

AMENDMENT TO H.R. 4137
OFFERED BY MR. HOEKSTRA OF MICHIGAN

After section 608 of the bill, insert the following new section (and redesignate the succeeding section accordingly):

1 **SEC. 609. ADVISORY BOARD.**

2 Part D of title VI is amended by inserting after sec-
3 tion 645 (as added by section 608) the following new sec-
4 tion:

5 **“SEC. 646. INTERNATIONAL HIGHER EDUCATION ADVISORY**
6 **BOARD.**

7 **“(a) ESTABLISHMENT AND PURPOSE.—**

8 **“(1) ESTABLISHMENT.—**There is established in
9 the Department an independent International High-
10 er Education Advisory Board (hereafter in this sec-
11 tion referred to as the ‘International Advisory
12 Board’). The International Advisory Board shall
13 provide advice, counsel, and recommendations to the
14 Secretary and the Congress on international edu-
15 cation issues for higher education.

16 **“(2) PURPOSE.—**The purpose of the Inter-
17 national Advisory Board is—

1 “(A) to provide expertise in the area of na-
2 tional needs for proficiency in world regions,
3 foreign languages, international affairs, and
4 international business;

5 “(B) to make recommendations that will
6 promote the excellence of international edu-
7 cation programs and result in the growth and
8 development of such programs at the postsec-
9 ondary education level that will reflect diverse
10 perspectives and a wide range of views on world
11 regions, foreign language, international affairs,
12 and international business; and

13 “(C) to advise the Secretary and the Con-
14 gress with respect to needs for expertise in gov-
15 ernment, the private sector, and education in
16 order to enhance America’s understanding of,
17 and engagement in, the world.

18 “(b) INDEPENDENCE OF INTERNATIONAL ADVISORY
19 BOARD.—In the exercise of its functions, powers, and du-
20 ties, the International Advisory Board shall be inde-
21 pendent of the Secretary and the other offices and officers
22 of the Department. Except as provided in this subsection
23 and subsection (f), the recommendations of the Inter-
24 national Advisory Board shall not be subject to review or
25 approval by any officer of the Federal Government. Noth-

1 ing in this title shall be construed to authorize the Inter-
2 national Advisory Board to mandate, direct, or control an
3 institution of higher education's specific instructional con-
4 tent, curriculum, or program of instruction or instructor.
5 The International Advisory Board is authorized to assess
6 a sample of activities supported under this title, using ma-
7 terials that have been submitted to the Department of
8 Education by grant recipients under this title, in order to
9 provide recommendations to the Secretary and the Con-
10 gress for the improvement of programs under the title and
11 to ensure programs meet the purposes of the title to pro-
12 mote the study of and expertise in foreign language and
13 world regions, especially with respect to diplomacy, na-
14 tional security, and international business and trade com-
15 petitiveness. The recommendations of the International
16 Advisory Board may address any area in need of improve-
17 ment, except that any recommendation of specific legisla-
18 tion to Congress shall be made only if the President deems
19 it necessary and expedient.

20 “(c) MEMBERSHIP.—

21 “(1) APPOINTMENT.—The International Advi-
22 sory Board shall have 7 members of whom—

23 “(A) 3 members shall be appointed by the
24 Secretary;

1 “(B) 2 members shall be appointed by the
2 Speaker of the House of Representatives, one
3 upon the recommendation of the Majority Lead-
4 er and one upon the recommendation of the Mi-
5 nority Leader; and

6 “(C) 2 members shall be appointed by the
7 President pro tempore of the Senate, one upon
8 the recommendation of the Majority Leader and
9 one upon the recommendation of the Minority
10 Leader.

11 “(2) REPRESENTATION.—Two of the members
12 appointed by the Secretary under paragraph (1)(A)
13 shall be appointed to represent Federal agencies that
14 have diplomacy, national security, international com-
15 merce, or other international activity responsibilities,
16 after consultation with the heads of such agencies.
17 The members of the International Advisory Board
18 shall also include (but not be limited to) persons
19 with international expertise representing States, in-
20 stitutions of higher education, cultural organizations,
21 educational organizations, international business,
22 local education agencies, students, and private citi-
23 zens with expertise in international concerns.

24 “(3) QUALIFICATION.—Members of the Inter-
25 national Advisory Board shall be individuals who

1 have technical qualifications, professional standing,
2 experience working in international affairs or foreign
3 service or international business occupations, or
4 demonstrated knowledge in the fields of higher edu-
5 cation and international education, including foreign
6 languages, world regions, or international affairs.

