

110TH CONGRESS  
1ST SESSION

# H. R. 694

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2007

Mr. TOWNS (for himself, Mr. FORBES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GORDON of Tennessee, Mr. PAYNE, Mr. SCOTT of Virginia, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, and Mrs. DRAKE) introduced the following bill; which was referred to the Committee on Science and Technology, and in addition to the Committee on Education and Labor, 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 2007”.

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, including instruc-  
12 tion in science, mathematics, engineering, and  
13 technology subjects;

14 “(D) to obtain capacity-building technical  
15 assistance, including through remote technical  
16 support, technical assistance workshops, and  
17 distance learning services; and

18 “(E) to foster the use of digital and wire-  
19 less networking technology to improve research  
20 and education, including scientific, mathe-  
21 matics, engineering, and technology instruction.

22 “(3) APPLICATION AND REVIEW PROCE-  
23 DURES.—

24 “(A) IN GENERAL.—To be eligible to re-  
25 ceive a grant, cooperative agreement, or con-

1           tract under this subsection, an eligible institu-  
2           tion shall submit an application to the Under  
3           Secretary at such time, in such manner, and  
4           containing such information as the Under Sec-  
5           retary may require. Such application, at a min-  
6           imum, shall include a description of how the  
7           funds will be used, including a description of  
8           any digital and wireless networking technology  
9           to be acquired, and a description of how the in-  
10          stitution will ensure that digital and wireless  
11          networking will be made accessible to, and em-  
12          ployed by, students, faculty, and administra-  
13          tors. The Under Secretary, consistent with sub-  
14          paragraph (C) and in consultation with the ad-  
15          visory council established under subparagraph  
16          (B), shall establish procedures to review such  
17          applications. The Under Secretary shall publish  
18          the application requirements and review criteria  
19          in the Federal Register, along with a statement  
20          describing the availability of funds.

21                 “(B) ADVISORY COUNCIL.—The Under  
22          Secretary shall establish an advisory council to  
23          advise the Under Secretary on the best ap-  
24          proaches to encourage maximum participation  
25          by eligible institutions in the program estab-

1           lished under paragraph (1), and on the proce-  
2           dures to review proposals submitted to the pro-  
3           gram. In selecting the members of the advisory  
4           council, the Under Secretary shall consult with  
5           representatives of appropriate organizations, in-  
6           cluding representatives of eligible institutions,  
7           to ensure that the membership of the advisory  
8           council includes representatives of minority  
9           businesses and eligible institution communities.  
10          The Under Secretary shall also consult with ex-  
11          perts in digital and wireless networking tech-  
12          nology to ensure that such expertise is rep-  
13          resented on the advisory council.

14                 “(C) REVIEW PANELS.—Each application  
15          submitted under this subsection by an eligible  
16          institution shall be reviewed by a panel of indi-  
17          viduals selected by the Under Secretary to  
18          judge the quality and merit of the proposal, in-  
19          cluding the extent to which the eligible institu-  
20          tion can effectively and successfully utilize the  
21          proposed grant, cooperative agreement, or con-  
22          tract to carry out the program described in  
23          paragraph (1). The Under Secretary shall en-  
24          sure that the review panels include representa-  
25          tives of minority serving institutions and others

1 who are knowledgeable about eligible institu-  
2 tions and technology issues. The Under Sec-  
3 retary shall ensure that no individual assigned  
4 under this subsection to review any application  
5 has a conflict of interest with regard to that ap-  
6 plication. The Under Secretary shall take into  
7 consideration the recommendations of the re-  
8 view panel in determining whether to award a  
9 grant, cooperative agreement, or contract to an  
10 eligible institution.

11 “(D) INFORMATION DISSEMINATION.—The  
12 Under Secretary shall convene an annual meet-  
13 ing of eligible institutions receiving grants, co-  
14 operative agreements, or contracts under this  
15 subsection to foster collaboration and capacity-  
16 building activities among eligible institutions.

17 “(E) MATCHING REQUIREMENT.—The  
18 Under Secretary may not award a grant, coop-  
19 erative agreement, or contract to an eligible in-  
20 stitution under this subsection unless such in-  
21 stitution agrees that, with respect to the costs  
22 incurred by the institution in carrying out the  
23 program for which the grant, cooperative agree-  
24 ment, or contract was awarded, such institution  
25 shall make available, directly, or through dona-

1 tions from public or private entities, non-Fed-  
2 eral contributions in an amount equal to one-  
3 quarter of the grant, cooperative agreement, or  
4 contract awarded by the Under Secretary, or  
5 \$500,000, whichever is the lesser amount. The  
6 Under Secretary shall waive the matching re-  
7 quirement for any institution or consortium  
8 with no endowment, or an endowment that has  
9 a current dollar value lower than \$50,000,000.

10 “(F) AWARDS.—

11 “(i) LIMITATION.—An eligible institu-  
12 tion that receives a grant, cooperative  
13 agreement, or contract under this sub-  
14 section that exceeds \$2,500,000 shall not  
15 be eligible to receive another grant, cooper-  
16 ative agreement, or contract.

17 “(ii) CONSORTIA.—Grants, coopera-  
18 tive agreements, and contracts may only be  
19 awarded to eligible institutions. Eligible in-  
20 stitutions may seek funding under this  
21 subsection for consortia which may include  
22 other eligible institutions, a State or a  
23 State education agency, local education  
24 agencies, institutions of higher education,  
25 community-based organizations, national

1 nonprofit organizations, or businesses, in-  
2 cluding minority businesses.

3 “(iii) PLANNING GRANTS.—The  
4 Under Secretary may provide funds to de-  
5 velop strategic plans to implement such  
6 grants, cooperative agreements, or con-  
7 tracts.

