

108TH CONGRESS
1ST SESSION

H. R. 2801

To establish a digital and wireless network technology program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2003

Mr. FORBES (for himself, Mr. TOWNS, Mr. ROGERS of Alabama, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WILSON of South Carolina, Mr. JOHN, Mr. VITTER, Ms. JACKSON-LEE of Texas, Mr. WELLER, Mr. SCOTT of Virginia, Mr. CANTOR, Mr. HINOJOSA, Mr. BAKER, Ms. LEE, Mr. FERGUSON, and Mr. OWENS) introduced the following bill; which was referred to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a digital and wireless network technology program, 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 “Minority Serving Insti-
5 tution Digital and Wireless Technology Opportunity Act
6 of 2003”.

1 **SEC. 2. ESTABLISHMENT OF PROGRAM.**

2 Section 5 of the Stevenson-Wydler Technology Inno-
3 vation Act of 1980 (15 U.S.C. 3704) is amended by insert-
4 ing the following after subsection (f):

5 “(g) **MINORITY SERVING INSTITUTION DIGITAL AND**
6 **WIRELESS TECHNOLOGY OPPORTUNITY PROGRAM.**—

7 “(1) **IN GENERAL.**—The Secretary, acting
8 through the Under Secretary, shall establish a Mi-
9 nority Serving Institution Digital and Wireless Tech-
10 nology Opportunity Program to assist eligible insti-
11 tutions in acquiring, and augmenting their use of,
12 digital and wireless networking technologies to im-
13 prove the quality and delivery of educational services
14 at eligible institutions.

15 “(2) **AUTHORIZED ACTIVITIES.**—An eligible in-
16 stitution may use a grant, cooperative agreement, or
17 contract awarded under this subsection—

18 “(A) to acquire equipment, instrumenta-
19 tion, networking capability, hardware and soft-
20 ware, digital network technology, wireless tech-
21 nology, and infrastructure to further the objec-
22 tive of the Program described in paragraph (1);

23 “(B) to develop and provide training, edu-
24 cation, and professional development programs,
25 including faculty development, to increase the

1 use of, and usefulness of, digital and wireless
2 networking technology;

3 “(C) to provide teacher education, includ-
4 ing the provision of preservice teacher training
5 and in-service professional development at eligi-
6 ble institutions, library and media specialist
7 training, and preschool and teacher aid certifi-
8 cation to individuals who seek to acquire or en-
9 hance technology skills in order to use digital
10 and wireless networking technology in the class-
11 room or instructional process;

12 “(D) to obtain capacity-building technical
13 assistance, including through remote technical
14 support, technical assistance workshops, and
15 distance learning services; and

16 “(E) to foster the use of digital and wire-
17 less networking technology to improve research
18 and education, including scientific, mathe-
19 matics, engineering, and technology instruction.

20 “(3) APPLICATION AND REVIEW PROCE-
21 DURES.—

22 “(A) IN GENERAL.—To be eligible to re-
23 ceive a grant, cooperative agreement, or con-
24 tract under this subsection, an eligible institu-
25 tion shall submit an application to the Under

1 Secretary at such time, in such manner, and
2 containing such information as the Under Sec-
3 retary may require. Such application, at a min-
4 imum, shall include a description of how the
5 funds will be used, including a description of
6 any digital and wireless networking technology
7 to be acquired, and a description of how the in-
8 stitution will ensure that digital and wireless
9 networking will be made accessible to, and em-
10 ployed by, students, faculty, and administra-
11 tors. The Under Secretary, consistent with sub-
12 paragraph (C) and in consultation with the ad-
13 visory council established under subparagraph
14 (B), shall establish procedures to review such
15 applications. The Under Secretary shall publish
16 the application requirements and review criteria
17 in the Federal Register, along with a statement
18 describing the availability of funds.

19 “(B) ADVISORY COUNCIL.—The Under
20 Secretary shall establish an advisory council to
21 advise the Under Secretary on the best ap-
22 proaches to encourage maximum participation
23 by eligible institutions in the program estab-
24 lished under paragraph (1), and on the proce-
25 dures to review proposals submitted to the pro-

1 gram. In selecting the members of the advisory
2 council, the Under Secretary shall consult with
3 representatives of appropriate organizations, in-
4 cluding representatives of eligible institutions,
5 to ensure that the membership of the advisory
6 council includes representatives of minority
7 businesses and eligible institution communities.
8 The Under Secretary shall also consult with ex-
9 perts in digital and wireless networking tech-
10 nology to ensure that such expertise is rep-
11 resented on the advisory council.