7 “(d) FUNCTIONS OF THE INTERNATIONAL ADVISORY
8 BOARD.—

9 “(1) IN GENERAL.—The International Advisory
10 Board shall provide recommendations in accordance
11 with subsection (b) regarding improvement of pro-
12 grams under this title to the Secretary and the Con-
13 gress for their review. The International Advisory
14 Board may—

15 “(A) review and comment upon the regula-
16 tions for grants under this title;

17 “(B) assess a sample of activities sup-
18 ported under this title based on the purposes
19 and objectives of this title, using materials that
20 have been submitted to the Department of Edu-
21 cation by grant recipients under this title, in
22 order to provide recommendations for improve-
23 ment of the programs under this title;

24 “(C) make recommendations that will as-
25 sist the Secretary and the Congress to improve

1 the programs under this title to better reflect
2 the national needs related to foreign languages,
3 world regions, diplomacy, national security, and
4 international business and trade competitive-
5 ness, including an assessment of the national
6 needs and the training provided by the institu-
7 tions of higher education that receive a grant
8 under this title for expert and non-expert level
9 foreign language training;

10 “(D) make recommendations to the Sec-
11 retary and the Congress regarding such studies,
12 surveys, and analyses of international education
13 that will provide feedback about the programs
14 under this title and assure that their relative
15 authorized activities reflect diverse perspectives
16 and a wide range of views on world regions, for-
17 eign languages, diplomacy, national security,
18 and international business and trade competi-
19 tiveness;

20 “(E) make recommendations that will
21 strengthen the partnerships between local edu-
22 cational agencies, public and private elementary
23 and secondary education schools, and grant re-
24 cipients under this title to ensure that the re-
25 search and knowledge about world regions, for-

1 eign languages, and international affairs is
2 widely disseminated to local educational agen-
3 cies;

4 “(F) make recommendations on how insti-
5 tutions of higher education that receive a grant
6 under this title can encourage students to serve
7 the Nation and meet national needs in an inter-
8 national affairs, international business, foreign
9 language, or national security capacity;

10 “(G) make recommendations on how link-
11 ages between institutions of higher education
12 and public and private organizations that are
13 involved in international education, inter-
14 national business and trade competitiveness,
15 language training, and international research
16 capacities may fulfill the manpower and infor-
17 mation needs of United States businesses; and

18 “(H) make recommendations to the Sec-
19 retary and the Congress about opportunities for
20 underrepresented populations in the areas of
21 foreign language study, diplomacy, international
22 business and trade competitiveness, and inter-
23 national economics, in order to effectively carry
24 out the activities of the Institute under part C.

1 “(2) HEARINGS.—The International Advisory
2 Board shall provide for public hearing and comment
3 regarding the matter contained in the recommenda-
4 tions described in paragraph (1), prior to the sub-
5 mission of those recommendations to the Secretary
6 and the Congress.

7 “(e) OPERATIONS OF THE COMMITTEE.—

8 “(1) TERMS.—Each member of the Inter-
9 national Advisory Board shall be appointed for a
10 term of 3 years, except that, of the members first
11 appointed (A) 4 shall be appointed for a term of 3
12 years, and (B) 3 shall be appointed for a term of 4
13 years, as designated at the time of appointment by
14 the Secretary. A member of the International Advi-
15 sory Board may be reappointed to successive terms
16 on the International Advisory Board.

17 “(2) VACANCIES.—Any member appointed to
18 fill a vacancy occurring prior to the expiration of the
19 term of a predecessor shall be appointed only for the
20 remainder of such term. A member of the Inter-
21 national Advisory Board shall, upon the Secretary’s
22 request, continue to serve after the expiration of a
23 term until a successor has been appointed.

24 “(3) NO GOVERNMENTAL MEMBERS.—Except
25 for the members appointed by the Secretary under

1 subsection (c)(1)(A), no officers or full-time employ-
2 ees of the Federal Government shall serve as mem-
3 bers of the International Advisory Board.

4 “(4) MEETINGS.—The International Advisory
5 Board shall meet not less than once each year. The
6 International Advisory Board shall hold additional
7 meetings at the call of the Chair or upon the written
8 request of not less than 3 voting members of the
9 International Advisory Board.

