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International Education Programs in the Higher Education Act

August 28, 2020

Congressional Research Service

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R46508



R46508

August 28, 2020

Jeffrey J. Kuenzi
Specialist in Education
Policy

International Education Programs in the Higher Education Act

The Higher Education Act of 1965 (HEA; P.L. 89-329) authorizes numerous federal aid programs that provide support to both individuals pursuing a postsecondary education and institutions of higher education (IHEs). Title VI of the HEA authorizes programs and funding for the U.S. Department of Education (ED) to award grants in support of international and foreign language studies. The purpose of the Title VI programs is to build the nation's cultural and foreign language capacity, particularly in less commonly taught languages (LCTL), through grants to IHEs. More broadly, these programs intend to develop Americans' ability to understand and interact with people from other societies, to improve diplomacy and global cooperation, and to help U.S. companies compete in international business.

Part A of Title VI authorizes the following seven programs:

- National Resource Centers (NRC);
- Foreign Language and Area Studies (FLAS) Fellowships;
- Language Resource Centers (LRC);
- Undergraduate International Studies and Foreign Language (UISFL) program;
- International Research and Studies (IRS);
- Technological Innovation and Cooperation for Foreign Information Access (TICFIA) program; and
- American Overseas Research Centers (AORC).

Part B of Title VI authorizes two programs, the Centers for International Business Education (CIBE) and the Business and International Education (BIE) Projects program. Part C authorizes the Institute for International Public Policy (IIPP).

The NRC and FLAS Fellowships are the oldest programs (initially authorized in the National Defense Education Act of 1958) and have always received the bulk of Title VI funding. In FY2020, these two programs received over 75% of Title VI funds: \$23.163 million and \$31.090 million, respectively.

Title VI was last comprehensively reauthorized, along with the rest of the HEA, in 2008 by the Higher Education Opportunity Act of 2008 (HEOA; P.L. 110-315). In recent years, Congress has taken action to reauthorize Title VI. During the 115th Congress, the House Committee on Education and the Workforce reported the PROSPER Act (H.R. 4508); and in the 116th Congress, the House Committee on Education and Labor ordered to be reported the College Affordability Act (H.R. 4674). Issues raised by these bills include (1) whether Title VI program grantees present a balance of viewpoints, (2) whether current reporting requirements adequately reveal gifts grantees receive from foreign sources, and (3) whether currently authorized programs should be eliminated and/or consolidated.

Contents

Introduction	1
International Education Programs in the HEA	1
National Resource Centers	4
Foreign Language and Area Studies Fellowships	6
Language Resource Centers	7
Undergraduate International Studies and Foreign Language Program.....	8
International Research and Studies Programs	9
Technological Innovation and Cooperation for Foreign Information Access.....	9
American Overseas Research Centers	9
Business and International Education Programs.....	11
Institute for International Public Policy	11
General Provisions.....	12
Issues for Possible HEA Reauthorization	12
Balance of Viewpoints.....	13
Reporting of Foreign Gifts	13
Program Elimination/Consolidation	14

Figures

Figure 1. HEA Title VI Appropriations, FY1990-FY2020.....	2
Figure 2. Foreign Language Area Studies Fellowships, by World Area or Country Studied: FY2016.....	7
Figure 3. Projects Conducted with Language Resource Center Support, by Project Type: FY2015-FY2018.....	8

Tables

Table 1. HEA Title VI Allocations by Program, Selected Years.....	3
Table 2. National Resource Centers, by World Region	5

Contacts

Author Information	14
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Introduction

The Higher Education Act of 1965 (HEA; P.L. 89-329) authorizes numerous federal aid programs that provide support to both individuals pursuing a postsecondary education and institutions of higher education (IHEs). Title VI of the HEA authorizes programs and funding for the U.S. Department of Education (ED) to award grants in support of international and foreign language studies. ED's International and Foreign Language Education (IFLE) office administers these programs.

The purpose of the Title VI programs is to build the nation's cultural and foreign language capacity, particularly in *less commonly taught languages* (LCTL), through grants to IHEs. More broadly, these programs intend to develop Americans' ability to understand and interact with people from other societies, to improve diplomacy and global cooperation, and to help U.S. companies compete in international business.

Title VI of the HEA was last comprehensively reauthorized in 2008 by the Higher Education Opportunity Act of 2008 (HEOA; P.L. 110-315). Although funding authority for these programs expired in FY2015¹, Congress has continued funding them under a variety of appropriations legislation and continuing resolutions; most recently under the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (P.L. 115-245).

This report provides a brief description of each Title VI program and presents policy issues that may arise as Congress considers reauthorization of the HEA.² These issues may include (1) whether Title VI program grantees present a balance of viewpoints, (2) whether current reporting requirements adequately reveal gifts grantees receive from foreign sources, and (3) whether currently authorized programs should be eliminated and/or consolidated.

International Education Programs in the HEA

The major Title VI programs in current law were included in the original enactment of the HEA in 1965 (P.L. 89-329), though some of the program names have changed and activities have been amended. The two largest current programs (both in terms of funding and awards) were originally authorized even earlier, in the National Defense Education Act (NDEA) of 1958 (P.L. 85-864).

