

DEPARTMENT OF EDUCATION

34 CFR Parts 662, 663, and 664

RIN 1840-AC53

Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program, Fulbright-Hays Faculty Research Abroad Fellowship Program, and Fulbright-Hays Group Projects Abroad Program

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends the regulations governing the Higher Education Programs in Modern Foreign Language Training and Area Studies—Doctoral Dissertation Research Abroad Fellowship Program, Faculty Research Abroad Fellowship Program, and Group Projects Abroad Program. These amendments are needed as a result of changes in terminology applicable to these programs and changes in the selection criteria. The final regulations change the names of these programs, remove obsolete references, modify the selection criteria, and make other technical changes.

EFFECTIVE DATES: These regulations take effect September 30, 1998.

FOR FURTHER INFORMATION CONTACT: Karla Ver Bryck Block, U.S. Department of Education, 600 Independence Avenue, SW., Suite 600C Portals Building, Washington, DC 20202-5331. Telephone: (202) 401-9774. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

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SUPPLEMENTARY INFORMATION:**Background**

On March 4, 1995 the President announced a Regulatory Reinvention Initiative to reform the Federal regulatory system. In response to the President's initiative, on August 23, 1996 the Secretary issued an Advance Notice of Proposed Rulemaking (ANPRM) to request public comment on the changes being considered in the Department's programs to simplify regulations and reduce regulatory burden (Regulatory Reinvention, 61 FR 43639, August 23, 1996). Regulations for

the International Education Programs in 34 CFR Parts 662 (Higher Education Programs in Modern Foreign Language Training and Area Studies—Doctoral Dissertation Research Abroad Fellowship Program), 663 (Faculty Research Abroad Fellowship Program), and 664 (Group Projects Abroad program) were included in the ANPRM. The Secretary received no comments on changes proposed in the ANPRM for the International Education Programs.

Notice of Proposed Rulemaking

On June 19, 1998, the Secretary published a notice of proposed rulemaking (NPRM) for 34 CFR parts 662, 663, and 664 in the **Federal Register** (63 FR 33765-33776). These final regulations contain one significant change from the NPRM. This change pertains to "health and accident insurance" and is fully explained in the "Analysis of Comments and Changes" elsewhere in this preamble.

Regulatory Changes

As part of the President's Regulatory Reinvention Initiative, the Department is revising the regulations governing the Higher Education Programs in Modern Foreign Language Training and Area Studies—Doctoral Dissertation Research Abroad Fellowship Program, Faculty Research Abroad Fellowship Program, and Group Projects Abroad Program. These amendments are needed to improve the application review process and to update the regulations in light of developments in the field of foreign language, area, and international studies, including political developments abroad, modifications in the policies and practices of the J. William Fulbright Foreign Scholarship Board, and interpretations of regulations. In the spirit of reinventing government, the goal of the changes is to markedly reduce burden associated with the regulations.

These final regulations change the names of these programs to align them with how they are popularly referred to in the field. Additionally, the final regulations make changes in the terminology applicable to these programs, remove obsolete references, and make changes in the selection criteria. The final regulations also reorganize the sections, change the names of several section titles, correct errors in the numbering of the sections, and make other technical changes to improve the regulations.

The substantive changes in the final regulations are discussed with respect to each part. A number of the substantive changes affect each of the parts being amended (34 CFR Parts 662, 663, and

664). Therefore, in the discussion of the changes under Part 662, it is noted whether the change is duplicated in a corresponding section of Parts 663 or 664.

Part 662

The name of Part 662 is changed to Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program. Throughout Parts 662, 663, and 664 the "Board of Foreign Scholarships" is changed to "J. William Fulbright Foreign Scholarship Board" to reflect the change in the name of the board.

Section 662.3 deletes current paragraph (a)(3) to eliminate persons "in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident" as eligible applicants. The change reflects the Secretary's decision that to receive a federally funded fellowship, a person should demonstrate commitment to the United States, either by being a citizen or permanent resident. The change furthers the goal of the program to train people who will then serve in the United States educational field. The change also applies to §§ 663.3 and 664.3.

