

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Louisiana is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 9, 1999:

Claiborne Parish for Individual Assistance (already designated for Public Assistance).

De Soto Parish for Individual Assistance.

Webster Parish for Public Assistance.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program.)

Robert J. Adamcik,

Deputy Associate Director, Response and Recovery Directorate.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

Applicability of Hotel and Motel Fire Safety Act to Colleges and Universities

AGENCY: U.S. Fire Administration (FEMA).

ACTION: Notice.

SUMMARY: We (FEMA) give notice of the applicability of the Hotel and Motel Fire Safety Act to colleges and universities. Colleges and universities that hold meetings, conferences, seminars and other activities sponsored or funded in whole or part by Federal monies must comply with the fire prevention and control guidelines under the Hotel and Motel Fire Safety Act, including installation of smoke detectors, and sprinkler systems where applicable.

FOR FURTHER INFORMATION CONTACT: John Ottoson, Project Officer, Hotel and Motel Fire Safety, USFA, 16825 S. Seton Avenue, Emmitsburg, MD 21727. Inquiries may also be made by telephone (301) 447-1272, by facsimile (301) 447-1102, or by email: john.ottoson@fema.gov.

SUPPLEMENTARY INFORMATION:

Policy

Colleges and universities that hold meetings, conferences, seminars and other activities sponsored or funded in whole or part by Federal monies must comply with the fire prevention and

control guidelines under the Hotel and Motel Fire Safety Act, including installation of fire and smoke detectors, and sprinkler systems where applicable.

Background

The Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. 2225a *et seq.*, set standards for fire prevention and control in places of public accommodation affecting commerce. The Act requires federal employees on travel to stay in public accommodations that adhere to the life safety requirements in the legislation guidelines. The Act also states that federally funded meetings and conferences cannot be held in properties that do not comply with the law. These requirements include installation of hard-wired, single station smoke detectors in each guest room of each place of public accommodation, and an automatic sprinkler system in each place of public accommodation that is more than three stories in height. Properties three stories or lower in height are exempt from the sprinkler requirement.

The Act further requires each State to submit to the Director of the Federal Emergency Management Agency (FEMA) a list of places of public accommodation in the State that comply with the Act's fire safety standards. FEMA compiles, maintains, and publishes a National Master List of Fire Safe Hotels and Motels on the Internet at <http://www.fema.gov/hotel>. Under the Act a property is in compliance when it is included in the National Master List.

We list facilities when their owners or proprietors certify that they meet the requirements of the Act and send the certificate to the State Project Officer in the jurisdiction where the facility is located. When the State Project Officer approves, we add the name of the facility to the list. You can obtain forms for certification and a list of State Project Officers from Project Officer John Ottoson. (See **FOR FURTHER INFORMATION CONTACT**, above).

Applicability to Colleges and Universities

We asked the General Counsel of FEMA whether colleges and universities that hold meetings, conferences, seminars and other activities sponsored or funded in whole or part by Federal monies must comply with the fire prevention and control guidelines under the Hotel and Motel Fire Safety Act, including installation of fire and smoke detectors, and sprinkler systems where applicable. In a formal opinion the General Counsel determined that the Act applies to those circumstances.

Provisions From the Hotel and Motel Fire Safety Act

Section 6(a) of the Hotel and Motel Fire Safety Act, 15 U.S.C. 2225a provides: "no Federal funds may be used to sponsor or fund in whole or in part a meeting, convention, conference, or training seminar that is conducted in, or that otherwise uses the rooms, facilities, or services of, a place of public accommodation that does not meet the requirements of the fire prevention and control guidelines described in section 2225 of this title."

A "place of public accommodation" or "place of public accommodation affecting commerce" is defined in 15 U.S.C. 2203(7) as: "any inn, hotel, or other establishment not owned by the Federal Government that provides lodging to transient guests, except that such term does not include an establishment treated as an apartment building for purposes of any State or local law or regulation or an establishment located within a building that contains not more than 5 rooms for rent or hire and that is actually occupied as a residence by the proprietor of such establishment."

Facilities Included

The facilities would include any dormitories or other college- or university-owned buildings used to house and serve attendees at the meeting, conference, seminar, or other activity that is funded in whole or in part by Federal funds. If the college or university elects to hold such activities without Federal funding or sponsorship, the requirement of the Act would not apply. However, if the Master List does not include the facilities in accordance with the Act, the Act encourages Federal agencies not to have their employees attend or stay in such facilities.

Exceptions

The only exceptions are for: (1) facilities owned by the Federal Government; (2) facilities treated as an apartment building for purposes of any State or local law or regulation; or (3) buildings that contain not more than 5 rooms for rent or hire and are occupied as a residence by the proprietor. Neither the Act nor any part of the legislative history makes any exception to this requirement for colleges and universities.

Dated: April 19, 1999.

Carrye B. Brown,

United States Fire Administrator.

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