

108TH CONGRESS
1ST SESSION

H. R. 1613

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

APRIL 3, 2003

Mrs. JONES of Ohio introduced the following bill; which was referred to the Committee on Education and the Workforce

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.

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; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “College Fire Prevention Act”.

6 (b) FINDINGS.—The Congress finds the following:

1 (1) On Wednesday, January 19, 2000, a fire
2 occurred at a Seton Hall University dormitory.
3 Three male freshmen, all 18 years of age, died.
4 Fifty-four students, 2 South Orange firefighters,
5 and 2 South Orange police officers were injured.
6 The dormitory was a 6-story, 350-room structure
7 built in 1952, that housed approximately 600 stu-
8 dents. It was equipped with smoke alarms but no
9 fire sprinkler system.

10 (2) On Mother's Day 1996 in Chapel Hill,
11 North Carolina, a fire in the Phi Gamma Delta Fra-
12 ternity House killed 5 college juniors and injured 3.
13 The 3-story plus basement fraternity house was 70
14 years old. The National Fire Protection Association
15 identified several factors that contributed to the
16 tragic fire, including the lack of fire sprinkler pro-
17 tection.

18 (3) It is estimated that between 1980 and
19 1998, an average of 1,800 fires at dormitories, fra-
20 ternities, and sororities, involving 1 death, 70 inju-
21 ries, and \$8,000,000 in property damage were re-
22 ported to public fire departments.

23 (4) Within dormitories, fraternities, and sorori-
24 ties the leading cause of fires is arson or suspected

1 arson. The second leading cause of college building
2 fires is cooking. The third leading cause is smoking.

3 (5) New dormitories are generally required to
4 have advanced safety systems such as fire sprinklers.
5 But such requirements are rarely imposed retro-
6 actively on existing buildings.

7 (6) In 1998, 93 percent of the campus building
8 fires reported to fire departments occurred in build-
9 ings where there were smoke alarms present. How-
10 ever, only 34 percent had fire sprinklers present.

11 **SEC. 2. ESTABLISHMENT OF FIRE SUPPRESSION DEM-**
12 **ONSTRATION INCENTIVE PROGRAM.**

13 (a) GRANTS.—The Secretary of Education (in this
14 Act referred to as the “Secretary”), in consultation with
15 the United States Fire Administration, shall establish a
16 demonstration program to award grants on a competitive
17 basis to eligible entities for the purpose of installing fire
18 sprinkler systems, or other fire suppression or prevention
19 technologies, in student housing and dormitories owned or
20 controlled by such entities.

21 (b) ELIGIBLE ENTITY.—For purposes of this Act, the
22 term “eligible entity” means any of the following:

23 (1) An accredited public or private institution
24 of higher education (as that term is defined in sec-

1 tion 101 of the Higher Education Act of 1965 (20
2 U.S.C. 1001)).

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

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

9 (4) An accredited Tribally Controlled College or
10 University (as that term is defined in section 2 of
11 the Tribally Controlled College or University Assist-
12 ance Act of 1978 (25 U.S.C. 1801)).

13 (5) A social fraternity or sorority exempt from
14 taxation under section 501(a) of the Internal Rev-
15 enue Code of 1986 (26 U.S.C. 501(a)), the active
16 membership of which consists primarily of students
17 in attendance at an accredited institution of higher
18 education.

19 (c) SELECTION PRIORITY.—In making grants under
20 subsection (a), the Secretary shall give priority to eligible
21 entities that demonstrate the greatest financial need.

22 (d) RESERVATIONS.—Of the amount made available
23 to the Secretary for grants under this section for each fis-
24 cal year, the Secretary shall award—

1 (1) not less than 10 percent to eligible entities
2 that are historically Black colleges and universities,
3 Hispanic-serving institutions, and Tribally Con-
4 trolled Colleges and Universities; and

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

7 (e) APPLICATION.—To seek a grant under this sec-
8 tion, an eligible entity shall submit an application to the
9 Secretary at such time, in such manner, and accompanied
10 by such information as the Secretary may require.

11 (f) MATCHING REQUIREMENT.—As a condition on re-
12 ceipt of a grant under subsection (a), the applicant shall
13 provide (directly or through donations from public or pri-
14 vate entities) non-Federal matching funds in an amount
15 equal to not less than 50 percent of the cost of the activi-
16 ties for which assistance is sought.

17 (g) LIMITATION ON ADMINISTRATIVE EXPENSES.—
18 Not more than 10 percent of a grant made under sub-
19 section (a) may be expended for administrative expenses
20 with respect to the grant.

21 (h) REPORTS.—Not later than 12 months after the
22 date of the first award of a grant under this section and
23 annually thereafter until completion of the program, the
24 Secretary shall provide to the Congress a report that in-
25 cludes the following:

1 (1) The number and types of eligible entities re-
2 ceiving assistance under this section.

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

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

11 (4) The types of fire suppression or prevention
12 technologies installed with assistance under this sec-
13 tion, and the costs of such technologies.

14 (5) Identification of Federal and State policies
15 that present impediments to the development and in-
16 stallation of fire suppression or prevention tech-
17 nologies.

18 (6) Any other information determined by the
19 Secretary to be useful to evaluating the overall effec-
20 tiveness of the program established under this sec-
21 tion in improving the fire safety of student housing.

22 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this Act
24 \$100,000,000 for each of the fiscal years 2004 through
25 2008. At the end of fiscal year 2008, all unobligated ap-

1 appropriations authorized under this subsection shall revert
2 to the general fund of the Treasury.

3 **SEC. 3. ADMISSIBILITY AS EVIDENCE.**

4 (a) PROHIBITION.—Notwithstanding any other provi-
5 sion of law and subject to subsection (b), any application
6 for assistance under this Act, any negative determination
7 on the part of the Secretary with respect to such applica-
8 tion, or any statement of reasons for the determination,
9 shall not be admissible as evidence in any proceeding of
10 any court, agency, board, or other entity.

11 (b) EXCEPTION.—This section does not apply to the
12 admission of an application, determination, or statement
13 described in subsection (a) as evidence in a proceeding to
14 enforce an agreement entered into between the Secretary
15 of Education and an eligible entity under section 2.

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