

112TH CONGRESS  
1ST SESSION

# H. R. 2792

To amend the Foreign Assistance Act of 1961 to provide assistance to expand, improve, support, and promote higher education in the countries of sub-Saharan Africa, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2011

Mr. PAYNE (for himself, Mrs. CHRISTENSEN, Ms. BASS of California, Mr. CARNAHAN, Mr. JACKSON of Illinois, Mr. RUSH, Ms. WOOLSEY, Mr. LEWIS of Georgia, Mr. TOWNS, Ms. LEE of California, Mr. COHEN, and Mr. FATAH) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To amend the Foreign Assistance Act of 1961 to provide assistance to expand, improve, support, and promote higher education in the countries of sub-Saharan Africa, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “African Higher Edu-  
5 cation Advancement and Development Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) The demand for higher education in Africa  
2 has been increasing at very high rates and is rapidly  
3 overtaking the capacity of current infrastructure and  
4 staffing capability.

5           (2) Africa's challenges in higher education are  
6 substantial and have important social, economic, and  
7 stability dimensions.

8           (3) Despite increasing enrollments, sub-Saha-  
9 ran Africa's gross tertiary education enrollment ratio  
10 in 2007, the most recent year for which comparable  
11 data is available, was just under 6 percent as com-  
12 pared to 13 percent in India, 11 percent in South  
13 Asia generally, and 22 percent in China, and 66 per-  
14 cent in high-income countries. In many African  
15 countries the ratio hovers between 2 and 3 percent.

16           (4) According to a 2008 World Bank report,  
17 university staff position vacancy rates often run be-  
18 tween 25 and 50 percent and are notably common  
19 in engineering, applied sciences, and business admin-  
20 istration, which are disciplines commonly linked to  
21 innovation and economic growth. Staff development,  
22 nurturing and retention are therefore important ele-  
23 ments of higher education programming.

24           (5) In 2005, only 28 percent of African univer-  
25 sity graduates completed their degrees in science

1 and technology fields, including agriculture, engi-  
2 neering, health sciences, and general sciences.

3 (6) African higher education institutions have  
4 the potential to address many critical development  
5 challenges in collaboration with regional and inter-  
6 national counterparts, such as the United Nations,  
7 the International Agricultural Research Centers, and  
8 bilateral and regional assistance agencies, and other  
9 United States based foundations.

10 (7) Higher education has expanded to provide  
11 more opportunities for advanced education to grad-  
12 uates of the secondary school systems and it has  
13 sought new ways to achieve university collaboration  
14 across national and regional boundaries.

15 (8) Africa has made important strides as public  
16 universities have increased from roughly 100 to 500  
17 from 1990 to 2010 and private tertiary institutions  
18 have increased from around 24 to an estimated sev-  
19 eral thousand during this same period.

20 (9) Historically, sub-Saharan Africa was  
21 marked by several centers of excellence in higher  
22 education. Linked to former European sponsors, in-  
23 stitutions such as Makerere University in Uganda,  
24 Kenyatta University in Kenya, Cheik Anta Diop  
25 University in Senegal, and the University of Ibadan

1 in Nigeria graduated scholars and professionals that  
2 were highly prized around the globe and that served  
3 the interests of their respective nations well.

4 (10) These universities serve as “centers of ex-  
5 cellence” that also have major positive impacts on  
6 other universities in their respective regions, and are  
7 currently making substantial progress in regaining  
8 their national and international prominence.

9 (11) Increasing rates of higher education in de-  
10 veloping countries is a critical component in efforts  
11 to achieve long-term economic growth and stability  
12 and poverty reduction.

13 (12) Studies indicate that relatively small in-  
14 creases in tertiary education can exponentially in-  
15 crease national incomes and gross domestic product  
16 output within the span of a few years, that individ-  
17 uals with higher education are more likely to engage  
18 in entrepreneurial activity, and that more highly  
19 educated entrepreneurs create larger numbers of  
20 jobs than those with less education.

21 (13) Research has found a positive and statis-  
22 tically significant correlation between higher edu-  
23 cation enrollment rates and good governance indica-  
24 tors, including the absence of corruption, higher  
25 standards and rates of adherence to the rule of law,

1 fewer incidents of ethnic tension, increased bureau-  
2 cratic quality, a lower risk of repudiation of con-  
3 tracts by governments, and a lower risk of financial  
4 malfeasance.

