

110TH CONGRESS  
1ST SESSION

# 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.

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## 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

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## 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 March 2, 2006, a fire destroyed a resi-  
2           dence hall at Salve Regina University in Newport,  
3           Rhode Island.

4           (2) On January 24, 2006, a college-owned  
5           home at Monmouth College in Illinois was destroyed  
6           by a fire, displacing five students.

7           (3) On October 8, 2005, a security officer, rath-  
8           er than fire alarms, alerted 22 occupants of a resi-  
9           dence hall at Taylor University in Fort Wayne, Indi-  
10          ana to an early-morning fire. Due to the extensive  
11          amount of damage, all residents were forced to relo-  
12          cate to other rooms on campus.

13          (4) On April 26, 2005, a fire at Southern Ad-  
14          ventist University in Collegedale, Tennessee claimed  
15          the life of Kelly Weimer, a junior English major  
16          from Woodridge, Illinois. Occurring in the kitchen-  
17          ette and lounge area of Thatcher Hall, a three-story  
18          women's residence hall, the cause of the fire remains  
19          to be determined.

20          (5) On March 23, 2005, a morning fire at a  
21          George Washington University residence hall left a  
22          freshman in critical condition. According to officials,  
23          the fire most likely began around 5:00 a.m. in a  
24          room on the top floor of Thurston Hall, a nine-story  
25          building which housed 1,000 freshmen. Four rooms

1 were damaged by the fire. The building was not  
2 equipped with sprinkler systems in each room.

3 (6) According to the Center for Campus Fire  
4 Safety, a non-profit organization which compiles in-  
5 formation on campus-related fires, 99 people have  
6 been killed in student housing nationwide since Jan-  
7 uary 2000.

8 **SEC. 2. ESTABLISHMENT OF FIRE SUPPRESSION DEM-**  
9 **ONSTRATION INCENTIVE PROGRAM.**

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

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

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

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

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

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

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

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

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

23           (1) not less than 10 percent to eligible entities  
24 that are historically Black colleges and universities,

1 Hispanic-serving institutions, and tribally controlled  
2 colleges and universities; and

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

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

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

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

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

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

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

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

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

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

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

20           (i) AUTHORIZATION OF APPROPRIATIONS.—There is  
21 authorized to be appropriated to carry out this Act  
22 \$100,000,000 for each of the fiscal years 2008 through  
23 2011. At the end of fiscal year 2011, all unobligated ap-  
24 propriations authorized under this subsection shall revert  
25 to the general fund of the Treasury.

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

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

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

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