Figure 1 displays appropriations for Title VI programs from 1990 to 2020 in total and as a share of total postsecondary education discretionary appropriations (i.e., the total ED on-budget appropriations, excluding K-12 appropriations and mandatory spending for programs such as Pell Grants and the student loan programs). In nominal dollars, the peak of Title VI funding occurred in FY2010 at \$110.305 million; however, as a share of postsecondary discretionary spending, the peak was in FY1996 when Title VI accounted for 0.69% of such spending.

In constant 2019 dollars, Title VI appropriations were \$49.780 million in FY1990, grew steadily to \$120.074 million in FY2003, dipped slightly, and then peaked at \$126.237 million in FY2010. Funding saw a cut the following year (\$77.403 million in FY2011) and has declined slightly since

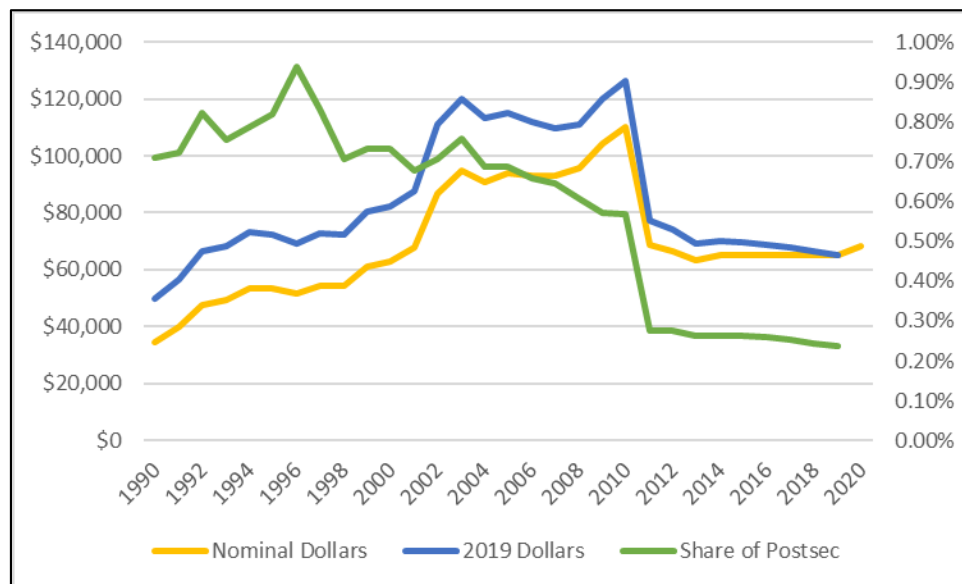
¹ The HEOA authorized Title VI programs at such sums as necessary for FY2009 and for each of the five succeeding fiscal years. This authority was extended for an additional year, through FY2015, under the General Education Provisions Act (GEPA).

² Other international education and cultural exchange programs not authorized in the HEA (such as those in the Fulbright-Hays Act) are not included in this report.

that time. In FY2020, \$68.103 million was appropriated for Title VI, less than 0.25% of the amount appropriated for ED postsecondary discretionary programs.

Figure I. HEA Title VI Appropriations, FY1990-FY2020

In thousands of dollars, and as a share of total ED postsecondary discretionary funding



Source: CRS calculations using data from ED's Budget Service.

Notes: Excludes supplemental 2009 appropriations made through ARRA.

Part A of Title VI authorizes the following seven programs:

- National Resource Centers (NRC);
- Foreign Language and Area Studies (FLAS) Fellowships;
- Language Resource Centers (LRC);
- Undergraduate International Studies and Foreign Language (UISFL) program;
- International Research and Studies (IRS);
- Technological Innovation and Cooperation for Foreign Information Access (TICFIA) program; and
- American Overseas Research Centers (AORC).

The NRC and FLAS Fellowship programs were the two original international education programs, and were authorized by the NDEA. These programs were included in the initial passage of the HEA in 1965 along with the LRC and IRS programs. The UISFL, TICFIA, and AORC programs were added to Part A under the 1992 HEA amendments (P.L. 102-325).

Part B of Title VI authorizes two programs, the Centers for International Business Education (CIBE) and the Business and International Education (BIE) Projects program. The Part B programs were established in 1988 as part of the Omnibus Foreign Trade and Competitiveness Act (P.L. 100-418). Part C authorizes the Institute for International Public Policy (IIPP), which was first authorized through the 1992 HEA amendments (P.L. 102-325).

Table 1 shows the history of Title VI funding by program in five-year increments from FY1990 to FY2020. Appropriations provide a single amount, and the Secretary of Education (Secretary)

allocates the funding to the individual programs. The NRC and FLAS Fellowships received over 75% of Title VI funds in FY2020: \$23.163 million and \$31.090 million, respectively. These programs have always received the bulk of Title VI funding. In the last decade or so, funding for FLAS Fellowships has outpaced NRC appropriations. This coincides with the decrease in funding after FY2010 and a corresponding drop in the number of awards granted.