5 (14) In most African countries, sharply in-  
6 creased rates of access to higher education, ad-  
7 vanced technical training, and specialized skills de-  
8 velopment are necessary if transformational socio-  
9 economic development success—notably in efforts to  
10 alleviate poverty, expand economic growth, combat  
11 disease, improve governance, and to increase respect  
12 for the rule of law and human rights norms—is to  
13 be achieved.

14 (15) Exchange programs which bring Africans  
15 to developed countries for advanced training, while  
16 essential for improving higher education in Africa,  
17 will not by themselves reach enough students and  
18 scholars to bring about fundamental institutional ca-  
19 pacity improvements and the attainment of world-  
20 class standards of excellence across African higher  
21 education systems.

22 **SEC. 3. SENSE OF CONGRESS.**

23 It is the sense of Congress that—

24 (1) support for primary, secondary, and tertiary  
25 education is vitally important in achieving trans-

1       formational state and socio-economic development in  
2       sub-Saharan Africa, and that assistance for such  
3       ends should be increased;

4               (2) it is cost-effective and in the self-interest of  
5       the United States and other development partners to  
6       respond to the increasing need for qualified teachers  
7       and demands for greater access to higher education  
8       created by expanded access to primary and sec-  
9       ondary education in sub-Saharan Africa, a long-  
10      standing United States policy objective, by providing  
11      commensurate assistance to sub-Saharan African  
12      colleges and universities;

13              (3) effective and sustained partnerships be-  
14      tween United States and sub-Saharan Africa col-  
15      leges and universities are an important means  
16      through which increased access to quality tertiary  
17      education can be achieved;

18              (4) members of the African diaspora have a  
19      crucial role to play in improving the capacity of sub-  
20      Saharan African colleges and universities;

21              (5) the international development community  
22      must help build indigenous basic and applied ad-  
23      vanced research and academic capacities in sub-Sa-  
24      haran Africa in order to expand and enhance the  
25      ability of sub-Saharan Africans to achieve economic

1 growth, improve social welfare, foster political sta-  
2 bility, and to address critical challenges, such as the  
3 HIV/AIDS pandemic, climate change, conflict pre-  
4 vention and mitigation, and poor governance; and

5 (6) the United States must commit to providing  
6 long-term assistance to build the capacity of sub-Sa-  
7 haran African systems of higher education and in-  
8 crease the number of annual higher education stu-  
9 dent and professional graduations, in particular—

10 (A) in social, humanities, natural, biologi-  
11 cal, agricultural, life, computer, and health  
12 sciences, technology development, business, en-  
13 gineering, mathematics, economics, and edu-  
14 cation; and

15 (B) by targeting such support toward ef-  
16 forts to improve and expand sub-Saharan Afri-  
17 can higher education institutions’—

18 (i) administrative and management  
19 capabilities, including accounting and re-  
20 porting transparency and accountability;

21 (ii) program and budget planning, de-  
22 velopment and execution capacities;

23 (iii) access to advanced technology  
24 and improved infrastructure;

1 (iv) curriculum development capabilities;  
2 ties;

3 (v) advanced basic and applied re-  
4 search capabilities; and

5 (vi) instructional training and quality  
6 of staff and faculty at the undergraduate,  
7 graduate, and post-graduate levels and  
8 within professional training programs.

9 **SEC. 4. STATEMENT OF POLICY.**

10 It is the policy of the United States to provide long-  
11 term assistance to expand, improve, support, and promote  
12 higher education in sub-Saharan Africa by building the  
13 capacity of sub-Saharan African colleges and universities,  
14 through partnerships with colleges and universities in the  
15 United States, in order to expand teaching, research, and  
16 innovation opportunities for sub-Saharan African and  
17 United States students and staff.

18 **SEC. 5. ASSISTANCE TO EXPAND AND IMPROVE HIGHER**  
19 **EDUCATION IN SUB-SAHARAN AFRICA.**

20 Chapter 1 of part I of the Foreign Assistance Act  
21 of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting  
22 after section 105 the following new section:



1 **“SEC. 105A. ASSISTANCE TO EXPAND AND IMPROVE HIGH-**  
2 **ER EDUCATION IN SUB-SAHARAN AFRICA.**

3 “(a) **AUTHORIZATION.**—The President, acting  
4 through the Director for Higher Education in sub-Saha-  
5 ran Africa (designated pursuant to subsection (c)), is au-  
6 thorized to provide long-term assistance to expand, im-  
7 prove, support, and promote higher education in sub-Sa-  
8 haran Africa.

