

Calendar No. 487

107TH CONGRESS
2^D SESSION

S. 414

[Report No. 107-207]

To amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2001

Mr. CLELAND (for himself, Mr. HOLLINGS, Mr. STEVENS, Mr. INOUE, Mr. BREAUX, Mr. MILLER, Mr. REID, Mr. KERRY, Mr. JOHNSON, Ms. MIKULSKI, Mr. AKAKA, Mrs. CARNAHAN, Ms. LANDRIEU, Mr. ALLEN, Mrs. BOXER, Mr. EDWARDS, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JULY 9, 2002

Reported by Mr. HOLLINGS, with amendments

[Omit the part struck through and insert the part printed in italics]

A BILL

To amend the National Telecommunications and Information Administration Organization Act to establish a digital 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “NTIA Digital Network
3 Technology Program Act”.

4 **SEC. 2. ESTABLISHMENT OF PROGRAM.**

5 ~~The~~ *Title I of the* National Telecommunications and
6 Information Administration Organization Act (47 U.S.C.
7 901 et seq.) is amended by adding at the end the fol-
8 lowing:

9 “PART D—DIGITAL NETWORK TECHNOLOGY
10 PROGRAM

11 **“SEC. 171. PROGRAM AUTHORIZED.**

12 “The Secretary shall establish, within the NTIA’s
13 Technology Opportunities Program a digital network tech-
14 nologies program to strengthen the ~~capacity~~ *ability* of eli-
15 gible institutions to provide *capacity for* instruction in dig-
16 ital network technologies by providing grants to, or exe-
17 cuting contracts or cooperative agreements with, those in-
18 stitutions to provide such instruction.

19 **“SEC. 172. ACTIVITIES SUPPORTED.**

20 “An eligible institution shall use a grant, contract,
21 or cooperative agreement awarded under this part—

22 “(1) to acquire the equipment, instrumentation,
23 networking capability, hardware and software, dig-
24 ital network technology, and ~~infrastructure necessary~~
25 ~~to teach students and teachers about technology in~~
26 ~~the classroom;~~ *infrastructure;*

1 “(2) to develop and provide educational serv-
2 ices, including faculty development, to prepare stu-
3 dents or faculty seeking a degree or certificate that
4 is approved by the State, or a regional accrediting
5 body recognized by the Secretary of Education;

6 “(3) to provide teacher education, library and
7 media specialist training, and preschool and teacher
8 aid certification to individuals who seek to acquire or
9 enhance technology skills in order to use technology
10 in the classroom or instructional process;

11 “(4) *to* implement a joint project to provide
12 education regarding technology in the classroom
13 with a State or State education agency, local edu-
14 cation agency, community-based organization, na-
15 tional non-profit organization, or business, including
16 minority business or a business located in HUB
17 zones, as defined by the Small Business Administra-
18 tion; or

19 “(5) *to* provide ~~leadership development to ad-~~
20 ~~ministrators, board members, and professional devel-~~
21 ~~opment to administrators and~~ faculty of eligible in-
22 stitutions with institutional responsibility for tech-
23 nology education.

1 **“SEC. 173. APPLICATION AND REVIEW PROCEDURE.**

2 “(a) IN GENERAL.—To be eligible to receive a grant,
3 contract, or cooperative agreement under this part, an eli-
4 gible institution shall submit an application to the Sec-
5 retary at such time, in such manner, and accompanied by
6 such information as the Secretary may reasonably require.
7 The Secretary, in consultation with the panel described
8 in subsection (b), shall establish a procedure by which to
9 accept such applications and publish an announcement of
10 such procedure, including a statement regarding the avail-
11 ability of funds, in the Federal Register.

12 “(b) PEER REVIEW PANEL.—The Secretary shall es-
13 tablish a peer review panel to aid the Secretary in estab-
14 lishing the application procedure described in subsection
15 (a) and selecting applicants to receive grants, contracts,
16 and cooperative agreements under section 171. In select-
17 ing the members for such panel, the Secretary may consult
18 with appropriate cabinet-level officials, representatives of
19 non-Federal organizations, and representatives of eligible
20 institutions to ensure that the membership of such panel
21 reflects membership of the minority higher education com-
22 munity, including Federal agency personnel and other in-
23 dividuals who are knowledgeable about issues regarding
24 minority education institutions.

