To establish the Honorable Stephanie Tubbs Jones Fire Suppression 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 SENATE OF THE UNITED STATES

OCTOBER 31, 2011

Mr. BROWN of Ohio introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish the Honorable Stephanie Tubbs Jones Fire Suppression 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 Representa-

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Honorable Stephanie Tubbs Jones College Fire Prevention Act”.

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SEC. 2. DEFINITIONS.

In this Act:

(1) APPROVED FIRE SUPPRESSION SYSTEM.—The term “approved fire suppression system” means a fire suppression system that—

(A) meets with applicable codes and standards for the jurisdiction where it is being installed, or the standards promulgated by national model code organizations such as the National Fire Protection Association or the International Code Council;

(B) ensures that the safety of students with disabilities is met; and

(C) may include—

(i) an automatic fire sprinkler system;

(ii) a fire and smoke alarm and detection system; and

(iii) a mass communication system that can be used in the event of a fire, disaster, or other emergency.

(2) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(3) SECRETARY.—The term “Secretary” means the Secretary of Education.
SEC. 3. ESTABLISHMENT OF THE HONORABLE STEPHANIE TUBBS JONES FIRE SUPPRESSION DEMONSTRATION INCENTIVE PROGRAM.

(a) GRANTS.—The Secretary, in consultation with the United States Fire Administration, shall establish a demonstration program to award grants on a competitive basis to any eligible entity for the purpose of installing approved fire suppression systems in student housing and dormitories owned or controlled by that eligible entity.

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


(2) 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 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) RESERVED AMOUNTS.—
(1) IN GENERAL.—Of the amount made available to the Secretary for grants under this section for each fiscal year, the Secretary shall award—

(A) not less than 10 percent to eligible entities that are institutions described in subsection (b)(1) that are eligible to receive assistance under part A or B of title III or title V of the Higher Education Act of 1965 (20 U.S.C. 1057 et seq.; 20 U.S.C. 1060 et seq.; 20 U.S.C. 1101 et seq.); and

(B) not less than 10 percent to eligible entities that are social fraternities and sororities described in subsection (b)(2).

(2) PLAN REQUIRED.—The Secretary shall develop a plan to inform entities described in subparagraphs (A) and (B) of paragraph (1) that such entities may be eligible to apply for grants under this section.

(3) INSUFFICIENT APPLICANTS.—If the Secretary determines that there are an insufficient number of qualified applicants to award the reserved amounts required in accordance with paragraph (1), the Secretary shall make available the remainder of such reserved amounts for use by other eligible entities.
(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 of receipt of a grant under subsection (a), the eligible entity 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) SUPPLEMENT NOT SUPPLANT.—Funds made available under this program shall be used to supplement, not supplant, other funds that would otherwise be expended to carry out fire safety activities.

(h) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 2 percent of a grant made under subsection (a) may be expended for administrative expenses with respect to the grant.

(i) 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 Congress a report that includes—

(1) the number and types of eligible entities receiving assistance under this section;
(2) the amount of assistance received under this section, the amount and source 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 any Federal, State, or local policy that presents an impediment to the development and installation of fire suppression or prevention technologies; and

(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.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act such sums as may be necessary for each of the fiscal years 2012 through 2014.
SEC. 4. 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 3.