Table 1. HEA Title VI Allocations by Program, Selected Years

Thousands of nominal dollars, and number of awards

	FY1990	FY1995	FY2000	FY2005	FY2010	FY2015	FY2020
NRC	\$11,621 (94)	\$19,040 (119)	\$21,340 (110)	\$28,715 (120)	\$34,041 (127)	\$22,743 (105)	\$23,163 (98)
FLAS Fellowships	9,400 n.a.	13,397 (127)	15,090 (130)	28,204 (124)	35,400 (126)	30,399 (108)	31,090 (110)
LRC	800 (2)	2,400 (6)	2,984 (9)	4,850 (14)	5,022 (15)	2,746 (15)	2,912 (17)
UISFL	–	3,907 (31)	4,350 (59)	4,490 (60)	4,634 (53)	2,928 (31)	3,563 (34)
IRS	2,714 (42)	2,771 (15)	3,975 (32)	5,893 (43)	6,509 (41)	0	1,000 (9)
TICFIA	–	0	1,086 (8)	1,700 (10)	2,108 (13)	0	0
AORC	–	500 (9)	700 (11)	1,000 (12)	1,197 (11)	650 (10)	1,000 (15)
CIBE	4,708 (16)	6,810 (13)	8,100 (28)	10,700 (30)	12,757 (33)	4,751 (16)	4,871 (16)
BIE	2,515 (36)	3,355 (22)	4,125 (50)	4,491 (59)	4,526 (53)	0	0
IIPP	–	1,000 (1)	1,002 (1)	1,616 (1)	1,945 (1)	0	0
Total	\$31,758 n.a.	\$53,180 (343)	\$62,752 (438)	\$91,659 (473)	\$108,139 (473)	\$64,217 (285)	\$67,599 (299)

Source: U.S. Department of Education, Budget Service, Congressional Budget Justifications, various years.

Notes: Total excludes funds for administrative costs (e.g., program evaluation and peer review). “n.a.” indicates data are unavailable, “–” indicates program not authorized. Acronyms in table indicate the following programs: National Resource Centers (NRC), Foreign Language and Area Studies (FLAS) Fellowships, Language Resource Centers (LRC), Undergraduate International Studies and Foreign Language (UISFL) program, International Research and Studies (IRS), Technological Innovation and Cooperation for Foreign Information Access (TICFIA) program, American Overseas Research Centers (AORC), Centers for International Business Education (CIBE), Business and International Education (BIE) Projects, and Institute for International Public Policy (IIPP).

Section 601 of the HEA states that the purposes of these programs are to

- support centers, programs, and fellowships at U.S. IHEs that provide training and conduct research in foreign languages, area studies, and other international studies; to develop a pool of international experts that meet national needs; to develop and validate materials and techniques for foreign language acquisition, and to promote access to research and training overseas;
- promote access to and the dissemination of international and foreign language knowledge, teaching materials, and research, throughout education, government, business, civic, and nonprofit sectors through the use of advanced technologies; and
- coordinate the programs of the federal government in the areas of foreign language, area studies, and other international studies, including professional international affairs education and research.

Title VI provisions require the Secretary to consult with and receive recommendations from the head officials of a wide range of federal agencies regarding national need for expertise in foreign languages and world regions. The Secretary must assist Title VI grantees in developing and administering surveys to students who have completed programs to determine postgraduate employment, education, and training.

National Resource Centers

HEA Section 602(a) authorizes the National Language and Area Centers and Programs (commonly called the National Resource Centers, or NRC). Considered the flagship program among the international education programs authorized in the HEA, the NRC program awards four-year competitive grants to U.S. IHEs or consortia of such institutions to establish and maintain an infrastructure for providing area/international studies and modern foreign language instruction. This infrastructure enables NRC-affiliated faculty to gain the teaching, research, and experiential expertise necessary to develop curricula and give students a full understanding of areas, regions, or countries of the world. According to the National Research Council, NRC faculty are widely recognized for the instructional materials they develop on world regions, innovative K-16 and public outreach, breadth and depth of interdisciplinary courses, and the variety of world languages and levels of instruction they offer.³

Authorized NRC activities include support for

- language instruction, particularly in LCTL;
- programs for visiting scholars and faculty to conduct research or participate in conferences or workshops;
- library collections and related training and research facilities;
- advanced research on issues in world affairs that concern one or more countries;
- linkages between IHEs and other academic, governmental, and media entities;
- summer institutes in the United States or abroad;
- outreach and consultative services at the national, regional, and local levels;
- faculty, staff, and student travel in foreign areas, regions, or countries;

³ National Research Council, *International Education and Foreign Languages: Keys to Securing America's Future*, (Washington, DC: The National Academies Press, 2007), <https://doi.org/10.17226/11841>.

- development and implementation of educational programs abroad; and
- projects that help students in science, technology, engineering, and mathematics (STEM) fields achieve foreign language proficiency.

Priority for NRC grants goes to programs that offer instruction in LCTL. This feature of the program has resulted in NRCs presently accounting for a large percentage of overall national enrollments in LCTL coursework.⁴ According to the National Research Council, “languages offered only at NRC institutions included such significant languages as Kazakh, Bengali, Bulgarian, Malay, Slovak, and Uzbek. NRCs help sustain the capacity to teach a wide variety of languages, far beyond those deemed critical at a given moment.”⁵

The Secretary may award additional grants to NRCs for the maintenance of library collections and for outreach activities that serve to promote linkages to two-year institutions, other IHEs offering area and language studies, state education agencies, news media, business, and trade associations.