1 **“SEC. 174. MATCHING REQUIREMENT.**

2 “The Secretary may not award a grant, contract, or
3 cooperative agreement to an eligible institution under this
4 part unless such institution agrees that, with respect to
5 the costs to be incurred by the institution in carrying out
6 the program for which the grant, contract, or cooperative
7 agreement was awarded, such institution will make avail-
8 able (directly or through donations from public or private
9 entities) non-Federal contributions in an amount equal to
10 $\frac{1}{4}$ of the amount of the grant, contract, or cooperative
11 agreement awarded by the Secretary, or \$500,000, which-
12 ever is the lesser amount. The Secretary shall waive the
13 matching requirement for any institution or consortium
14 with no endowment, or an endowment that has a current
15 dollar value lower than \$50,000,000.

16 **“SEC. 175. LIMITATION.**

17 “An eligible institution that receives a grant, con-
18 tract, or cooperative agreement under this part that ex-
19 ceeds \$2,500,000, shall not be eligible to receive another
20 grant, contract, or cooperative agreement under this part
21 until every other eligible institution has received a grant,
22 contract, or cooperative agreement under this part.

23 **“SEC. 176. ANNUAL REPORT AND EVALUATION.**

24 “(a) ANNUAL REPORT REQUIRED FROM RECIPI-
25 ENTS.—Each institution that receives a grant, contract,
26 or cooperative agreement under this part shall provide an

1 annual report to the Secretary on its use of the grant,
2 contract, or cooperative agreement.

3 “(b) EVALUATION BY SECRETARY.—The Secretary,
4 in consultation with the Secretary of Education, shall—

5 “(1) review the reports provided under sub-
6 section (a) each year;

7 “(2) evaluate the program authorized by section
8 171 on the basis of those reports; and

9 “(3) conduct a ~~final~~ *an* evaluation at the end of
10 the third year.

11 “(c) CONTENTS OF EVALUATION.—The Secretary, in
12 the evaluation, shall describe the activities undertaken by
13 those institutions and shall assess the short-range and
14 long-range impact of activities carried out under the
15 grant, contract, or cooperative agreement on the students,
16 faculty, and staff of the institutions.

17 “(d) REPORT TO CONGRESS.—The Secretary shall
18 submit a report to the Congress based on the ~~final~~ evalua-
19 tion within 1 year after conducting the ~~final~~ evaluation.
20 In the report, the Secretary shall include such rec-
21 ommendations, including recommendations concerning the
22 continuing need for Federal support of the program, as
23 may be appropriate.”.

1 **SEC. 3. DEFINITIONS.**

2 Section 102(a) of the National Telecommunications
3 and Information Administration Organization Act (47
4 U.S.C. 901(a)) is amended by adding at the end the fol-
5 lowing:

6 “(6) ~~ELIGIBLE INSTITUTION DEFINED.~~—The
7 term ‘eligible institution’ means an institution that
8 is—

9 “(A) a historically Black college or univer-
10 sity that is a part B institution, as defined in
11 section 322(2) of the Higher Education Act of
12 1965 (20 U.S.C. 1061(2)), an institution de-
13 scribed in section 326(e)(1)(A), (B), or (C) of
14 that Act (20 U.S.C. 1063b(e)(1)(A), (B), or
15 (C)), or a consortium of institutions described
16 in this subparagraph;

17 “(B) a Hispanic-serving institution, as de-
18 fined in section 502(a)(5) of the Higher Edu-
19 cation Act of 1965 (20 U.S.C. 1101a(a)(5));

20 “(C) a tribally controlled college or univer-
21 sity, as defined in section 316(b)(3) of the
22 Higher Education Act of 1965 (20 U.S.C.
23 1059c(b)(3));

24 “(D) an Alaska Native-serving institution
25 under section 317(b) of the Higher Education
26 Act of 1965 (20 U.S.C. 1059d(b));

1 “(E) a Native Hawaiian-serving institution
 2 under section 317(b) of the Higher Education
 3 Act of 1965 (20 U.S.C. 1059d(b)); or

4 “(F) an institution determined by the Sec-
 5 retary, in consultation with the Secretary of
 6 Education, to have enrolled a substantial num-
 7 ber of minority, low-income students during the
 8 previous academic year who received assistance
 9 under subpart I of part A of title IV of the
 10 Higher Education Act of 1965 (20 U.S.C.
 11 1070a et seq.) for that year.”.

12 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated to the Sec-
 14 retary of Commerce not more than \$250,000,000 for ~~fiscal~~
 15 ~~year 2002~~, and such ~~sums as may be necessary for fiscal~~
 16 ~~years 2003 through 2007~~, *the 5-fiscal-year period begin-*
 17 ~~ning with fiscal year 2003~~ to carry out part D of the Na-
 18 tional Telecommunications and Information Administra-
 19 tion Organization Act.

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