

108TH CONGRESS  
1ST SESSION

# S. 196

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## AN ACT

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 OFFICE.**

2 (a) IN GENERAL.—There is established within the  
3 National Science Foundation an Office of Minority Serv-  
4 ing Institution Digital and Wireless Technology to carry  
5 out the provisions of this Act.

6 (b) PURPOSE.—The Office shall—

7 (1) strengthen the ability of eligible institutions  
8 to provide capacity for instruction in digital and  
9 wireless network technologies by providing grants to,  
10 or executing contracts or cooperative agreements  
11 with, those institutions to provide such instruction;  
12 and

13 (2) strengthen the national digital and wireless  
14 infrastructure by increasing national investment in  
15 telecommunications and technology infrastructure at  
16 eligible institutions.

17 **SEC. 3. ACTIVITIES SUPPORTED.**

18 An eligible institution shall use a grant, contract, or  
19 cooperative agreement awarded under this Act—

20 (1) to acquire the equipment, instrumentation,  
21 networking capability, hardware and software, dig-  
22 ital network technology, wireless technology, and in-  
23 frastructure;

24 (2) to develop and provide educational services,  
25 including faculty development, related to science,  
26 mathematics, engineering, or technology;

1           (3) to provide teacher education, library and  
 2           media specialist training, and preschool and teacher  
 3           aid certification to individuals who seek to acquire or  
 4           enhance technology skills in order to use technology  
 5           in the classroom or instructional process;

6           (4) to implement joint projects and consortia to  
 7           provide education regarding technology in the class-  
 8           room with a State or State education agency, local  
 9           education agency, community-based organization,  
 10          national non-profit organization, or business, includ-  
 11          ing minority businesses;

12          (5) to provide professional development in  
 13          science, mathematics, engineering, or technology to  
 14          administrators and faculty of eligible institutions  
 15          with institutional responsibility for technology edu-  
 16          cation;

17          (6) to provide capacity-building technical assist-  
 18          ance to eligible institutions through remote technical  
 19          support, technical assistance workshops, distance  
 20          learning, new technologies, and other technological  
 21          applications;

22          (7) to foster the use of information communica-  
 23          tions technology to increase scientific, mathematical,  
 24          engineering, and technology instruction and re-  
 25          search; and

1           (8) to develop proposals to be submitted under  
2           this Act and to develop strategic plans for informa-  
3           tion technology investments.

4   **SEC. 4. APPLICATION AND REVIEW PROCEDURE.**

5           (a) IN GENERAL.—To be eligible to receive a grant,  
6           contract, or cooperative agreement under this Act, an eli-  
7           gible institution shall submit an application to the Direc-  
8           tor at such time, in such manner, and accompanied by  
9           such information as the Director may reasonably require.  
10          The Director, in consultation with the advisory council es-  
11          tablished under subsection (b), shall establish a procedure  
12          by which to accept and review such applications and pub-  
13          lish an announcement of such procedure, including a state-  
14          ment regarding the availability of funds, in the Federal  
15          Register.

16          (b) ADVISORY COUNCIL.—The Director shall estab-  
17          lish an advisory council to advise the Director on the best  
18          approaches for involving eligible institutions in the activi-  
19          ties described in section 3, and for reviewing and evalu-  
20          ating proposals submitted to the program. In selecting the  
21          members of the advisory council, the Director may consult  
22          with representatives of appropriate organizations, includ-  
23          ing representatives of eligible institutions, to ensure that  
24          the membership of the advisory council reflects participa-  
25          tion by technology and telecommunications institutions,

1 minority businesses, eligible institution communities, Fed-  
 2 eral agency personnel, and other individuals who are  
 3 knowledgeable about eligible institutions and technology  
 4 issues. Any panel assembled to review a proposal sub-  
 5 mitted to the program shall include members from minor-  
 6 ity serving institutions. Program review criteria shall in-  
 7 clude consideration of—

8 (1) demonstrated need for assistance under this  
 9 Act; and

10 (2) diversity among the types of institutions re-  
 11 ceiving assistance under this Act.