Until the last decade or so, the NRC had long received the largest share of Title VI funding. In FY2020, the NRC was allocated \$23.163 million; just over one-third of the total Title VI appropriation for that year. The IFLE conducts a competition every four years to select NRC grantees. IHEs submit applications that describe the quality of their area studies and language instructional programs and how they propose to meet any announced NRC priorities.

Ninety-six NRC awards were granted during the most recent cycle (FY2018-FY2021). **Table 2** displays the recipients of these awards by world region. The largest share of NRC funds during the first year of this cycle (\$3,588,482 in FY2018) went to 15 centers focusing on East Asia. These four-year awards range from \$189,021 to \$268,810 annually, with continuation dependent on the achievement of substantial progress toward program goals.

Table 2. National Resource Centers, by World Region
FY2018–2021 grant cycle

World Region or Thematic Focus	NRCs Funded	FY2018 Total	Range of Awards ^a
Africa	10	\$2,365,500	\$210,000–\$260,000
Canada	2	\$425,000	\$180,000–\$245,000
East Asia	15	\$3,588,482	\$189,021–\$268,810
International ^b	7	\$1,652,000	\$229,000–\$248,000
Latin America	16	\$3,482,017	\$200,000–\$238,000
Middle East	14	\$3,400,800	\$220,000–\$260,000
Russia and Eastern Europe	10	\$2,491,145	\$230,678–\$262,000
South Asia	8	\$1,921,234	\$225,351–\$242,066
Southeast Asia and the Pacific Islands	7	\$1,858,929	\$243,000–\$274,584

⁴ According to data collected by Michigan State University, Title VI-funded NRCs account for 80% of all LCTL enrollments; see <https://globalideas.isp.msu.edu/intl-data/international-data-portal/>.

⁵ National Research Council, *International Education and Foreign Languages: Keys to Securing America’s Future* (Washington, DC: The National Academies Press, 2007), p. 149, <https://doi.org/10.17226/11841>.

World Region or Thematic Focus	NRCs Funded	FY2018 Total	Range of Awards ^a
Western Europe	7	\$1,558,000	\$206,000–\$243,000
Total	96	\$22,743,107	

Source: U.S. Department of Education, International and Foreign Language Education (IFLE) office, program website: <https://www2.ed.gov/about/offices/list/ope/iegps/index.html>.

- Per year for four years; dependent on substantial progress having been achieved.
- These are programs focusing on multiple regions.

Foreign Language and Area Studies Fellowships

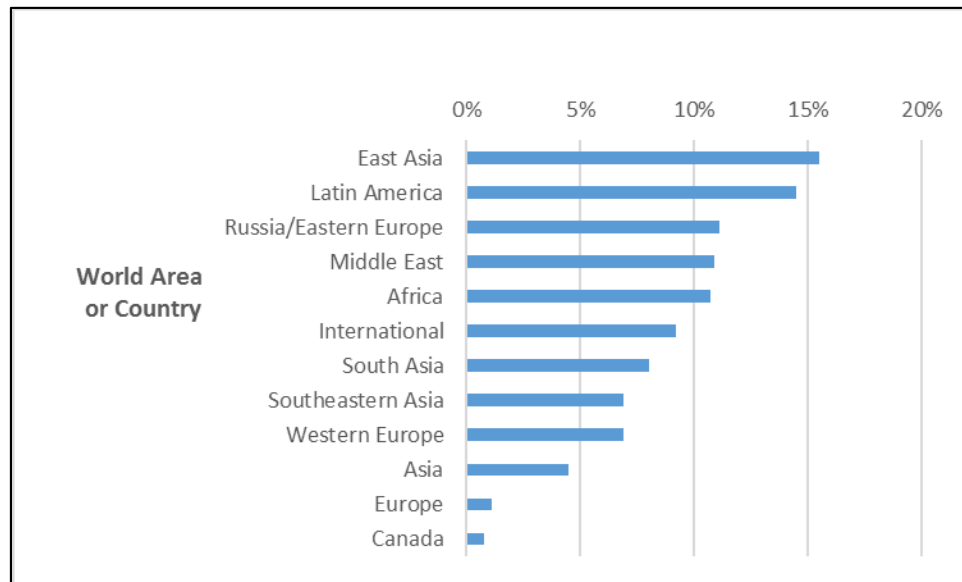
HEA Section 602(b) authorizes the Fellowships for Foreign Language and Area or International Studies program (commonly called the FLAS Fellowships). This program awards four-year competitive grants to IHEs or consortia of IHEs for paying stipends to undergraduate and graduate students undergoing advanced training in any NRC approved by the Secretary. These stipends may be for either academic year or summer fellowships. FLAS fellows on an academic year fellowship must take one language course and one relevant area studies or international studies course each semester or quarter. Summer fellowships support intensive language training and do not require an accompanying course in area or international studies.