12 “(C) REVIEW PANELS.—Each application
13 submitted under this subsection by an eligible
14 institution shall be reviewed by a panel of indi-
15 viduals selected by the Under Secretary to
16 judge the quality and merit of the proposal, in-
17 cluding the extent to which the eligible institu-
18 tion can effectively and successfully utilize the
19 proposed grant, cooperative agreement, or con-
20 tract to carry out the program described in
21 paragraph (1). The Under Secretary shall en-
22 sure that the review panels include representa-
23 tives of minority serving institutions and others
24 who are knowledgeable about eligible institu-
25 tions and technology issues. The Under Sec-

1 retary shall ensure that no individual assigned
2 under this subsection to review any application
3 has a conflict of interest with regard to that ap-
4 plication. The Under Secretary shall take into
5 consideration the recommendations of the re-
6 view panel in determining whether to award a
7 grant, cooperative agreement, or contract to an
8 eligible institution.

9 “(D) INFORMATION DISSEMINATION.—The
10 Under Secretary shall convene an annual meet-
11 ing of eligible institutions receiving grants, co-
12 operative agreements, or contracts under this
13 subsection to foster collaboration and capacity-
14 building activities among eligible institutions.

15 “(E) MATCHING REQUIREMENT.—The
16 Under Secretary may not award a grant, coop-
17 erative agreement, or contract to an eligible in-
18 stitution under this subsection unless such in-
19 stitution agrees that, with respect to the costs
20 incurred by the institution in carrying out the
21 program for which the grant, cooperative agree-
22 ment, or contract was awarded, such institution
23 shall make available, directly, or through dona-
24 tions from public or private entities, non-Fed-
25 eral contributions in an amount equal to one-

1 quarter of the grant, cooperative agreement, or
2 contract awarded by the Under Secretary, or
3 \$500,000, whichever is the lesser amount. The
4 Under Secretary shall waive the matching re-
5 quirement for any institution or consortium
6 with no endowment, or an endowment that has
7 a current dollar value lower than \$50,000,000.

8 “(F) AWARDS.—

9 “(i) LIMITATION.—An eligible institu-
10 tion that receives a grant, cooperative
11 agreement, or contract under this sub-
12 section that exceeds \$2,500,000 shall not
13 be eligible to receive another grant, cooper-
14 ative agreement, or contract.

15 “(ii) CONSORTIA.—Grants, coopera-
16 tive agreements, and contracts may only be
17 awarded to eligible institutions. Eligible in-
18 stitutions may seek funding under this
19 subsection for consortia which may include
20 other eligible institutions, a State or a
21 State education agency, local education
22 agencies, institutions of higher education,
23 community-based organizations, national
24 nonprofit organizations, or businesses, in-
25 cluding minority businesses.

1 “(iii) PLANNING GRANTS.—The
2 Under Secretary may provide funds to de-
3 velop strategic plans to implement such
4 grants, cooperative agreements, or con-
5 tracts.

6 “(iv) INSTITUTIONAL DIVERSITY.—In
7 awarding grants, cooperative agreements,
8 and contracts to eligible institutions, the
9 Under Secretary shall ensure, to the extent
10 practicable, that awards are made to all
11 types of institutions eligible for assistance
12 under this subsection.

13 “(v) NEED.—In awarding funds
14 under this subsection, the Under Secretary
15 shall give priority to the institution with
16 the greatest demonstrated need for assist-
17 ance.

18 “(G) ANNUAL REPORT AND EVALUA-
19 TION.—

20 “(i) ANNUAL REPORT REQUIRED
21 FROM RECIPIENTS.—Each institution that
22 receives a grant, cooperative agreement, or
23 contract awarded under this subsection
24 shall provide an annual report to the

1 Under Secretary on its use of the grant,
2 cooperative agreement, or contract.

3 “(ii) INDEPENDENT ASSESSMENT.—

4 Not later than 6 months after the date of
5 enactment of this subsection, the Under
6 Secretary shall enter into a contract with
7 the National Academy of Public Adminis-
8 tration to conduct periodic assessments of
9 the program. The Assessments shall be
10 conducted once every 3 years during the
11 10-year period following the enactment of
12 this subsection. The assessments shall in-
13 clude an evaluation of the effectiveness of
14 the program in improving the education
15 and training of students, faculty and staff
16 at eligible institutions that have been
17 awarded grants, cooperative agreements, or
18 contracts under the program; an evaluation
19 of the effectiveness of the program in im-
20 proving access to, and familiarity with, dig-
21 ital and wireless networking technology for
22 students, faculty, and staff at all eligible
23 institutions; an evaluation of the proce-
24 dures established under paragraph (3)(A);
25 and recommendations for improving the

1 program, including recommendations con-
2 cerning the continuing need for Federal
3 support. In carrying out its assessments,
4 the National Academy of Public Adminis-
5 tration shall review the reports submitted
6 to the Under Secretary under clause (i).