8 “(iv) INSTITUTIONAL DIVERSITY.—In  
9 awarding grants, cooperative agreements,  
10 and contracts to eligible institutions, the  
11 Under Secretary shall ensure, to the extent  
12 practicable, that awards are made to all  
13 types of institutions eligible for assistance  
14 under this subsection.

15 “(v) NEED.—In awarding funds  
16 under this subsection, the Under Secretary  
17 shall give priority to the institution with  
18 the greatest demonstrated need for assist-  
19 ance.

20 “(G) ANNUAL REPORT AND EVALUA-  
21 TION.—

22 “(i) ANNUAL REPORT REQUIRED  
23 FROM RECIPIENTS.—Each institution that  
24 receives a grant, cooperative agreement, or  
25 contract awarded under this subsection



1 shall provide an annual report to the  
2 Under Secretary on its use of the grant,  
3 cooperative agreement, or contract.

4 “(ii) INDEPENDENT ASSESSMENT.—

5 Not later than 6 months after the date of  
6 enactment of this subsection, the Under  
7 Secretary shall enter into a contract with  
8 the National Academy of Public Adminis-  
9 tration to conduct periodic assessments of  
10 the program. The Assessments shall be  
11 conducted once every 3 years during the  
12 10-year period following the enactment of  
13 this subsection. The assessments shall in-  
14 clude an evaluation of the effectiveness of  
15 the program in improving the education  
16 and training of students, faculty and staff  
17 at eligible institutions that have been  
18 awarded grants, cooperative agreements, or  
19 contracts under the program; an evaluation  
20 of the effectiveness of the program in im-  
21 proving access to, and familiarity with, dig-  
22 ital and wireless networking technology for  
23 students, faculty, and staff at all eligible  
24 institutions; an evaluation of the proce-  
25 dures established under paragraph (3)(A);

1 and recommendations for improving the  
2 program, including recommendations con-  
3 cerning the continuing need for Federal  
4 support. In carrying out its assessments,  
5 the National Academy of Public Adminis-  
6 tration shall review the reports submitted  
7 to the Under Secretary under clause (i).

8 “(iii) REPORT TO CONGRESS.—Upon  
9 completion of each independent assessment  
10 carried out under clause (ii), the Under  
11 Secretary shall transmit the assessment to  
12 Congress along with a summary of the  
13 Under Secretary’s plans, if any, to imple-  
14 ment the recommendations of the National  
15 Academy of Public Administration.

16 “(H) DEFINITIONS.—In this subsection:

17 “(i) DIGITAL AND WIRELESS NET-  
18 WORKING TECHNOLOGY.—The term ‘dig-  
19 ital and wireless networking technology’  
20 means computer and communications  
21 equipment and software that facilitates the  
22 transmission of information in a digital  
23 format.

1           “(ii) ELIGIBLE INSTITUTION.—The  
2 term ‘eligible institution’ means an institu-  
3 tion that is—

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

14           “(II) a Hispanic-serving institu-  
15 tion, as defined in section 502(a)(5)  
16 of the Higher Education Act of 1965  
17 (20 U.S.C. 1101a(a)(5));

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

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

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

5                   “(VI) an institution of higher  
6                   education (as defined in section 365  
7                   of the Higher Education Act of 1965  
8                   (20 U.S.C. 1067k)) with an enroll-  
9                   ment of needy students (as defined in  
10                  section 312(d) of the Higher Edu-  
11                  cation Act of 1965 (20 U.S.C.  
12                  1058(d)).

13                  “(iii) INSTITUTION OF HIGHER EDU-  
14                  CATION.—The term ‘institution of higher  
15                  education’ has the meaning given the term  
16                  in section 101 of the Higher Education  
17                  Act of 1965 (20 U.S.C. 1001).

18                  “(iv) LOCAL EDUCATIONAL AGEN-  
19                  CY.—The term ‘local educational agency’  
20                  has the meaning given the term in section  
21                  9101 of the Elementary and Secondary  
22                  Education Act of 1965 (20 U.S.C. 7801).

23                  “(v) MINORITY BUSINESS.—The term  
24                  ‘minority business’ includes HUBZone  
25                  small business concerns (as defined in sec-

1                   tion 3(p) of the Small Business Act (15  
2                   U.S.C. 632(p)).

3                   “(vi) MINORITY INDIVIDUAL.—The  
4                   term ‘minority individual’ means an Amer-  
5                   ican Indian, Alaskan Native, Black (not of  
6                   Hispanic origin), Hispanic (including per-  
7                   sons of Mexican, Puerto Rican, Cuban and  
8                   Central or South American origin), or Pa-  
9                   cific Islander individual.

10                   “(vii) STATE.—The term ‘State’ has  
11                   the meaning given the term in section  
12                   9101 of the Elementary and Secondary  
13                   Education Act of 1965 (20 U.S.C. 7801).

14                   “(viii) STATE EDUCATIONAL AGEN-  
15                   CY.—The term ‘State educational agency’  
16                   has the meaning given the term in section  
17                   9101 of the Elementary and Secondary  
18                   Education Act of 1965 (20 U.S.C.  
19                   7801).”.

20 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

21                   There are authorized to be appropriated to the Tech-  
22                   nology Administration of the Department of Commerce to  
23                   carry out section 5(g) of the Stevenson-Wydler Technology  
24                   Innovation Act of 1980—

25                   (1) \$250,000,000 for fiscal year 2008; and

- 1           (2) such sums as may be necessary for each of
- 2           the fiscal years 2009 through 2012.

○