IHEs award fellowships annually to individual students on a competitive basis. To be eligible for fellowships, students must be in an instructional program with stated performance goals for functional foreign language use, or in a program developing such performance goals, in combination with area studies, international studies, or the international aspects of a professional studies program. Undergraduate student fellows must be in intermediate or advanced study of a less commonly taught language. Graduate student fellows must be in a qualifying program, including pre-dissertation level study, preparation for dissertation research, dissertation research abroad, or dissertation writing.

Table 1 shows that the FLAS Fellowship program has received the most Title VI funds in recent years. Funding for this program first surpassed NRC program funding in FY2010. In FY2020, FLAS Fellowships received \$31.090 million, nearly half of all Title VI funding. That year, the funds supported 110 grantees, which awarded 677 academic year graduate fellowships, 298 academic year undergraduate fellowships, and 534 summer fellowships.

As of 2016, over two-thirds (70.2%) of FLAS Fellows studied in the United States, 26.7% studied overseas, and 3.1% studied both in the United States and overseas. **Figure 2** displays FLAS Fellowships by world area or country studied. The largest number of fellows (15.5%) studied in East Asian countries, followed by countries in Latin America (14.5%). Roughly the same number of fellows (11%) studied the regions of Russia/Eastern Europe, the Middle East, and Africa.

Figure 2. Foreign Language Area Studies Fellowships, by World Area or Country Studied: FY2016



Source: U.S. Department of Education, International and Foreign Language Education (IFLE) office, Annual Report 2017.

Language Resource Centers

HEA Section 603(a) authorizes the Language Resource Centers (LRC) program, which awards four-year competitive grants to IHEs or consortia of IHEs to establish and operate national language and resource centers to improve the capacity to teach and learn foreign languages effectively. The activities carried out by the LRCs must support effective dissemination of language resources and may include

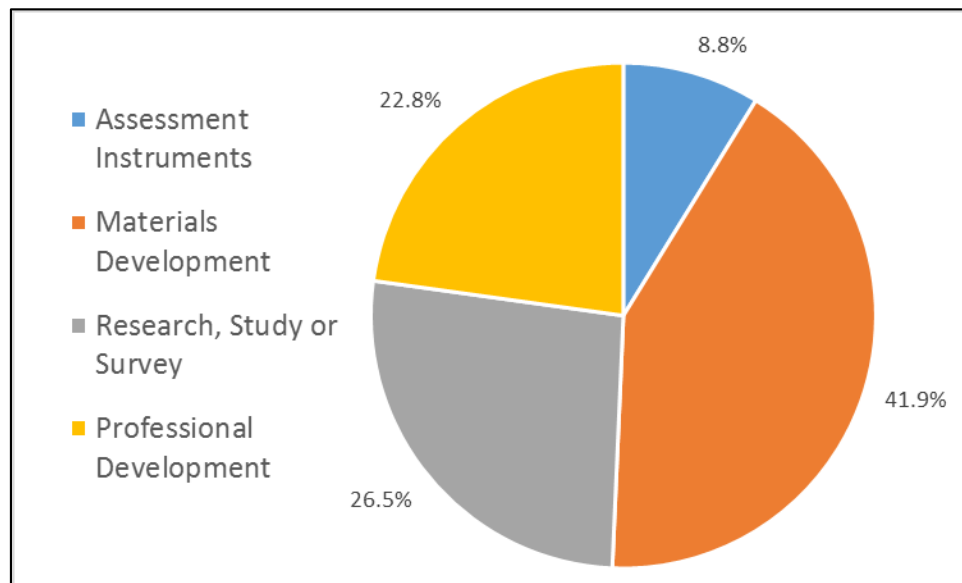
- conducting and disseminating research on new and improved teaching methods (including the use of advanced educational technology) to the education community;
- development, application, and dissemination of performance testing appropriate to an educational setting for use as a standard and comparable measurement of skill levels in all languages;
- training of teachers in the administration and interpretation of the performance tests;
- publication and dissemination of instructional materials focusing on LCTLs;
- development and dissemination of materials designed to serve as a resource for foreign language teachers at the elementary and secondary school levels; and
- operation of intensive summer language institutes.

Table 1 shows that 17 LRCs were funded in FY2020, for a total of \$2.912 million. As with the other Title VI programs, LRC funding was below its peak in FY2010; however, the number of awards increased from 15 to 17 by FY2020.

Figure 3 provides a rough picture of the types of projects conducted with support from Title VI LRC program funds from FY2015 to FY2018. The largest project category was materials

development (41.9%), followed by research, study, or survey (26.5%). Note that categories shown in this figure do not directly correspond to the way LRC activities are categorized in statute.

Figure 3. Projects Conducted with Language Resource Center Support, by Project Type: FY2015-FY2018



Source: U.S. Department of Education, International and Foreign Language Education (IFLE) office, Annual Report 2017.