Section 662.3 also deletes current paragraph (a)(4) which states that a resident of the Trust Territory of the Pacific Islands is eligible for a fellowship, since these islands are no longer a trust territory. The change also applies to §§ 663.3 and 664.3.

Section 662.6 revises the list of regulations that apply to the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program, to reflect accurately which parts of EDGAR currently apply to the program.

Section 662.7 revises the list of terms used in this part that are defined in 34 CFR part 77. Terms that are not used in this part are deleted.

Section 662.7(c) changes the definition of "dependent". These final regulations add the requirement that the individual being claimed as a dependent must accompany the recipient to his or her training site for the entire fellowship period. Also, these final regulations narrow the definition of "dependent" to exclude parents of a participant or parents of the participant's spouse. Both changes in the definition are grounded in the need to conserve limited program funds. By requiring that in order to receive a dependent's allowance the dependent be at the training site for the entire fellowship period, the Secretary will preclude the use of program funds for short term visits. The changes in the dependent's definition with regard to parents bring the program's policy

toward dependents more in line with similar fellowship programs. Additionally, only once in more than 30 years of program administration has a dependent's allowance been requested for a parent.

Section 662.7(c) eliminates the definition for "foreign currencies" since all foreign currency accounts previously available to the Secretary for operation of this program have been exhausted.

All of the changes to § 662.7(c) also apply to § 663.7(c).

Section 662.10 incorporates the language found in current § 662.21. Paragraph (c) of current § 662.21 which addresses requirements for an applicant who plans to conduct research in the former USSR and Eastern European countries are deleted, since changes in the research climate in those countries have eliminated the need to require an applicant to apply to the International Research and Exchange Board. The change also applies to § 663.10.

Section 662.20(d) preserves and clarifies the current position of the Department relating to veteran's preference. These regulations add language to clarify that if two scores are tied and one of the applicants is a veteran, the applicant who is a veteran will receive a preference. The change also applies to § 663.20(d).

Section 662.21 revises the selection criteria. The revised criteria reflect a greater consistency with criteria used in comparable fellowship programs. This would facilitate writing fellowship applications for individuals since the applications would be similar.

There would also be a greater emphasis on foreign language training. Since these programs were originally intended to enhance the foreign language competence of individuals trained in American schools, the criteria are modified to give greater emphasis to having acquired a foreign language. Paragraph (c)(3) adds the requirement that the applicant be proficient in one or more of the languages of the country or countries of research, excluding English and the applicant's native language. The language most likely would result in a decrease in the number of applications from individuals wishing to conduct research in English and would encourage non-native born United States citizens or resident aliens to acquire an additional foreign language. The Department has experienced a substantial increase in the number of applications for conducting research in English.

The points assigned are changed to allow the readers greater ability to differentiate among the applications. The changes in points assigned are

reflected in § 662.21(a), (b), and (c). Due to the extremely high caliber of applications, there is frequently a clustering of high scores. The point structure allows readers a broader range in which to assign points. Under current § 662.21 points are assigned in a narrow range and a multiplication factor is applied, which results in significant clustering of like applications.

The Department has consulted with various experts in language and area studies as well as administrators of fellowship programs in developing the revisions to the selection criteria. Their comments and feedback have been incorporated into these changes.

The changes to § 662.21 also apply to § 663.21.

Section 662.22 incorporates the language from current § 662.33 and adds a new paragraph (b) to prevent an applicant from receiving more than one fellowship under the Fulbright-Hays Act in a given fiscal year. The provision prevents an applicant from receiving a fellowship from the Department and the United States Information Agency (USIA) within the same fiscal year. The change ensures that limited funds appropriated to the agencies have a broader impact and are not used duplicatively. The change reflects the current policy statements of the Foreign Scholarship Board.

Similar to § 662.10, § 662.22 eliminates language from current § 662.33(a)(2) that addresses requirements for an applicant who plans to conduct research in the USSR and Eastern European countries. Changes in the research climate in those countries have eliminated the need to require an applicant to apply to the International Research and Exchange Board. The change also applies to § 663.22.

