109TH CONGRESS
1ST SESSION

S. 432

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 2005".

SEC. 2. ESTABLISHMENT OF OFFICE.

(a) IN GENERAL.—There is established within the National Science Foundation an Office of Minority Serving Institution Digital and Wireless Technology to carry out the provisions of this Act.

(b) PURPOSE.—The Office shall—

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

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

SEC. 3. ACTIVITIES SUPPORTED.

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

(1) to acquire equipment, instrumentation, networking capability, hardware and software, digital network technology, wireless technology, and infrastructure;

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

3

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.

SEC. 5. MATCHING REQUIREMENT.

The Director may not award a grant, contract, or co-operative agreement to an eligible institution under this Act unless such institution agrees that, with respect to the costs to be incurred by the institution in carrying out the program for which the grant, contract, or cooperative agreement was awarded, such institution will make available (directly or through donations from public or private entities) non-Federal contributions in an amount equal to 25 percent of the amount of the grant, contract, or cooperative agreement awarded by the Director, or $500,000, whichever is the lesser amount. The Director shall waive the matching requirement for any institution or consortium with no endowment, or an endowment that has a current dollar value lower than $50,000,000.

SEC. 6. LIMITATIONS.

(a) IN GENERAL.—An eligible institution that receives a grant, contract, or cooperative agreement under this Act that exceeds $2,500,000, shall not be eligible to receive another grant, contract, or cooperative agreement under this Act until every other eligible institution that has applied for a grant, contract, or cooperative agreement under this Act has received such a grant, contract, or cooperative.

(b) AWARDS ADMINISTERED BY ELIGIBLE INSTITU-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.

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.

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));

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 2006 through 2010 to carry out
17 this Act.

Passed the Senate July 1, 2005.

Attest:

Secretary.

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