Undergraduate International Studies and Foreign Language Program

HEA Section 604 authorizes the Undergraduate International Studies and Foreign Language (UISFL) program, which awards grants to IHEs, consortia of IHEs, or partnerships between nonprofit educational organizations and IHEs. These grants are used for planning, developing, and carrying out programs to strengthen and improve undergraduate instruction in international studies and foreign languages. Specifically, allowable uses of UISFL funds include

- teaching, research, and curriculum development;
- expansion of library and teaching resources;
- supporting pre-service teacher training and in-service teacher professional development;
- providing opportunities to learn LCTLs;
- supporting visiting scholarship programs, summer institutes, and other specialized programs;
- establishing linkages between two- and four-year IHEs; and
- development of partnerships among IHEs, the private sector, and governments.

In addition, UISFL grantees may use up to 10% of their funds to award subgrants to educational programs abroad that “are closely linked to the program’s overall goals, and have the purpose of promoting foreign language fluency and knowledge of world regions.”⁶

Congress intended the UISFL program to serve as a catalyst to fund innovative projects designed to enhance students’ exposure to international education opportunities at institutions that otherwise might not be able to offer them. For this reason, many community colleges and small four-year colleges apply for and receive funding under the UISFL program. Priority in awarding grants must go to programs that

- require entering students to have successfully completed at least two years of secondary school foreign language instruction;
- require graduating students to have earned two years of postsecondary credit in a foreign language; or
- in the case of two-year institutions, offer two years of postsecondary credit in a foreign language.

Funds for Section 604 programs may not constitute more than 20% of the total amount appropriated for all Title VI-A programs. **Table 1** shows that 34 UISFL grants were funded in FY2020, for a total of \$3.563 million.

International Research and Studies Programs

HEA Section 605(a) authorizes the Secretary, directly or through grants or contracts, to conduct research and studies that contribute to achieving the purposes of Title VI-A. Such research may include (1) surveys to determine the need for increased or improved instruction in foreign language, area studies, or other international fields; (2) studies on more effective methods of instruction and achieving competency in modern foreign languages, area studies, or other international fields; and (3) development and publication of specialized materials. The Secretary must prepare and publish an annual report listing the books and research materials produced with assistance under this program. **Table 1** shows that nine IRS program awards were funded in FY2020, for a total of \$1.000 million.

Technological Innovation and Cooperation for Foreign Information Access

HEA Section 606 addresses the development of innovative techniques or programs using electronic technologies to collect, organize, preserve, and widely disseminate information from foreign sources on world regions and countries that address teaching and research needs in international education and foreign languages. The Secretary may award grants to IHEs, public or nonprofit private libraries, or partnerships between such entities. Grantees must fund one-third of the total cost of a program from non-federal funds, which may be provided either in-kind or in cash, and may include contributions from private sector corporations or foundations. This program was last funded in FY2010.

American Overseas Research Centers

HEA Section 609 authorizes the American Overseas Research Centers (AORC) program, which awards four-year grants to consortia of U.S. IHEs that operate overseas and promote postgraduate

⁶ HEA §604(c)(2).

research, faculty and student exchanges, and area studies. Funds may be used to establish and/or operate an AORC, including the cost of

- faculty and staff stipends and salaries;
- faculty, staff, and student travel;
- operation and maintenance of overseas facilities;
- teaching and research materials;
- acquisition, maintenance, and preservation of library collections;
- travel for visiting scholars and faculty members who are teaching or conducting research;
- preparation for and management of conferences; and
- publication and dissemination of material for scholars and the general public.

To be eligible, AORC grantees must receive more than 50% of their funding from public or private sources in the United States, have a permanent presence in the country in which they are located, and be a 501(c)(3) organization. A newly established AORC must meet these eligibility requirements within one year. As **Table 1** shows, the AORC program typically receives the least amount of Title VI funding among funded programs. In FY2020, this program received \$1.000 million, which supported 15 grants.

Additional HEA Title VI, Part A Provisions

This portion of the report describes additional provisions that govern some or all of the HEA Title VI programs authorized in Part A.

Section 602(c) stipulates that no Part A funds may be used for undergraduate travel unless such travel is “part of a formal program of supervised study.” Section 602(d) allows graduate-level recipients of Title VI-funded stipends to include allowances for dependents.

Sections 602(e) and 604(a) require NRC, FLAS Fellowship, and UISFL applicants to provide “an explanation of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs.” Section 605(a) requires IRS grantees to evaluate the extent to which programs assisted under Title VI “reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, as described in the grantee’s application.”

Section 607(b) requires the Secretary to consider additional factors when awarding NRC and FLAS Fellowship grants, including

the degree to which activities of centers, programs, and fellowships at institutions of higher education address national needs, and disseminate information to the public [and] an applicant’s record of placing students into postgraduate employment, education, or training in areas of national need and stated efforts to increase the number of such students that go into such placements.

Sections 607(c) and 608(b) require the Secretary to “achieve an equitable distribution of the grant funds throughout the United States” for all Part A awards except those made under Section 602 (e.g., NRC and FLAS Fellowships). Section 608(c) requires the Secretary to ensure that appropriate portions of Part A funds are used to support undergraduate education.

