

108TH CONGRESS  
1ST SESSION

# H. R. 2801

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

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## 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

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## 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

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-

gram. In selecting the members of the advisory council, the Under Secretary shall consult with representatives of appropriate organizations, including representatives of eligible institutions, to ensure that the membership of the advisory council includes representatives of minority businesses and eligible institution communities.

The Under Secretary shall also consult with experts in digital and wireless networking technology to ensure that such expertise is represented on the advisory council.

“(C) REVIEW PANELS.—Each application submitted under this subsection by an eligible institution shall be reviewed by a panel of individuals selected by the Under Secretary to judge the quality and merit of the proposal, including the extent to which the eligible institution can effectively and successfully utilize the proposed grant, cooperative agreement, or contract to carry out the program described in paragraph (1). The Under Secretary shall ensure that the review panels include representatives of minority serving institutions and others who are knowledgeable about eligible institutions and technology issues. The Under Sec-

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.

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, coopera-  
14       tive 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                             “(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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