

111TH CONGRESS
1ST SESSION

H. R. 416

To authorize the establishment of educational exchange and development programs for member countries of the Caribbean Community (CARICOM).

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Ms. LEE of California (for herself, Mr. TOWNS, Mr. HONDA, Mr. RANGEL, Mr. ENGEL, Mr. LEWIS of Georgia, Ms. BORDALLO, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAYNE, Mr. FATTAH, Mr. JOHNSON of Georgia, Ms. CORRINE BROWN of Florida, and Ms. JACKSON-LEE of Texas) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To authorize the establishment of educational exchange and development programs for member countries of the Caribbean Community (CARICOM).

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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Shirley A. Chisholm United States-Caribbean Edu-
6 cational Exchange Act of 2009”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title and table of contents.
 Sec. 2. Definitions.
 Sec. 3. Statement of purpose.
 Sec. 4. Shirley A. Chisholm United States-Caribbean Educational Exchange Program.
 Sec. 5. Program to provide educational development assistance for CARICOM countries.
 Sec. 6. Administrative provisions.
 Sec. 7. Reporting requirements.
 Sec. 8. Authorization of appropriations.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—Except as otherwise pro-
 4 vided, the term “Administrator” means the Adminis-
 5 trator of the United States Agency for International
 6 Development.

7 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 8 TEES.—The term “appropriate congressional com-
 9 mittees” means—

10 (A) the Committee on Foreign Affairs and
 11 the Committee on Appropriations of the House
 12 of Representatives; and

13 (B) the Committee on Foreign Relations
 14 and the Committee on Appropriations of the
 15 Senate.

16 (3) CARICOM COUNTRY.—The term
 17 “CARICOM country”—

18 (A) means a member country of the Carib-
 19 bean Community (CARICOM); but

20 (B) does not include—

1 (i) a country having observer status in
2 CARICOM; or

3 (ii) a country the government of which
4 the Secretary of State has determined, for
5 purposes of section 6(j) of the Export Ad-
6 ministration Act of 1979 (as continued in
7 effect pursuant to the International Emer-
8 gency Economic Powers Act), section 40 of
9 the Arms Export Control Act, section
10 620A of the Foreign Assistance Act of
11 1961, or any other provision of law, is a
12 government that has repeatedly provided
13 support for acts of international terrorism.

14 (4) SECRETARY.—Except as otherwise provided,
15 the term “Secretary” means the Secretary of State.

16 (5) UNITED STATES COOPERATING AGENCY.—
17 The term “United States cooperating agency”
18 means—

19 (A) an institution of higher education (as
20 such term is defined in section 101(a) of the
21 Higher Education Act of 1965 (20 U.S.C.
22 1001(a))), including, to the maximum extent
23 practicable, an historically Black college or uni-
24 versity that is a part B institution (as such
25 term is defined in section 322(2) of such Act

(20 U.S.C. 1061(2))) or an Hispanic-serving institution (as such term is defined in section 502(5) of such Act (20 U.S.C. 1101a(5)));

(B) a higher education association;

(C) a nongovernmental organization incorporated in the United States; or

(D) a consortium consisting of two or more such institutions, associations, or nongovernmental organizations.

SEC. 3. STATEMENT OF PURPOSE.

The purpose of this Act is to establish—

(1) an educational exchange program between the United States and CARICOM countries, to be known as the “Shirley A. Chisholm United States-Caribbean Educational Exchange Program”, pursuant to section 4 to assist in educating promising students and scholars from communities demonstrating the greatest need within CARICOM countries who will invest the knowledge and experiences they gain in the United States back into the community of CARICOM countries; and

(2) a program to provide educational development assistance for communities demonstrating the greatest need within CARICOM countries pursuant to section 5.

1 **SEC. 4. SHIRLEY A. CHISHOLM UNITED STATES-CARIBBEAN**
2 **EDUCATIONAL EXCHANGE PROGRAM.**

3 (a) PROGRAM AUTHORIZED.—The Secretary of State
4 is authorized to establish an educational exchange pro-
5 gram between the United States and CARICOM countries,
6 to be known as the “Shirley A. Chisholm United States-
7 Caribbean Educational Exchange Program,” under
8 which—

9 (1) secondary school students from CARICOM
10 countries will—

11 (A) attend a public or private secondary
12 school in the United States; and

13 (B) participate in activities designed to
14 promote a greater understanding of the values
15 and culture of the United States; and

16 (2) undergraduate students, graduate students,
17 post-graduate students, and scholars from
18 CARICOM countries will—

19 (A) attend a public or private college or
20 university, including a community college, in
21 the United States; and

22 (B) participate in activities designed to
23 promote a greater understanding of the values
24 and culture of the United States.

1 (b) ELEMENTS OF PROGRAM.—The program author-
2 ized under subsection (a) shall meet the following require-
3 ments:

4 (1) The program will offer scholarships to stu-
5 dents and scholars based on merit and need. It is
6 the sense of Congress that scholarships should be of-
7 fered to students and scholars who evidence merit,
8 achievement, and strong potential for the studies
9 such students and scholars wish to undertake under
10 the program and 60 percent of scholarships offered
11 under the program should be based on financial
12 need.

