

Calendar No. 60108TH CONGRESS
1ST SESSION**S. 196****[Report No. 108-34]**

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

IN THE SENATE OF THE UNITED STATES

JANUARY 17, 2003

Mr. ALLEN (for himself, Mr. MCCAIN, Mr. STEVENS, Mr. HOLLINGS, Mr. MILLER, Mr. WARNER, Mr. DEWINE, Mr. GRASSLEY, Mr. COCHRAN, Mr. SESSIONS, Mr. GRAHAM of South Carolina, Mrs. HUTCHISON, Mr. SANTORUM, Mr. CAMPBELL, Mr. LOTT, Mr. FITZGERALD, Mr. TALENT, Mr. DOMENICI, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

APRIL 7, 2003

Reported by Mr. MCCAIN, with amendments

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

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Digital and Wireless
3 Network Technology Program Act of 2003”.

4 **SEC. 2. ESTABLISHMENT OF OFFICE.**

5 (a) IN GENERAL.—There is established within the
6 National Science Foundation an Office of Digital and
7 Wireless Network Technology to carry out the provisions
8 of this Act.

9 (b) PURPOSE.—The Office shall—

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

16 (2) strengthen the national digital and wireless
17 infrastructure by increasing national investment in
18 telecommunications and technology infrastructure at
19 eligible institutions.

20 **SEC. 3. ACTIVITIES SUPPORTED.**

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

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

1 (2) to develop and provide educational services,
2 including faculty development, to prepare students
3 or faculty seeking a degree or certificate that is ap-
4 proved by the State, or a regional accrediting body
5 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 joint projects and consortia to
12 provide education regarding technology in the class-
13 room with a State or State education agency, local
14 education agency, community-based organization,
15 national non-profit organization, or business, includ-
16 ing minority businesses;

17 (5) to provide leadership development to admin-
18 istrators, board members, *professional development to*
19 *administrators* and faculty of eligible institutions
20 with institutional responsibility for technology edu-
21 cation;

22 (6) to provide capacity-building technical assist-
23 ance to eligible institutions through *remote technical*
24 *support*, technical assistance workshops, distance

1 learning, new technologies, and other technological
2 applications; ~~and~~

3 (7) to foster the use of information communica-
4 tions technology to increase scientific, mathematical,
5 engineering, and technology instruction and re-
6 ~~search.~~ *research; and*

7 (8) *to develop proposals to be submitted under*
8 *this Act and to develop strategic plans for informa-*
9 *tion technology investments.*

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

11 (a) IN GENERAL.—To be eligible to receive a grant,
12 contract, or cooperative agreement under this Act, an eli-
13 gible institution shall submit an application to the Direc-
14 tor at such time, in such manner, and accompanied by
15 such information as the Director may reasonably require.
16 The Director, in consultation with the advisory council es-
17 tablished under subsection (b), shall establish a procedure
18 by which to accept such applications and publish an an-
19 nouncement of such procedure, including a statement re-
20 garding the availability of funds, in the Federal Register.

21 (b) ADVISORY COUNCIL.—The Director shall estab-
22 lish an advisory council to advise the Director on the best
23 approaches for involving eligible institutions in the activi-
24 ties described in section 3. In selecting the members of
25 the advisory council, the Director may consult with rep-

1 representatives of appropriate organizations, including rep-
2 resentatives of eligible institutions, to ensure that the
3 membership of the advisory council reflects participation
4 by technology and telecommunications institutions, minor-
5 ity businesses, eligible institution communities, Federal
6 agency personnel, and other individuals who are knowl-
7 edgeable about eligible institutions and technology issues.

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

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

17 (1) fostering collaboration and capacity-building
18 activities among eligible institutions; and

19 (2) disseminating information and ideas gen-
20 erated by such meetings.

21 **SEC. 5. MATCHING REQUIREMENT.**

22 The Director may not award a grant, contract, or co-
23 operative agreement to an eligible institution under this
24 Act unless such institution agrees that, with respect to the
25 costs to be incurred by the institution in carrying out the

1 program for which the grant, contract, or cooperative
2 agreement was awarded, such institution will make avail-
3 able (directly or through donations from public or private
4 entities) non-Federal contributions in an amount equal to
5 $\frac{1}{4}$ of the amount of the grant, contract, or cooperative
6 agreement awarded by the Director, or \$500,000, which-
7 ever is the lesser amount. The Director shall waive the
8 matching requirement for any institution or consortium
9 with no endowment, or an endowment that has a current
10 dollar value lower than \$50,000,000.

11 **SEC. 6. LIMITATIONS.**

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

20 (b) AWARDS ADMINISTERED BY ELIGIBLE INSTITU-
21 TION.—Each grant, contract, or cooperative agreement
22 awarded under this Act shall be made to, and adminis-
23 tered by, an eligible institution, even when it is awarded
24 for the implementation of a consortium or joint project.

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

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

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

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

11 (2) evaluate the program authorized by section
12 3 on the basis of those reports every 2 years.

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

19 (d) REPORT TO CONGRESS.—The Director shall sub-
20 mit a report to the Congress based on the evaluation. In
21 the report, the Director shall include such recommenda-
22 tions, including recommendations concerning the con-
23 tinuing need for Federal support of the program, as may
24 be appropriate.

25 **SEC. 8. DEFINITIONS.**

26 In this Act:

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

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

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

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

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

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

24 (F) an institution determined by the Direc-
25 tor, in consultation with the Secretary of Edu-

1 cation, to have enrolled a substantial number of
2 minority, low-income students during the pre-
3 vious academic year who received assistance
4 under subpart I of part A of title IV of the
5 Higher Education Act of 1965 (20 U.S.C.
6 1070a et seq.) for that year.

7 (2) DIRECTOR.—The term “Director” means
8 the Director of the National Science Foundation.

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

13 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to the Direc-
15 tor of the National Science Foundation \$250,000,000 for
16 each of the fiscal years 2004 through 2008 to carry out
17 this Act.

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