7 “(iii) REPORT TO CONGRESS.—Upon
8 completion of each independent assessment
9 carried out under clause (ii), the Under
10 Secretary shall transmit the assessment to
11 Congress along with a summary of the
12 Under Secretary’s plans, if any, to imple-
13 ment the recommendations of the National
14 Academy of Public Administration.

15 “(H) DEFINITIONS.—In this subsection:

16 “(i) DIGITAL AND WIRELESS NET-
17 WORKING TECHNOLOGY.—The term ‘dig-
18 ital and wireless networking technology’
19 means computer and communications
20 equipment and software that facilitates the
21 transmission of information in a digital
22 format.

23 “(ii) ELIGIBLE INSTITUTION.—The
24 term ‘eligible institution’ means an institu-
25 tion that is—

1 “(I) a historically Black college
2 or university that is a part B institu-
3 tion, as defined in section 322(2) of
4 the Higher Education Act of 1965 (20
5 U.S.C. 1061(2)), an institution de-
6 scribed in section 326(e)(1)(A), (B),
7 or (C) of that Act (20 U.S.C.
8 1063b(e)(1)(A), (B), or (C)), or a
9 consortium of institutions described in
10 this subparagraph;

11 “(II) a Hispanic-serving institu-
12 tion, as defined in section 502(a)(5)
13 of the Higher Education Act of 1965
14 (20 U.S.C. 1101a(a)(5));

15 “(III) a tribally controlled college
16 or university, as defined in section
17 316(b)(3) of the Higher Education
18 Act of 1965 (20 U.S.C. 1059c(b)(3));

19 “(IV) an Alaska Native-serving
20 institution under section 317(b) of the
21 Higher Education Act of 1965 (20
22 U.S.C. 1059d(b));

23 “(V) a Native Hawaiian-serving
24 institution under section 317(b) of the

1 Higher Education Act of 1965 (20
2 U.S.C. 1059d(b)); or

3 “(VI) an institution of higher
4 education (as defined in section 365
5 of the Higher Education Act of 1965
6 (20 U.S.C. 1067k)) with an enroll-
7 ment of needy students (as defined in
8 section 312(d) of the Higher Edu-
9 cation Act of 1965 (20 U.S.C.
10 1058(d)).

11 “(iii) INSTITUTION OF HIGHER EDU-
12 CATION.—The term ‘institution of higher
13 education’ has the meaning given the term
14 in section 101 of the Higher Education
15 Act of 1965 (20 U.S.C. 1001).

16 “(iv) LOCAL EDUCATIONAL AGEN-
17 CY.—The term ‘local educational agency’
18 has the meaning given the term in section
19 9101 of the Elementary and Secondary
20 Education Act of 1965 (20 U.S.C. 7801).

21 “(v) MINORITY BUSINESS.—The term
22 ‘minority business’ includes HUBZone
23 small business concerns (as defined in sec-
24 tion 3(p) of the Small Business Act (15
25 U.S.C. 632(p)).

1 “(vi) MINORITY INDIVIDUAL.—The
2 term ‘minority individual’ means an Amer-
3 ican Indian, Alaskan Native, Black (not of
4 Hispanic origin), Hispanic (including per-
5 sons of Mexican, Puerto Rican, Cuban and
6 Central or South American origin), or Pa-
7 cific Islander individual.

8 “(vii) STATE.—The term ‘State’ has
9 the meaning given the term in section
10 9101 of the Elementary and Secondary
11 Education Act of 1965 (20 U.S.C. 7801).

12 “(viii) STATE EDUCATIONAL AGEN-
13 CY.—The term ‘State educational agency’
14 has the meaning given the term in section
15 9101 of the Elementary and Secondary
16 Education Act of 1965 (20 U.S.C.
17 7801).”.

18 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to the Tech-
20 nology Administration of the Department of Commerce to
21 carry out section 5(g) of the Stevenson-Wydler Technology
22 Innovation Act of 1980—

- 23 (1) \$250,000,000 for fiscal year 2004;
24 (2) \$250,000,000 for fiscal year 2005;
25 (3) \$250,000,000 for fiscal year 2006;

- 1 (4) \$250,000,000 for fiscal year 2007; and
- 2 (5) \$250,000,000 for fiscal year 2008.

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