13 (2) The program will seek to achieve gender
14 equality in granting scholarships under the program.

15 (3) Fields of study under the program will sup-
16 port the labor market and development needs of
17 CARICOM countries, assuring a pool of technical
18 experts to address such needs.

19 (4) The program will limit participation to—

20 (A) one year of study for secondary school
21 students;

22 (B) two years of study for undergraduate
23 students; and

24 (C) 12 months of study for graduate stu-
25 dents, post-graduate students, and scholars.

1 (5) For a period of time equal to the period of
2 time of participation in the program, but not to ex-
3 ceed 2 years, the program will require participants
4 who are students and scholars described in sub-
5 section (a)(2) to—

6 (A) agree to return to live in a CARICOM
7 country and maintain residence in such coun-
8 try, within 6 months of completion of academic
9 studies; or

10 (B) agree to obtain employment that di-
11 rectly benefits the growth, progress, and devel-
12 opment of one or more CARICOM countries
13 and the people of such countries.

14 (6) The Secretary may waive, shorten the dura-
15 tion, or otherwise alter the requirements of para-
16 graph (4) in limited circumstances of hardship, hu-
17 manitarian needs, for specific educational purposes,
18 or in furtherance of the national interests of the
19 United States.

20 (c) **ROLE OF UNITED STATES COOPERATING AGEN-**
21 **CIES.**—The Secretary shall consult with United States co-
22 operating agencies in developing the program authorized
23 under subsection (a). The Secretary is authorized to pro-
24 vide grants to United States cooperating agencies in car-
25 rying out the program authorized under subsection (a).

1 (d) MONITORING AND EVALUATION OF PROGRAM.—

2 (1) IN GENERAL.—The Secretary shall monitor
3 and evaluate the effectiveness and efficiency of the
4 program authorized under subsection (a). In so
5 doing, the Secretary shall, among other things,
6 evaluate the program's positive or negative effects
7 on brain drain from the participating CARICOM
8 countries and suggest ways in which the program
9 may be improved to promote the basic goal of alle-
10 viating brain drain from the participating
11 CARICOM countries.

12 (2) REQUIREMENTS.—In carrying out para-
13 graph (1), the Secretary shall review on a regular
14 basis—

15 (A) financial information relating to the
16 program;

17 (B) budget plans for the program;

18 (C) adjustments to plans established for
19 the program;

20 (D) graduation rates of participants in the
21 program;

22 (E) the percentage of participants who are
23 students described in subsection (a)(1) who
24 pursue higher education;

1 (F) the percentage of participants who re-
2 turn to their home country or another
3 CARICOM country;

4 (G) the types of careers pursued by par-
5 ticipants in the program and the extent to
6 which such careers are linked to the political,
7 economic, and social development needs of
8 CARICOM countries; and

9 (H) the impact of gender, country of ori-
10 gin, financial need of students, and other rel-
11 evant factors on the data collected under sub-
12 paragraphs (D) through (G).

13 **SEC. 5. PROGRAM TO PROVIDE EDUCATIONAL DEVELOP-**
14 **MENT ASSISTANCE FOR CARICOM COUN-**
15 **TRIES.**

16 (a) PROGRAM AUTHORIZED.—The Secretary of
17 State, acting through the Administrator of the United
18 States Agency for International Development, is author-
19 ized to establish a program to provide educational develop-
20 ment assistance for CARICOM countries.

21 (b) PURPOSE OF PROGRAM.—The purpose of the pro-
22 gram authorized under subsection (a) is to improve pri-
23 mary and secondary education in CARICOM countries by
24 enhancing teacher training, strengthening curriculum and
25 instructional materials, and assisting improvements in

1 school management and public administration of edu-
2 cation.

3 (c) ELEMENTS OF PROGRAM.—The program author-
4 ized under subsection (a) shall extend and expand upon
5 existing primary and secondary school programs in
6 CARICOM countries to provide—

7 (1) teacher-training methods and training in
8 subject area studies;

9 (2) classroom and school management;

10 (3) development and modernization of cur-
11 riculum and instructional materials;

12 (4) increased community involvement in school
13 activities; and

14 (5) local, regional, and national government pol-
15 icy planning on the elements described in para-
16 graphs (1) through (4).

17 (d) ROLE OF UNITED STATES COOPERATING AGEN-
18 CIES.—The Secretary shall consult with the Secretary of
19 Education, officials of United States cooperating agencies,
20 and officials of CARICOM countries in developing the pro-
21 gram authorized under subsection (a). The Secretary is
22 authorized to make grants to United States cooperating
23 agencies in carrying out the program authorized under
24 subsection (a).

1 (e) MONITORING AND EVALUATION OF PROGRAM.—
2 The Secretary shall monitor and evaluate the effectiveness
3 and efficiency of the program authorized under subsection
4 (a).