Part 663

The name of Part 663 is changed to Fulbright-Hays Faculty Research Abroad Fellowship Program.

Section 663.3 outlines who is eligible to receive a fellowship under this program. Current § 663.3(d)(1) and (2) are deleted from the final regulations because they are part of the selection criteria and should not be considered under eligibility.

Section 663.6 revises the list of regulations that apply to the Fulbright-Hays Faculty Research Abroad Fellowship Program, to reflect accurately which parts of EDGAR currently apply to the program.

Part 664

The name of Part 664 is changed to Fulbright-Hays Group Projects Abroad Program.

Section 664.4 revises the list of regulations that apply to the Fulbright-Hays Group Projects Abroad Program, to reflect accurately which parts of EDGAR currently apply to the program.

Section 664.5 revises the list of terms used in this part that are defined in EDGAR, 34 CFR Part 77. Terms that are not used in this part are deleted.

Sections 664.11, 664.12, and 664.13 revise the length of the projects. Section 664.11 changes the length of a short-term project from six weeks under current regulations, to from four to six weeks. Section 664.12 changes the length of a curriculum development project from six to eight weeks under current regulations, to from four to eight weeks. The current provisions encouraged longer periods in the field, even when they were not necessary for the successful accomplishment of the project goals. The revised, shorter project periods will allow applicants greater flexibility in carrying out their projects. Section 664.13 changes the length of a group research project from two to twelve months under current regulations, to three to twelve months. This change is designed to encourage applicants to develop more in depth research and study projects. In order to be consistent with Parts 662 and 663, § 664.30 adds a new paragraph (d), which establishes that the Secretary will consider for funding only projects that an applicant proposes to carry out in a country in which the United States has diplomatic representation.

Section 664.31(a)(2)(v) and (b)(4), which addresses the inclusion of underrepresented groups in the selection criteria for applications, is revised to be consistent with the Education Department General Administrative Regulations (EDGAR) (§ 75.210(c)(5) and (d)(1)(iv)). The language requires the applicant to ensure that participants in the Fulbright-Hays Group Projects and its personnel selected for employment are selected without regard to race, color, national origin, gender, age, or handicapping condition.

Section 664.33(b)(1) allows for greater flexibility in establishing annual per diem rates, consistent with the cost-of-living in overseas areas. Current regulations require a maintenance stipend to be based on 50 percent of the amount established in the U.S. Department of State publication "Maximum Travel Per Diem Allowances for Foreign Areas". Section 664.33(b)(1) eliminates the 50 percent limitation, which would permit an upward or a downward adjustment based on the cost of living in the host country.

Section 664.33 is further revised by adding a new paragraph (c), to permit program funds to be used for emergency medical expenses not covered by a participant's health and accident insurance and for repatriation of remains. Under current regulations, sections 662.4(b) and 663.4(b) already provided the Secretary with the discretion to use program funds for emergency medical expenses or repatriation of remains.

Analysis of Comments and Changes

In response to the Secretary's invitation to comment in the NPRM, two parties submitted comments on the proposed regulations. An analysis of the comments and of any changes in the regulations since publication of the NPRM follows.

Major issues are grouped according to subject, with appropriate sections of the regulations referenced in parentheses. Other substantive issues are discussed under the section of the regulations to which they pertain. Technical and minor changes—and suggested changes the Secretary is not legally authorized to make under the applicable statutory authority—generally are not addressed.

Health and Accident Insurance (§§ 662.4, 663.4, 664.33)

Comments: One commenter suggested that health and accident insurance, including emergency medical evacuation and repatriation of remains, be required for Fulbright-Hays participants and that program funds be made routinely available for this purpose.

Discussion: Program practice under all three programs ensures that health and accident insurance is in place before the research or projects may be undertaken. Current Part 662 provides for the use of program funds for health and accident insurance and permits support for emergency medical expenses and repatriation of remains. Current Part 663 does not provide funds for insurance, because the Department believes that it is appropriate for faculty members to continue their health and accident insurance policies in force while they are overseas. Like Part 662, current Part 663 permits funds to be used for emergency medical expenses and repatriation of remains. Current Part 664 does not explicitly provide for the use of program funds for insurance, emergency medical expenses, or repatriation of remains.

