

table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 432) was read the third time and passed, as follows:

S. 432

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Minority Serving Institution Digital and Wireless Technology Opportunity Act 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) to provide teacher education, library and media specialist training, and preschool and teacher aid certification to individuals who seek to acquire or enhance technology skills in order to use technology in the classroom or instructional process;

(4) to implement joint projects and consortia to provide education regarding technology in the classroom with a State or State education agency, local education agency, community-based organization, national non-profit organization, or business, including minority businesses;

(5) to provide professional development in science, mathematics, engineering, or technology to administrators and faculty of eligible institutions with institutional responsibility for technology education;

(6) to provide capacity-building technical assistance to eligible institutions through remote technical support, technical assistance workshops, distance learning, new technologies, and other technological applications;

(7) to foster the use of information communications technology to increase scientific, mathematical, engineering, and technology instruction and research; and

(8) to develop proposals to be submitted under this Act and to develop strategic plans for information technology investments.

SEC. 4. APPLICATION AND REVIEW PROCEDURE.

(a) IN GENERAL.—To be eligible to receive a grant, contract, or cooperative agreement under this Act, an eligible institution shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require. The Director, in consultation with the advisory council established under subsection (b), shall establish a

procedure by which to accept and review such applications and publish an announcement of such procedure, including a statement regarding the availability of funds, in the Federal Register.

(b) ADVISORY COUNCIL.—The Director shall establish an advisory council to advise the Director on the best approaches for involving eligible institutions in the activities described in section 3, and for reviewing and evaluating proposals submitted to the program. In selecting the members of the advisory council, the Director may consult with representatives of appropriate organizations, including representatives of eligible institutions, to ensure that the membership of the advisory council reflects participation by technology and telecommunications institutions, minority businesses, eligible institution communities, Federal agency personnel, and other individuals who are knowledgeable about eligible institutions and technology issues. Any panel assembled to review a proposal submitted to the program shall include members from minority serving institutions. Program review criteria shall include consideration of—

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

(2) diversity among the types of institutions receiving assistance under this Act.

(c) DATA COLLECTION.—An eligible institution that receives a grant, contract, or cooperative agreement under section 2 shall provide the Office with any relevant institutional statistical or demographic data requested by the Office.

(d) INFORMATION DISSEMINATION.—The Director shall convene an annual meeting of eligible institutions receiving grants, contracts, or cooperative agreements under section 2 for the purposes of—

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

(2) disseminating information and ideas generated by such meetings.

SEC. 5. MATCHING REQUIREMENT.

The Director may not award a grant, contract, or cooperative 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 agreement.

(b) AWARDS ADMINISTERED BY ELIGIBLE INSTITUTION.—Each grant, contract, or cooperative agreement awarded under this Act shall be made to, and administered by, an eligible institution, even when it is awarded for the implementation of a consortium or joint project.

SEC. 7. ANNUAL REPORT AND EVALUATION.

(a) ANNUAL REPORT REQUIRED FROM RECIPIENTS.—Each institution that receives a

grant, contract, or cooperative agreement under this Act shall provide an annual report to the Director on its use of the grant, contract, or cooperative agreement.

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

(1) review the reports provided under subsection (a) each year; and

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

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

(d) REPORT TO CONGRESS.—The Director shall submit a report to the Congress based on the evaluation. In the report, the Director shall include such recommendations, including recommendations concerning the continuing need for Federal support of the program, as may be appropriate.

SEC. 8. DEFINITIONS.

In this Act:

(1) ELIGIBLE INSTITUTION.—The term "eligible institution" means an institution that is—

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

(B) a Hispanic-serving institution, as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

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

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

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

(F) an institution determined by the Director, in consultation with the Secretary of Education, to have enrolled a substantial number of minority, low-income students during the previous academic year who received assistance under subpart I of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) for that year.

(2) DIRECTOR.—The term "Director" means the Director of the National Science Foundation.

(3) MINORITY BUSINESS.—The term "minority business" includes HUBZone small business concerns (as defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p))).

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Director of the National Science Foundation \$250,000,000 for each of the fiscal years 2006 through 2010 to carry out this Act.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order of April 7, 2005, with respect to S. 295 be amended so that the Senate proceed to S. 295 no later than the end of the first session of the 109th Congress, with all other provisions of the agreement remaining constant.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. To reiterate the comments of April 7, the proponents of this legislation have agreed they will

withhold offering amendments in committee or on the Senate floor on the subject matter for the duration of this session of Congress as part of the understanding. That, of course, is related to the Chinese currency issue.

