

Calendar No. 557

110TH CONGRESS
2D SESSION

S. 1650

[Report No. 110-257]

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

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2007

Mr. KERRY (for himself, Mr. WARNER, Mr. PRYOR, Mr. SMITH, Mr. WEBB, Mrs. BOXER, Mr. LOTT, and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JUNE 21, 2007

Committee discharged; referred to the Committee on Commerce, Science, and Transportation

JANUARY 8, 2008

Reported under authority of the order of the Senate of December 19, 2007, by Mr. INOUE, 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 “Max Cleland Minority
3 Serving Institution Digital and Wireless Technology Op-
4 portunity Act”.

5 **SEC. 2. ESTABLISHMENT OF OFFICE.**

6 (a) IN GENERAL.—There is established within the
7 ~~National Science Foundation~~ *Department of Commerce* an
8 Office of Minority Serving Institution Digital and Wireless
9 Technology to carry out the provisions of this Act.

10 (b) PURPOSE.—The Office shall—

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

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

21 **SEC. 3. ACTIVITIES SUPPORTED.**

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

24 (1) to acquire equipment, instrumentation, net-
25 working capability, hardware and software, digital

1 network technology, wireless technology, and infra-
2 structure;

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

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 professional development in
18 science, mathematics, engineering, or technology 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;

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; 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~~ *Secretary* at such time, in such manner, and accom-
15 panied by such information as the ~~Director~~ *Secretary* may
16 reasonably require. The ~~Director~~, *Secretary*, in consulta-
17 tion with the advisory council established under subsection
18 (b), shall establish a procedure by which to accept and
19 review such applications and publish an announcement of
20 such procedure, including a statement regarding the avail-
21 ability of funds, in the Federal Register.

22 (b) ADVISORY COUNCIL.—The ~~Director~~ *Secretary*
23 shall establish an advisory council to advise the ~~Director~~
24 *Secretary* on the best approaches for involving eligible in-
25 stitutions in the activities described in section 3, and for

1 reviewing and evaluating proposals submitted to the pro-
2 gram. In selecting the members of the advisory council,
3 the ~~Director~~ *Secretary* may consult with representatives
4 of appropriate organizations, including representatives of
5 eligible institutions, to ensure that the membership of the
6 advisory council reflects participation by technology and
7 telecommunications institutions, minority businesses, eligi-
8 ble institution communities, Federal agency personnel,
9 and other individuals who are knowledgeable about eligible
10 institutions and technology issues. Any panel assembled
11 to review a proposal submitted to the program shall in-
12 clude members from minority serving institutions. Pro-
13 gram review criteria shall include consideration of—

14 (1) demonstrated need for assistance under this
15 Act; and

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

18 (c) DATA COLLECTION.—An eligible institution that
19 receives a grant, contract, or cooperative agreement under
20 section 2 shall provide the Office with any relevant institu-
21 tional statistical or demographic data requested by the Of-
22 fice.

23 (d) INFORMATION DISSEMINATION.—The ~~Director~~
24 *Secretary* shall convene an annual meeting of eligible insti-

1 tutions receiving grants, contracts, or cooperative agree-
 2 ments under section 2 for the purposes of—

3 (1) fostering collaboration and capacity-building
 4 activities among eligible institutions; and

5 (2) disseminating information and ideas gen-
 6 erated by such meetings.

7 **SEC. 5. MATCHING REQUIREMENT.**

8 The ~~Director~~ *Secretary* may not award a grant, con-
 9 tract, or cooperative agreement to an eligible institution
 10 under this Act unless such institution agrees that, with
 11 respect to the costs to be incurred by the institution in
 12 carrying out the program for which the grant, contract,
 13 or cooperative agreement was awarded, such institution
 14 will make available (directly or through donations from
 15 public or private entities) non-Federal contributions in an
 16 amount equal to 25 percent of the amount of the grant,
 17 contract, or cooperative agreement awarded by the ~~Diree-~~
 18 ~~tor~~, *Secretary*, or \$500,000, whichever is the lesser
 19 amount. The ~~Director~~ *Secretary* shall waive the matching
 20 requirement for any institution or consortium with no en-
 21 dowment, or an endowment that has a current dollar value
 22 lower than \$50,000,000.

23 **SEC. 6. LIMITATIONS.**

24 (a) IN GENERAL.—An eligible institution that re-
 25 ceives a grant, contract, or cooperative agreement under

1 this Act that exceeds \$2,500,000, shall not be eligible to
 2 receive another grant, contract, or cooperative agreement
 3 under this Act until every other eligible institution that
 4 has applied for a grant, contract, or cooperative agreement
 5 under this Act has received such a grant, contract, or co-
 6 operative.

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

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

13 (a) ANNUAL REPORT REQUIRED FROM RECIPI-
 14 ENTS.—Each institution that receives a grant, contract,
 15 or cooperative agreement under this Act shall provide an
 16 annual report to the ~~Director~~ *Secretary* on its use of the
 17 grant, contract, or cooperative agreement.

18 (b) EVALUATION BY ~~DIRECTOR~~ *SECRETARY*.—The
 19 ~~Director~~, *Secretary*, in consultation with the Secretary of
 20 Education, shall—

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

23 (2) evaluate the program authorized by section
 24 3 on the basis of those reports every 2 years.

1 (c) CONTENTS OF EVALUATION.—The ~~Director~~, *Sec-*
2 *retary*, in the evaluation, shall describe the activities un-
3 dertaken by those institutions and shall assess the short-
4 range and long-range impact of activities carried out
5 under the grant, contract, or cooperative agreement on the
6 students, faculty, and staff of the institutions.

7 (d) REPORT TO CONGRESS.—The ~~Director~~ *Secretary*
8 shall submit a report to the Congress based on the evalua-
9 tion. In the report, the ~~Director~~ *Secretary* shall include
10 such recommendations, including recommendations con-
11 cerning the continuing need for Federal support of the
12 program, as may be appropriate.

13 **SEC. 8. DEFINITIONS.**

14 In this Act:

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

17 (A) a historically Black college or univer-
18 sity that is a part B institution, as defined in
19 section 322(2) of the Higher Education Act of
20 1965 (20 U.S.C. 1061(2));

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

24 (C) a tribally controlled college or univer-
25 sity, as defined in section 316(b)(3) of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1059c(b)(3));

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

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

9 (F) an institution determined by the ~~Direc-~~
10 ~~tor~~, *Secretary*, in consultation with the Sec-
11 retary of Education, to have enrolled a substan-
12 tial number of minority, low-income students
13 during the previous academic year who received
14 assistance under subpart I of part A of title IV
15 of the Higher Education Act of 1965 (20
16 U.S.C. 1070a et seq.) for that year.

17 ~~(2) DIRECTOR.—The term “Director” means~~
18 ~~the Director of the National Science Foundation.~~

19 ~~(2) SECRETARY.—The term “Secretary” means~~
20 ~~the Secretary of Commerce or the Secretary’s designee.~~

21 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to the ~~Direc-~~
23 ~~tor~~ of the National Science Foundation *Secretary*
24 \$250,000,000 for each of the fiscal years 2008 through
25 2012 to carry out this Act.

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