5 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

6 (a) FUNDING FROM PRIVATE SOURCES AND PART-
7 NERSHIPS WITH OTHER APPROPRIATE ENTITIES.—To
8 the maximum extent practicable, the Secretary of State
9 and the Administrator of the United States Agency for
10 International Development should implement the pro-
11 grams authorized under sections 4 and 5 through utiliza-
12 tion of funding from private sources to maximize the im-
13 pact of United States funds under this Act, and through
14 partnerships with appropriate United States organiza-
15 tions, institutions, and corporations.

16 (b) AVOIDANCE OF DUPLICATION.—The Secretary
17 and the Administrator shall consult with the Secretary of
18 Education to ensure that—

19 (1) activities under the programs authorized
20 under sections 4 and 5 are not duplicative of other
21 United States educational programs for CARICOM
22 countries; and

23 (2) United States cooperating agencies and
24 partner institutions in CARICOM countries are ac-
25 credited by national or regional accrediting bodies.

1 (c) REPORTING UNDER SEVIS.—To the extent nec-
 2 essary, the Secretary shall provide support to United
 3 States cooperating agencies that are participating in the
 4 program authorized under section 4 in order to fulfill the
 5 requirements for student data reporting under the Stu-
 6 dent and Exchange Visitor Information System (SEVIS).

7 **SEC. 7. REPORTING REQUIREMENTS.**

8 (a) REPORT REQUIRED.—Not later than 120 days
 9 after the date of the enactment of this Act, the Secretary
 10 of State shall submit to the appropriate congressional
 11 committees a report on plans to implement the programs
 12 authorized under sections 4 and 5.

13 (b) MATTERS TO BE INCLUDED.—The report re-
 14 quired by subsection (a) shall include—

15 (1) with respect to implementation of the pro-
 16 gram authorized under section 4—

17 (A) a plan for selecting participants in the
 18 program, including an estimate of the number
 19 of secondary school students, undergraduate
 20 students, graduate students, post-graduate stu-
 21 dents, and scholars from each country, by edu-
 22 cational level, who will be selected as partici-
 23 pants in the program for each fiscal year;

1 (B) a timeline for selecting United States
2 cooperating agencies that will assist in imple-
3 menting the program;

4 (C) a financial plan that—

5 (i) identifies budget plans for each
6 educational level under the program; and

7 (ii) identifies plans or systems to en-
8 sure that the costs to public school, college,
9 and university education under the pro-
10 gram and the costs to private school, col-
11 lege, and university education under the
12 program are reasonably allocated; and

13 (D) a plan to provide outreach to and link-
14 ages with schools, colleges and universities, and
15 nongovernmental organizations in both the
16 United States and CARICOM countries for im-
17 plementation of the program; and

18 (2) a plan outlining implementation of the pro-
19 gram authorized under section 5, identifying the ini-
20 tial countries in which the program will be imple-
21 mented and a timeline for implementation.

22 (c) UPDATES OF REPORT.—

23 (1) IN GENERAL.—The Secretary shall submit
24 to the appropriate congressional committees updates
25 of the report required by subsection (a) for each fis-

1 cal year for which amounts are appropriated pursu-
2 ant to the authorization of appropriations under sec-
3 tion 8.

4 (2) MATTERS TO BE INCLUDED.—Such updates
5 shall include the following:

6 (A) Information on United States cooper-
7 ating agencies that are selected to assist in im-
8 plementing the programs authorized under sec-
9 tions 4 and 5.

10 (B) An analysis of the positive and nega-
11 tive impacts the program authorized under sec-
12 tion 4 will have or is having on brain drain
13 from the participating CARICOM countries.

14 (C) A description of efforts made by the
15 Secretary and the Administrator to implement
16 the program authorized under section 5.

17 (D) A description of the programs estab-
18 lished in each CARICOM country receiving as-
19 sistance under the program authorized under
20 section 5. Such description shall include a de-
21 tailed explanation of the extent to which the
22 program and the assistance provided are con-
23 tributing to the purpose of the program de-
24 scribed in section 5(b) in the CARICOM coun-
25 try.

1 (E) An evaluation of additional educational
2 development goals in CARICOM countries,
3 identifying those goals that could be maximized
4 or achieved with United States assistance
5 through the program authorized under section
6 5. In addition to standard or necessary areas of
7 education review, the evaluation should give at-
8 tention to factors affecting academic achieve-
9 ment, attrition, and graduation rates in
10 CARICOM countries. The evaluation should
11 suggest ways in which United States assistance
12 can maximize success factors and address fac-
13 tors contributing to poor achievement.

14 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

15 To carry out this Act, there are authorized to be ap-
16 propriated such sums as may be necessary for each of the
17 fiscal years 2009 through 2012. Amounts appropriated
18 pursuant to the authorization of appropriations under this
19 section are in addition to amounts otherwise available for
20 such purposes.

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