APPOINTMENT CORRECTION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the February 17, 2005, appointment of Senator KYL as majority cochair of the Senate National Security Working Group for the 109th Congress be vitiated with respect to his being cochair but that he remain on the commission as a member.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORIZATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader, majority whip, and senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS AUTHORIZATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES SANDRA DAY O'CONNOR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 191, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will please report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 191) honoring Associate Justice of the Supreme Court of the United States Sandra Day O'Connor.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 191) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 191

Whereas, for nearly a quarter century, Justice Sandra Day O'Connor honorably served as a fair and impartial Justice on the Supreme Court of the United States;

Whereas Sandra Day O'Connor, the daughter of Harry and Ada Mae, was born in El Paso, Texas, and was raised by her family on a cattle ranch in southeastern Arizona;

Whereas Sandra Day O'Connor began an academic journey at Stanford University, earning a bachelor's degree in economics and graduating magna cum laude;

Whereas Sandra Day O'Connor continued her education at Stanford University, by enrolling in the Stanford Law School, where she served on the Board of Editors of the law review;

Whereas, graduating in just 2 years from Stanford Law School, Sandra Day O'Connor managed to finish third in an impressive class, which included her future Supreme Court of the United States colleague Chief Justice William H. Rehnquist;

Whereas Sandra Day O'Connor married her great love, John Jay O'Connor III, in 1952;

Whereas Sandra Day O'Connor began a legal career as the Deputy County Attorney of San Mateo, California;

Whereas, when John Jay O'Connor III was drafted into the JAG Corps in 1953, the young couple moved to Frankfurt, Germany, where Sandra Day O'Connor worked as a civilian attorney for Quartermaster Market Center;

Whereas, after 4 years in Europe, Sandra Day O'Connor returned to Maryvale, Arizona, where she began a legal practice and raised 3 sons, Scott, Brian, and Jay;

Whereas in 1965, Sandra Day O'Connor began service in State government as the Assistant Attorney General for Arizona;

Whereas Sandra Day O'Connor was later appointed to the Arizona State Senate and then re-elected twice more by the people of Arizona;

Whereas Sandra Day O'Connor served as majority leader of the Arizona State Senate, and was the first woman to hold such an office in any State;

Whereas in 1975, Sandra Day O'Connor was elected Judge of Maricopa County Superior Court and served in such capacity until 1979;

Whereas President Ronald Reagan appointed Sandra Day O'Connor to serve as Associate Justice of the Supreme Court of the United States;

Whereas, on September 21, 1981, the Senate unanimously confirmed the nomination of Sandra Day O'Connor to the Supreme Court of the United States, and she became the first female Justice in the Court's history;

Whereas, since September 25th, 1981, Justice Sandra Day O'Connor has served with distinction on the Supreme Court of the United States;

Whereas Sandra Day O'Connor has served as an example to all the people of the United States, demonstrating that through persistence and hard work anything is possible;

Whereas, throughout her tenure on the Supreme Court of the United States, Sandra Day O'Connor has not lost sight of her values and has not wavered from her well-grounded views;

Whereas President Ronald Reagan, on the date he appointed Sandra Day O'Connor to the Supreme Court of the United States, said, "[s]he is truly a 'person for all seasons', possessing those unique qualities of temperament, fairness, intellectual capacity and devotion to the public good which have characterized the 101 'brethren' who have preceded her";

Whereas now, more than 23 years later, the comments President Reagan made about Sandra Day O'Connor still ring true;

Whereas when Sandra Day O'Connor took the oath of office as Associate Justice, she pledged to uphold the Constitution, and has since then proven a steadfast commitment to the rule of law;

Whereas the wisdom, intellect, respect for others, and humility of Sandra Day O'Connor have allowed her to become well-respected among her colleagues, including those with opposing judicial philosophies;

Whereas Sandra Day O'Connor is an independent thinker and has made great contributions in many substantive areas of the law;

Whereas Sandra Day O'Connor embodies the ideal qualities of a judge, including fairness, impartiality, and open-mindedness;

Whereas, a true public servant, Sandra Day O'Connor has proudly served the United States for 4 decades as an Arizona State Senator and majority leader, State court judge, an Assistant Attorney General for Arizona, and for more than 23 years as an Associate Justice on the Supreme Court of the United States;

Whereas through her experiences, Justice Sandra Day O'Connor has brought a unique perspective and understanding of checks and balances to the Supreme Court of the United States; and

Whereas, Sandra Day O'Connor, a brilliant jurist and a compassionate woman, has earned a place in history as the first woman to serve on the Supreme Court of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Associate Justice of the Supreme Court of the United States Sandra Day O'Connor as a great American, a lifelong public servant, a brilliant legal scholar, a superb jurist, and the first woman ever to serve as an Associate Justice on the Supreme Court of the United States; and

(2) pays tribute to Sandra Day O'Connor, Associate Justice of the Supreme Court of the United States, for 4 decades of distinguished service to the nation.

ORDERS FOR MONDAY, JULY 11, 2005

Mr. McCONNELL. Now, in closing, Mr. President, I ask unanimous consent that when the Senate completes its business today, the Senate stand in adjournment until 1 p.m. on Monday, July 11. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then begin a period of morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each; provided further that at 2 p.m. the Senate begin consideration of the Homeland Security appropriations bill as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. So, Mr. President, for the information of all our colleagues, we will return for business on Monday, July 11, following the Fourth of July recess. Upon our return, we will