Business and International Education Programs

Part B of HEA Title VI authorizes the Centers for International Business Education (CIBE) Business and International Education (BIE) programs. CIBE awards competitive grants to IHEs or consortia of IHEs to coordinate federal government programs in the areas of research, education, and training in international business and trade competitiveness. CIBEs act as national resources for teaching improved business techniques, strategies, and methodologies that emphasize the international context of business transactions. CIBEs provide instruction in critical foreign languages and international fields to improve understanding of the cultures of countries that trade with the United States. CIBEs also provide research and training opportunities to students, faculty, staff, and members of the business community in international aspects of trade, commerce, environmental science, and other fields relevant to international trade initiatives.

CIBE grantees must establish advisory councils made up of representatives from the IHEs' administration and faculty, local or regional business firms, and a state official responsible for trade-related activities or programs. CIBE grants are awarded for a minimum of three years, unless the Secretary determines a shorter duration is warranted. Grantees may use federal funds for not more than 90% of the cost of operating a center in the first year, not more than 70% of the cost in the second year, and not more than 50% of the cost in the third year and each year thereafter. The Secretary has authority to waive the non-federal share limitations.

Part B of Title VI also authorizes the Secretary to make grants or enter into contracts with IHEs to operate BIE programs. This program supports education and training activities that promote linkages between IHEs and the American business community engaged in international economic activity. BIE funds may be used to pay up to 50% of the cost of these programs.

HEA Sections 612(f)(3) and 613(c) require that applicants for Part B grants provide an assurance that diverse perspectives will be made available to students in these programs.

Section 614 authorizes that such sums as necessary be appropriated to carry out Part B for FY2009 and for each of the five succeeding fiscal years. **Table 1** shows that \$4.871 million was used to fund 16 CIBE grants in FY2020 and that the BIE program has not been funded since FY2010.

Institute for International Public Policy

Part C of HEA Title VI authorizes grants to establish the Institute for International Public Policy (IIPP). Eligible grantees must be a consortium of one or more minority-serving institutions (i.e., an IHE identified under HEA Title III-A, Title III-B, or Title V, or “that serves substantial numbers of underrepresented minority students”).⁷ The IIPP is authorized to carry out several programs and activities at the individual and institutional levels.

At the individual level, the IIPP's focus is the Minority Foreign Service Professional Development program, which provides underrepresented minority students with an integrated program that allows them to develop international education credentials, including language competence, overseas study, analytical skills, and internship experience. At the institutional level, the IIPP targets investments in campuses' international resources by providing support for strategic planning assistance, library materials, faculty and staff development, and curriculum projects.

⁷ For more information on minority-serving IHEs, see CRS In Focus IF10959, *Overview of Programs Supporting Minority-Serving Institutions under the Higher Education Act*.

HEA Section 621(c) requires that IIPP applications include a description of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs.

Section 629 authorizes such sums as necessary to operate Part C programs for FY2009 and the five succeeding fiscal years. **Table 1** shows that the IIPP program has not been funded since FY2010.

General Provisions

Part D of HEA Title VI includes several provisions that specify the Secretary's authority in a number of ways, including the ability to waive non-federal matching requirements (Section 632) and assess and ensure compliance with grant terms and conditions (Section 634). Section 633 limits the Secretary's authority to mandate, direct, or control an IHE's specific instructional content, curriculum, or program of instruction. The Secretary may not use more than 1% of Title VI funds for evaluation, national outreach, and information dissemination activities (Section 635). The Secretary is required to consult and collaborate with the Secretary of State, the Secretary of Defense, and the heads of other relevant federal agencies to identify areas of national need in foreign language and international studies and report such information biannually to Congress and the general public (Section 636).

Section 637 authorizes the Secretary to award grants to IHEs to develop Science and Technology Advanced Foreign Language Education programs. The programs are intended to

- encourage students to combine understanding of science and technology with foreign language proficiency,
- foster future international scientific collaboration,
- provide for professional development opportunities for elementary school and secondary school teachers of critical foreign languages, and
- increase the number of students who achieve proficiency in foreign languages.

This program has never been funded.

Section 638 requires all Title VI-funded IHEs to report to the Secretary the amount of any contribution that exceeds \$250,000 (including cash and the fair market value of any property) received from any foreign government or from a foreign private sector corporation or foundation during any fiscal year. This reporting must be consistent with similar reporting requirements in Section 117 of the HEA.

Issues for Possible HEA Reauthorization

Title VI of the HEA was last comprehensively reauthorized in 2008 by the HEOA. In recent years, Congress has taken action to reauthorize Title VI. During the 115th Congress, the House Committee on Education and the Workforce reported the PROSPER Act (H.R. 4508), and in the 116th Congress, the House Committee on Education and Labor ordered to be reported the College Affordability Act (H.R. 4674). Issues raised by these bills include (1) whether Title VI program grantees present a balance of viewpoints, (2) whether current reporting requirements adequately reveal gifts grantees receive from foreign sources, and (3) whether currently authorized programs should be eliminated and/or consolidated.

Balance of Viewpoints

The HEOA amendments inserted provisions into Title VI that sought to ensure that a balance of viewpoints is presented by programs receiving Title VI funds. Specifically, NRC, FLAS Fellowship, UISFL, CIBE, and IIPP applicants are required to provide “an explanation of how the activities funded by the grant will reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs.” Moreover, the HEOA required IRS grantees to evaluate “the extent to which programs assisted under [Title VI] reflect diverse perspectives and a wide range of views and generate debate on world regions and international affairs, as described in the grantee’s application.”

