

110TH CONGRESS  
1ST SESSION

# S. 354

To provide for disclosure of fire safety standards and measures with respect to campus buildings, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2007

Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mr. KERRY, and Mr. BIDEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide for disclosure of fire safety standards and measures with respect to campus buildings, 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.**

4       This Act may be cited as the “Campus Fire Safety  
5       Right-to-Know Act of 2007”.

6       **SEC. 2. DISCLOSURE OF FIRE SAFETY OF CAMPUS BUILD-**  
7       **INGS.**

8       Section 485 of the Higher Education Act of 1965 (20  
9       U.S.C. 1092) is amended—

1 (1) in subsection (a)(1)—

2 (A) by striking “and” at the end of sub-  
3 paragraph (N);

4 (B) by striking the period at the end of  
5 subparagraph (O) and inserting “; and”; and

6 (C) by adding at the end the following new  
7 subparagraph:

8 “(P) the fire safety report prepared by the in-  
9 stitution pursuant to subsection (h).”; and

10 (2) by adding at the end the following new sub-  
11 section:

12 “(h) DISCLOSURE OF FIRE SAFETY STANDARDS AND  
13 MEASURES.—

14 “(1) ANNUAL FIRE SAFETY REPORTS RE-  
15 QUIRED.—Each eligible institution participating in  
16 any program under this title shall, beginning in the  
17 first academic year that begins after the date of en-  
18 actment of the Campus Fire Safety Right-to-Know  
19 Act of 2007, and each year thereafter—

20 “(A) prepare, publish, and distribute,  
21 through appropriate publications (including the  
22 Internet) or mailings, to all current students  
23 and employees, and to any applicant for enroll-  
24 ment or employment upon request, an annual  
25 fire safety report, which shall contain informa-

tion with respect to the campus fire safety practices and standards of that institution, including—

“(i) a statement that identifies each student housing facility owned or controlled by the institution, and whether each such facility is equipped with a full fire sprinkler system or other fire safety systems, fire escape planning or protocols, or both;

“(ii) statistics for each student housing facility concerning the occurrence of fires and unwanted and false alarms in each such facility, during the 2 preceding calendar years for which data are available;

“(iii) for each such occurrence in facilities described in clauses (i) and (ii), a summary of the human injuries or deaths, structural and property damage, or combination thereof;

“(iv) information regarding rules on portable electrical appliances, smoking and open flames (such as candles), regular mandatory supervised fire drills, and

planned and future improvements in fire safety; and

“(v) information about fire safety education and training provided to students, faculty, and staff; and

“(B) submit to the Secretary a copy of the statistics required to be made available under subparagraph (A)(ii).

“(2) FRATERNITIES, SORORITIES, AND OTHER STUDENT GROUPS THAT OWN, CONTROL, OR OCCUPY HOUSING FACILITIES.—

“(A) REPORTS BY ORGANIZING BODIES.—

Each institution participating in a program under this title shall, as a condition of recognizing and permitting the operation of any fraternity, sorority, or other student group that is recognized by the institution and that owns, controls, or occupies student housing facilities, require the national organizing body of such fraternity, sorority, or other student group, beginning in the first academic year that begins after the date of enactment of the Campus Fire Safety Right-to-Know Act of 2007, and each year thereafter—

1 “(i) to collect the information de-  
 2 scribed in subparagraph (A), for each  
 3 building and property that contains stu-  
 4 dent housing facilities and that is owned,  
 5 controlled, or occupied by the fraternity,  
 6 sorority, or group, respectively;

7 “(ii) beginning in the first academic  
 8 year that begins after the date of enact-  
 9 ment of the Campus Fire Safety Right-to-  
 10 Know Act of 2007, and each year there-  
 11 after, to prepare, publish, and distribute,  
 12 through appropriate publications (including  
 13 the Internet) or mailings to all current  
 14 members, and to any interested party upon  
 15 request, an annual fire safety report in ac-  
 16 cordance with subparagraph (B) of this  
 17 paragraph; and

18 “(iii) to submit to the Secretary a  
 19 copy of the statistics described in para-  
 20 graph (1)(A)(ii) and required to be col-  
 21 lected under clause (i) of this subpara-  
 22 graph.