9 “(b) **ACTIVITIES SUPPORTED.**—Assistance provided  
10 under subsection (a) shall, to the maximum extent prac-  
11 ticable, be used to—

12 “(1) build the capacity of sub-Saharan African  
13 colleges and universities, including through the de-  
14 velopment and use of internships and other tools, in  
15 the areas of—

16 “(A) professional and academic training,  
17 faculty development, and technical expertise,  
18 with particular emphasis on mentoring and re-  
19 tention of young and new faculty;

20 “(B) development and strengthening of  
21 educational administrative capacity;

22 “(C) undergraduate, graduate, and grad-  
23 uate curricula development;

24 “(D) improving infrastructure of academic  
25 and institutional facilities;

1           “(E) technical capacities and expertise, es-  
2           pecially in the areas of basic and applied re-  
3           search and institutional development, including  
4           strategies for cost-effective procurement of ad-  
5           vanced scientific research equipment and main-  
6           tenance strategies for such equipment;

7           “(F) vocational training, including profes-  
8           sional development, behavioral courses, informa-  
9           tion technology courses, job placement, and fi-  
10          nancial aid; and

11          “(G) development and use of internships  
12          and other tools;

13          “(2) establish, expand, and promote linkages  
14          and partnerships between sub-Saharan African col-  
15          leges and universities and United States colleges and  
16          universities, with special attention to the inclusion of  
17          historically Black colleges and universities in the  
18          United States, including—

19                 “(A) student exchange programs between  
20                 sub-Saharan African colleges and universities  
21                 and United States colleges and universities;

22                 “(B) internship programs between sub-Sa-  
23                 haran African colleges and universities and  
24                 United States colleges and universities, includ-  
25                 ing community engagement activities;

1           “(C) interactive and collaborative instruc-  
2           tional programs, employing Internet-based and  
3           other networked digital telecommunications  
4           technologies, between sub-Saharan African col-  
5           leges and universities and United States col-  
6           leges and universities; and

7           “(D) collaborative and reciprocal degree  
8           awarding programs based in sub-Saharan Afri-  
9           can partner institutions, supported by United  
10          States faculty working with sub-Saharan Afri-  
11          can colleagues to help design curricula and  
12          serving as visiting lecturers for periods of at  
13          least a semester; and

14          “(3) assist with efforts to recruit and retain  
15          women students, faculty, and administrators at sub-  
16          Saharan African colleges and universities.

17          “(c) DIRECTOR FOR HIGHER EDUCATION DEVELOP-  
18          MENT IN SUB-SAHARAN AFRICA.—

19                 “(1) IN GENERAL.—Not later than 60 days  
20                 after the date of the enactment of this section, the  
21                 Administrator shall designate a Director for Higher  
22                 Education in sub-Saharan Africa, who shall report  
23                 directly to the Administrator, and who shall carry  
24                 out the responsibilities described in paragraph (2).

1           “(2) RESPONSIBILITIES.—The responsibilities  
2 referred to in paragraph (1) include—

3           “(A) ongoing consultations with and the  
4 provision of technical advice to sub-Saharan Af-  
5 rican governments, particularly ministries of  
6 education, regional organizations, and public  
7 tertiary and related educational institutions,  
8 and education and educators’ organizations  
9 with respect to carrying out the activities de-  
10 scribed in subsection (b);

11           “(B) coordination and administration of  
12 long-term assistance authorized under sub-  
13 section (a) in support of the activities described  
14 in subsection (b); and

15           “(C) coordinating with other bureaus with-  
16 in the Agency, with other relevant United  
17 States Government agencies, with the United  
18 States and sub-Saharan African private sectors,  
19 with the higher education community and rel-  
20 evant research organizations in the United  
21 States and sub-Saharan African countries, and  
22 with other bilateral and multilateral develop-  
23 ment partners to maximize the gains and im-  
24 pact of activities carried out under subsection  
25 (b)(1).

1       “(d) SUB-SAHARAN AFRICAN HIGHER EDUCATION  
2 ADVISORY BOARD.—

3               “(1) ESTABLISHMENT.—There is hereby estab-  
4 lished within the Agency a sub-Saharan African  
5 Higher Education Advisory Board.

6               “(2) MEMBERSHIP.—

7                       “(A) NUMBER AND APPOINTMENT.—The  
8 Board shall be composed of members appointed  
9 by the Administrator in consultation with the  
10 Speaker and the minority leader of the House  
11 of Representatives and the majority and minor-  
12 ity leaders of the Senate.

