cause of the fire remains to be determined.

(5) On March 23, 2005, a morning fire at a George Washington University residence hall left a freshman in critical condition. According to officials, the fire most likely began around 5:00 a.m. in a room on the top floor of Thurston Hall, a nine-story building which housed 1,000 freshmen. Four rooms were damaged by the fire. The building was not equipped with sprinkler systems in each room.

(6) According to the Center for Campus Fire Safety, a non-profit organization which compiles information on campus-related fires, 99 people have been killed in student housing nationwide since January 2000.

SEC. 2. ESTABLISHMENT OF FIRE SUPPRESSION DEMONSTRATION INCENTIVE PROGRAM.

(a) Grants- The Secretary of Education (in this Act referred to as the `Secretary'), in consultation with the United States Fire Administration, shall establish a demonstration program to award grants on a competitive basis to eligible entities for the purpose of installing fire sprinkler systems, or other fire suppression or prevention technologies, in student housing and dormitories owned or controlled by such entities.

(b) Eligible Entity- For purposes of this Act, the term `eligible entity' means any of the following:

(1) An accredited public or private institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

(2) An accredited historically Black college or university (as that term is used in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)).

(3) An accredited Hispanic-serving institution (as that term is defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a)).

(4) An accredited tribally controlled college or university (as that term is defined in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801)).

(5) A social fraternity or sorority exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)), the active

membership of which consists primarily of students in attendance at an accredited institution of higher education.

(c) Selection Priority- In making grants under subsection (a), the Secretary shall give priority to eligible entities that demonstrate the greatest financial need.

(d) Reservations- Of the amount made available to the Secretary for grants under this section for each fiscal year, the Secretary shall award--

(1) not less than 10 percent to eligible entities that are historically Black colleges and universities, Hispanic-serving institutions, and tribally controlled colleges and universities; and

(2) not less than 10 percent to eligible entities that are social fraternities and sororities.

(e) Application- To seek a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(f) Matching Requirement- As a condition on receipt of a grant under subsection (a), the applicant shall provide (directly or through donations from public or private entities) non-Federal matching funds in an amount equal to not less than 50 percent of the cost of the activities for which assistance is sought.

(g) Limitation on Administrative Expenses- Not more than 10 percent of a grant made under subsection (a) may be expended for administrative expenses with respect to the grant.

(h) Reports- Not later than 12 months after the date of the first award of a grant under this section and annually thereafter until completion of the program, the Secretary shall provide to the Congress a report that includes the following:

(1) The number and types of eligible entities receiving assistance under this section.

(2) The amounts of such assistance, the amounts and sources of non-Federal funding leveraged for activities under grants under this section, and any other relevant financial information.

(3) The number and types of student housing fitted with fire suppression or prevention technologies with assistance under this section, and the number of students protected by such technologies.

(4) The types of fire suppression or prevention technologies installed with assistance under this section, and the costs of such technologies.

(5) Identification of Federal and State policies that present impediments to the development and installation of fire suppression or prevention technologies.

(6) Any other information determined by the Secretary to be useful to evaluating the overall effectiveness of the program established under this section in improving the fire safety of student housing.

(i) Authorization of Appropriations- There is authorized to be appropriated to carry out this Act \$100,000,000 for each of the fiscal years 2008 through 2011. At the end of fiscal year 2011, all unobligated appropriations authorized under this subsection shall revert to the general fund of the Treasury.

SEC. 3. ADMISSIBILITY AS EVIDENCE.

(a) Prohibition- Notwithstanding any other provision of law and subject to subsection (b), any application for assistance under this Act, any negative determination on the part of the Secretary with respect to such application, or any statement of reasons for the determination, shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity.

(b) Exception- This section does not apply to the admission of an application, determination, or statement described in subsection (a) as evidence in a proceeding to enforce an agreement entered into between the Secretary and an eligible entity under section 2.

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