23 “(B) CONTENTS OF ANNUAL REPORTS.—

24 The annual fire safety reports required under

1           subparagraph (A)(ii) of this paragraph shall  
2           contain the following:

3                   “(i) Information concerning fire safety  
4                   at any student housing facilities owned or  
5                   controlled by the recognized fraternity, so-  
6                   rarity, or other student group required to  
7                   be collected under subparagraph (A)(i) of  
8                   this paragraph.

9                   “(ii) A statement concerning whether  
10                  and how the recognized fraternity, sorority,  
11                  or other student group owning, controlling,  
12                  or occupying student housing facilities  
13                  works with hosting academic institutions to  
14                  make buildings and property owned or con-  
15                  trolled by such fraternities, sororities, or  
16                  student groups more fire safe.

17               “(3) CURRENT INFORMATION TO CAMPUS COM-  
18               MUNITY.—Each institution participating in any pro-  
19               gram under this title shall make, keep, and maintain  
20               a log, written in a form that can be easily under-  
21               stood, recording all on-campus fires, including the  
22               nature, date, time, and general location of each fire  
23               and all unwanted and false fire alarms. All entries  
24               that are required pursuant to this paragraph shall,  
25               except where disclosure of such information is pro-

hibited by law, be open to public inspection, and each such institution shall make annual reports to the campus community on such fires and unwanted and false fire alarms in a manner that will aid the prevention of similar occurrences.

“(4) RESPONSIBILITIES OF THE SECRETARY.—

The Secretary shall—

“(A) review the statistics submitted under paragraph (1)(B) and paragraph (2)(A)(iii);

“(B) make such statistics submitted to the Secretary available to the public; and

“(C) in coordination with nationally recognized fire organizations and representatives of institutions of higher education, identify exemplary fire safety policies, procedures, programs, and practices and disseminate information to the Administrator of the United States Fire Administration and make available to the public information concerning those policies, procedures, programs, and practices that have proven effective in the reduction of campus fires.

“(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, programs, or practices by institutions of higher edu-

1 cation with respect to fire safety, other than with re-  
 2 spect to the collection, reporting, and dissemination  
 3 of information required by this subsection.

4 “(6) DEFINITIONS.—In this subsection, the  
 5 term ‘campus’ has the meaning provided in sub-  
 6 section (f)(6).”.

7 **SEC. 3. REPORT TO CONGRESS BY SECRETARY OF EDU-**  
 8 **CATION.**

9 Not later than two years after the date of enactment  
 10 of this Act, the Secretary of Education shall prepare and  
 11 submit to Congress a report containing—

12 (1) an analysis of the status of fire safety sys-  
 13 tems in institutions of higher education (as that  
 14 term is defined in section 102 of the Higher Edu-  
 15 cation Act of 1965 (20 U.S.C. 1002)), including  
 16 sprinkler systems;

17 (2) an analysis of the appropriate fire safety  
 18 standards to apply to these facilities, which the Sec-  
 19 retary shall prepare after consultation with such fire  
 20 safety experts, representatives of institutions of  
 21 higher education, and other Federal agencies as the  
 22 Secretary, in the Secretary’s discretion, considers  
 23 appropriate;



1           (3) an estimate of the cost of bringing all non-  
2       conforming student housing facilities up to the  
3       building codes in effect at the time of the report;

4           (4) recommendations from the Secretary con-  
5       cerning the best means of meeting fire safety stand-  
6       ards in all institutions of higher education, including  
7       recommendations for methods to fund the cost de-  
8       scribed in paragraph (3); and

9           (5) examples of exemplary fire safety education  
10      and training programs at institutions of higher edu-  
11      cation and recommendations for wide adoption of  
12      similar programs among institutions of higher edu-  
13      cation.

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