The PROSPER Act sought to strengthen the first of these provisions by requiring that the Secretary consider an applicant’s adherence to these principles “as part of the application evaluation, review, and approval process when determining grant recipients for initial funding and continuation awards.” The PROSPER Act would have required that the Secretary’s biannual Title VI report include a description of “efforts taken to ensure recipients’ compliance with the requirements under this title relating to the ‘diverse perspectives and a wide range of views’ requirement.” The PROSPER Act would also have inserted the following new Title VI provision: “When complying with the requirement of this title to offer a diverse perspective and a wide range of views, a recipient of a grant under this title shall not promote any biased views that are discriminatory toward any group, religion, or population of people.”

The College Affordability Act would leave current provisions concerning balanced viewpoints largely unchanged.

Reporting of Foreign Gifts

As stated above, Section 638 of the HEA requires that IHEs receiving funds under Title VI must disclose certain contributions received from foreign entities consistent with the requirements in Section 117 of the HEA. These reporting requirements have been the subject of some debate in recent years. Complaints about IHEs’ not reporting foreign contributions prompted ED to announce investigations of several institutions in 2019.⁸

In a letter summarizing the findings of these investigations, ED’s Office of General Council stated, “The six investigated universities collectively failed to report in excess of \$1.3 billion from foreign sources (including China, Qatar, and Russia) over the past seven years despite their clear legal duty to do so under Section 117.”⁹ An ED press release announcing the investigation of additional institutions claimed that as much as \$6.6 billion in such gifts went unreported since 1990.¹⁰ Groups representing IHEs say this figure is overstated for several reasons, principally because it includes contributions that did not meet the \$250,000 threshold.¹¹

⁸ U.S. Department of Education, Office of the General Counsel, “Notice of Investigation and Record Requests,” 84 *Federal Register* 31052-31055, June 28, 2019.

⁹ Reed Rubinstein, *Letter to Senator Rob Portman, Chair, Permanent Subcommittee on Investigations*, U.S. Department of Education, Office of General Council, Washington, DC, November 27, 2019, available at https://www.insidehighered.com/sites/default/server_files/media/HEA%20117%20Letter%20to%20PSI%20Portman%20Final%20Draft%2011.26.19.pdf.

¹⁰ U.S. Department of Education, “U.S. Department of Education Launches Investigation into Foreign Gifts Reporting at Ivy League Universities,” press release, February 12, 2020, <https://www.ed.gov/news/press-releases/test-0>.

¹¹ Lindsay Ellis and Dan Bauman, “‘Moving the Goalposts’: What You Need to Know About DeVos’s Closer Scrutiny of Foreign Gifts,” *The Chronicle of Higher Education*, February 13, 2020, <https://www.chronicle.com/article/moving-the-goalposts-what-you-need-to-know-about-devoss-closer-scrutiny-of-foreign-gifts/>.

The PROSPER Act would amend the HEA by moving the Section 117 provisions to Section 638 largely unchanged. The College Affordability Act would not amend Section 117 or Section 638.

Program Elimination/Consolidation

Between FY2010 and FY2011, there was a 38.4% reduction in appropriations for Title VI (\$108,360,000 to \$66,712,000). This cut occurred as part of a reduction in funding to ED's higher education budget negotiated in the spring of 2011. In FY2011, government-wide appropriations were provided by a series of eight continuing resolutions. The final, full-year CR for FY2011 (P.L. 112-10) was signed into law on April 15, 2011. The final CR included a somewhat anomalous provision specifying a total funding level of \$1.9 billion (subject to an 0.2% across-the-board rescission) for the Higher Education account, which generally did not specify the final funding level for individual programs, projects, and activities (PPAs) within the account (including Title VI).¹² Total funding for the Higher Education account in FY2010 was \$2.3 billion.

As **Figure 1** shows, recent appropriations for Title VI have not been restored to pre-FY2011 levels. The reduction was not distributed evenly across Title VI programs. FLAS Fellowships were largely spared from the cuts, while three (TICFIA, BIE, and IIPP) of the other nine programs were not funded in FY2011 or subsequently, and a fourth was not funded again until FY2020 (at a substantially reduced level).

While some observers advocate for restoration of Title VI funds to earlier levels,¹³ others argue in favor of further program elimination or consolidation. The PROSPER Act would have eliminated the UISFL, TICFIA, AORC, BIE, and IIPP programs (the TICFIA, BIE, and IIPP programs were not funded in FY2020). The College Affordability Act would consolidate the IRS and TICFIA programs into one International Research and Innovation program and eliminate the IIPP program.

Author Information

Jeffrey J. Kuenzi
Specialist in Education Policy

¹² No conference reports or explanatory statements accompanied the FY2011 CRs, further limiting the congressional record regarding the intended funding level for these PPAs.

¹³ NAFSA: Association of International Educators, *The Economic Imperative of a Global Education*, Washington, DC, August 2018, https://www.nafsa.org/sites/default/files/ektron/files/underscore/worldview_workforce_roundtable.pdf.

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