12 (c) DATA COLLECTION.—An eligible institution that  
 13 receives a grant, contract, or cooperative agreement under  
 14 section 2 shall provide the Office with any relevant institu-  
 15 tional statistical or demographic data requested by the Of-  
 16 fice.

17 (d) INFORMATION DISSEMINATION.—The Director  
 18 shall convene an annual meeting of eligible institutions re-  
 19 ceiving grants, contracts, or cooperative agreements under  
 20 section 2 for the purposes of—

21 (1) fostering collaboration and capacity-building  
 22 activities among eligible institutions; and

23 (2) disseminating information and ideas gen-  
 24 erated by such meetings.

1 **SEC. 5. MATCHING REQUIREMENT.**

2       The Director may not award a grant, contract, or co-  
 3 operative agreement to an eligible institution under this  
 4 Act unless such institution agrees that, with respect to the  
 5 costs to be incurred by the institution in carrying out the  
 6 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 Director, or \$500,000, which-  
 12 ever is the lesser amount. The Director 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. 6. LIMITATIONS.**

17       (a) IN GENERAL.—An eligible institution that re-  
 18 ceives a grant, contract, or cooperative agreement under  
 19 this Act that exceeds \$2,500,000, shall not be eligible to  
 20 receive another grant, contract, or cooperative agreement  
 21 under this Act until every other eligible institution that  
 22 has applied for a grant, contract, or cooperative agreement  
 23 under this Act has received such a grant, contract, or co-  
 24 operative.

25       (b) AWARDS ADMINISTERED BY ELIGIBLE INSTITU-  
 26 TION.—Each grant, contract, or cooperative agreement

1 awarded under this Act shall be made to, and adminis-  
 2 tered by, an eligible institution, even when it is awarded  
 3 for the implementation of a consortium or joint project.

4 **SEC. 7. ANNUAL REPORT AND EVALUATION.**

5 (a) ANNUAL REPORT REQUIRED FROM RECIPI-  
 6 ENTS.—Each institution that receives a grant, contract,  
 7 or cooperative agreement under this Act shall provide an  
 8 annual report to the Director on its use of the grant, con-  
 9 tract, or cooperative agreement.

10 (b) EVALUATION BY DIRECTOR.—The Director, in  
 11 consultation with the Secretary of Education, shall—

12 (1) review the reports provided under sub-  
 13 section (a) each year; and

14 (2) evaluate the program authorized by section  
 15 3 on the basis of those reports every 2 years.

16 (c) CONTENTS OF EVALUATION.—The Director, in  
 17 the evaluation, shall describe the activities undertaken by  
 18 those institutions and shall assess the short-range and  
 19 long-range impact of activities carried out under the  
 20 grant, contract, or cooperative agreement on the students,  
 21 faculty, and staff of the institutions.

22 (d) REPORT TO CONGRESS.—The Director shall sub-  
 23 mit a report to the Congress based on the evaluation. In  
 24 the report, the Director shall include such recommenda-  
 25 tions, including recommendations concerning the con-

1 tinuing need for Federal support of the program, as may  
 2 be appropriate.

3 **SEC. 8. DEFINITIONS.**

4 In this Act:

5 (1) **ELIGIBLE INSTITUTION.**—The term “eligi-  
 6 ble institution” means an institution that is—

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

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

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

22 (D) an Alaska Native-serving institution  
 23 under section 317(b) of the Higher Education  
 24 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 Direc-  
 5 tor, in consultation with the Secretary of Edu-  
 6 cation, to have enrolled a substantial number of  
 7 minority, low-income students during the pre-  
 8 vious 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 (2) DIRECTOR.—The term “Director” means  
 13 the Director of the National Science Foundation.

14 (3) MINORITY BUSINESS.—The term “minority  
 15 business” includes HUBZone small business con-  
 16 cerns (as defined in section 3(p) of the Small Busi-  
 17 ness Act (15 U.S.C. 632(p)).

18 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to the Direc-  
 20 tor of the National Science Foundation \$250,000,000 for

- 1 each of the fiscal years 2004 through 2008 to carry out
- 2 this Act.

Passed the Senate April 30, 2003.

Attest:

*Secretary.*

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