13                      “(B) QUALIFICATIONS.—The Board shall  
14 include seven members drawn from individuals  
15 with private sector experience, three of whom  
16 shall have demonstrable knowledge of sub-Saha-  
17 ran Africa and the field of higher education or  
18 higher education in sub-Saharan Africa, three  
19 of whom shall currently be affiliated with or  
20 have career-length associations with one or  
21 more sub-Saharan African higher education in-  
22 stitutions drawn from a list submitted jointly by  
23 the Association of African Universities (AAU),  
24 Southern African Regional Universities Associa-  
25 tion (SARUA), and Inter-University Council for

1 Eastern Africa (IUCEA), and one of whom  
2 shall be a president of a historically Black col-  
3 lege or university in the United States.

4 “(3) DUTIES.—The Board shall—

5 “(A) advise and assist the Director in car-  
6 rying out the responsibilities described in this  
7 section;

8 “(B) not less than twice a year, meet with  
9 senior officials of the Agency in order to fulfill  
10 the duty described in subparagraph (A); and

11 “(C) once a year, submit to the Director  
12 and Administrator a report, which shall be  
13 made publicly available, which evaluates the im-  
14 plementation of this section for the preceding  
15 year, including the extent to which—

16 “(i) the requirement of subsection  
17 (b)(2), relating to participation of histori-  
18 cally Black colleges and universities in the  
19 United States, was met;

20 “(ii) the requirement of subsection  
21 (b)(3) was met; and

22 “(iii) outlines a plan of specific inter-  
23 ventions to support the recruitment and re-  
24 tention of young and new professors, schol-  
25 ars, and researchers at sub-Saharan Afri-

1 can colleges and universities that identifies  
2 barriers to such ends and proposes pro-  
3 grammatic interventions to overcome such  
4 barriers.

5 “(e) PUBLIC-PRIVATE PARTNERSHIPS.—The Direc-  
6 tor and the Board shall seek, to the extent practicable,  
7 to use any funding appropriated for the purpose of car-  
8 rying out the duties, goals, and functions described in this  
9 section to leverage equal or greater sources of private sec-  
10 tor funding for such purposes, and shall undertake and  
11 prioritize efforts to identify such sources of private sector  
12 funding.

13 “(f) REPORTS TO CONGRESS.—

14 “(1) INITIAL REPORT.—Not later than one year  
15 after the date of the enactment of this section, the  
16 President shall transmit to the Committee on For-  
17 eign Affairs of the House of Representatives and the  
18 Committee on Foreign Relations of the Senate a re-  
19 port that contains—

20 “(A) benchmarks for measuring the long-  
21 term impact of activities carried out under this  
22 section; and

23 “(B) a proposal for enhancing opportuni-  
24 ties for the African diaspora to engage in activi-  
25 ties to improve the capacity, on either an on-

1 going or short-term basis, of sub-Saharan col-  
2 leges and universities.

3 “(2) ANNUAL REPORT.—Not later than one  
4 year after the date of transmission of the initial re-  
5 port under paragraph (1) and annually thereafter,  
6 the President shall transmit to the congressional  
7 committees specified in paragraph (1) a report that  
8 contains a description of the activities carried out  
9 under this section for the preceding fiscal year and  
10 the progress made toward achieving the benchmarks  
11 outlined in the initial report, and any program ad-  
12 justments undertaken to improve efforts to achieve  
13 such benchmarks.

14 “(g) DEFINITIONS.—In this section—

15 “(1) the term ‘Administrator’ means the Ad-  
16 ministrator of the Agency;

17 “(2) the term ‘Agency’ means the United States  
18 Agency for International Development;

19 “(3) the term ‘Board’ means the sub-Saharan  
20 African Higher Education Advisory Board estab-  
21 lished pursuant to subsection (d);

22 “(4) the term ‘Director’ means the Director of  
23 Assistance for Higher Education in sub-Saharan Af-  
24 rica designated pursuant to subsection (e); and



1           “(5) the term ‘higher education’ means post-  
2           secondary undergraduate, graduate, and post-  
3           graduate academic training.

4           “(h) AUTHORIZATION OF APPROPRIATIONS.—To  
5           carry out this section, there are authorized to be appro-  
6           priated to the President such sums as may be necessary  
7           for each of fiscal years 2012 through 2016.”.

○