10 “(5) QUORUM.—A majority of the voting mem-
11 bers of the International Advisory Board serving at
12 the time of a meeting shall constitute a quorum.

13 “(6) CHAIR.—The International Advisory
14 Board shall elect a Chairman or Chairwoman from
15 among the members of the International Advisory
16 Board.

17 “(f) SUBMISSION TO DEPARTMENT FOR COM-
18 MENT.—The International Advisory Board shall submit
19 its proposed recommendations to the Secretary of Edu-
20 cation for comment for a period not to exceed 30 days
21 in each instance.

22 “(g) PERSONNEL AND RESOURCES.—

23 “(1) COMPENSATION AND EXPENSE.—Members
24 of the International Advisory Board shall serve with-
25 out pay for such service. Members of the Inter-

1 national Advisory Board who are officers or employ-
2 ees of the United States may not receive additional
3 pay, allowances, or benefits by reason of their serv-
4 ice on the International Advisory Board. Members of
5 the International Advisory Board may each receive
6 reimbursement for travel expenses incident to at-
7 tending International Advisory Board meetings, in-
8 cluding per diem in lieu of subsistence, as authorized
9 by section 5703 of title 5, United States Code, for
10 persons in the Government service employed inter-
11 mittently.

12 “(2) PERSONNEL.—The International Advisory
13 Board may appoint such personnel as may be deter-
14 mined necessary by the Chairman without regard to
15 the provisions of title 5, United States Code, gov-
16 erning appointments in the competitive service, and
17 may be paid without regard to the provisions of
18 chapter 51 and subchapter III of chapter 53 of such
19 title relating to classification and General Schedule
20 pay rates, but no individual so appointed shall be
21 paid in excess of the maximum rate payable under
22 section 5376 of such title. The International Advi-
23 sory Board may appoint not more than one full-time
24 equivalent, nonpermanent, consultant without regard
25 to the provisions of title 5, United States Code. The

1 International Advisory Board shall not be required
2 by the Secretary to reduce personnel to meet agency
3 personnel reduction goals.

4 “(3) CONSULTATION.—In carrying out its du-
5 ties under the Act, the International Advisory Board
6 shall consult with other Federal agencies, represent-
7 atives of State and local governments, and private
8 organizations to the extent feasible.

9 “(4) ASSISTANCE FROM OTHER AGENCIES.—

10 “(A) INFORMATION.—The International
11 Advisory Board is authorized to secure directly
12 from any grantee under this title, executive de-
13 partment, bureau, agency, board, commission,
14 office, independent establishment, or instrumen-
15 tality information, suggestions, estimates, and
16 statistics for the purpose of this section and
17 each such grantee department, bureau, agency,
18 board, commission, office, independent estab-
19 lishment, or instrumentality is authorized and
20 directed, to the extent permitted by law, to fur-
21 nish such information, suggestions, estimates,
22 and statistics directly to the International Advi-
23 sory Board, upon request made by the Chair-
24 man for the purpose of providing expertise in
25 the area of national needs for the proficiency in

1 world regions, foreign languages, and inter-
2 national affairs.

3 “(B) SERVICES AND PERSONNEL.—The
4 head of each Federal agency shall, to the extent
5 not prohibited by law, consult with the Inter-
6 national Advisory Board in carrying out this
7 section. The International Advisory Board is
8 authorized to utilize, with their consent, the
9 services, personnel, information, and facilities of
10 other Federal, State, local, and private agencies
11 with or without reimbursement, for the purpose
12 of providing expertise in the area of national
13 needs for the proficiency in world regions, for-
14 eign languages, and international affairs.

15 “(5) CONTRACTS; EXPERTS AND CONSULT-
16 ANTS.—The International Advisory Board may enter
17 into contracts for the acquisition of information,
18 suggestions, estimates, and statistics for the purpose
19 of this section. The International Advisory Board is
20 authorized to obtain the services of experts and con-
21 sultants without regard to section 3109 of title 5,
22 United States Code and to set pay in accordance
23 with such section.

24 “(h) TERMINATION.—Notwithstanding the sunset
25 and charter provisions of the Federal Advisory Committee

1 Act (5 U.S.C. App. I) or any other statute or regulation,
2 the International Advisory Board shall be authorized
3 through September 30, 2012.

4 “(i) FUNDS.—The Secretary shall use not more than
5 one-half of the funds available to the Secretary under sec-
6 tion 642 to carry out this section.”