The Department believes that the approach in current regulations concerning the use of program funds for insurance, emergency medical expenses, and repatriation of remains is essentially sound. However, the

Department is persuaded that the regulations for the Group Projects Abroad program should expressly permit (but not require) the use of program funds for emergency medical expenses or repatriation of remains. This change is consistent with the long-standing cost-sharing policy of the Group Projects Abroad program.

Changes: Section 664.33 is revised to permit program funds to be used for emergency medical expenses not covered by a participant's health and accident insurance and for repatriation of remains.

Dependent (§ 662.7(c))

Comments: One commenter expressed concern that the changes to the definition of "dependent" would so narrow eligible visits as to provide a disincentive for participation in the program, and that the new eligibility requirements would provide a significant barrier to providing access to these programs for the full range of qualified applicants. The commenter further stated that it did not appear appropriate to bar support because a school-age child could visit only during the three summer months of the fellow's overseas work, or because the fellow's employed spouse might be able to be abroad for only a semester, or six months.

Discussion: The Department believes strongly that the changes in the definition of "dependent" are necessary to conserve limited program funds. Further, the Department believes that if a child is spending the school year with a working parent here, and plans to go abroad for only the summer, it is unlikely that the fellow would be eligible for a dependent's allowance even under the current regulations, since eligibility is contingent upon the fellow's providing at least 50 percent of the dependent's support for the entire fellowship period, not just the time the dependent is in the field.

With respect to a spouse who is working here and can travel abroad for only a semester or six months, the Department again believes that if a spouse is working here, it is unlikely that the fellow would be providing at least 50 percent of the support for the entire fellowship period. Therefore, even under the current regulations, the fellow would not likely qualify for the dependent's allowance.

The Department does not believe that the proposed change in the definition of "dependent" will provide a barrier to participation in the program, and believes that this change is necessary in order to conserve limited funds.

Changes: None.

Diplomatic Representation (§§ 662.20(b), 663.20(b), 664.30(d))

Comments: One commenter suggested that the Department eliminate any requirement that projects be conducted in countries in which the United States has diplomatic representation.

Discussion: The Department does not agree that the requirement should be eliminated. The review process for the Fulbright-Hays programs has long involved sending the applications to United States diplomatic officials overseas for their comments on budget, feasibility, and political sensitivity. The Department believes that these comments are of immense value in ensuring the success of the projects.

Changes: None.

Acquired Foreign Language (§ 662.21(c)(3))

Comments: One commenter was troubled by the Department's proposed emphasis in the selection criteria on the use of an acquired (i.e., non-native) foreign language. It was the commenter's view that the purpose of the program is to provide support for the development of high-end expertise in languages other than English regardless of the method of acquisition.

Discussion: The purpose of the Doctoral Dissertation Research Abroad Fellowship Program (DDRA) is primarily to support students conducting research overseas in non-native languages other than English. The Department believes that a student conducting research in his or her native language should not enjoy the advantage in the competition that the current regulations provide. Additionally the Department wishes to preserve the program as a vehicle for overseas research by students who have completed the non-native language training under the Department's Title VI Foreign Language and Area Studies (FLAS) Fellowship program.

Changes: None.

Duration of Group Projects (§§ 664.11, 664.12, and 664.13)

Comments: One commenter supported the Department's change for group research projects at § 664.13, raising the minimum project time from two to three months. The commenter, however, expressed concern at the Department's proposals to allow for shorter project periods in §§ 664.11 and 664.12. The commenter generally supported the Department's efforts to permit flexibility in setting project timeframes for applicants to carry out their projects but felt that the proposed minimum project length might be too short.

Discussion: The Department's experience in administering short-term and curriculum development projects and working with the academic community suggests that the greater flexibility proposed in the NPRM would not adversely affect the quality or substance of these projects, and is a desirable change.

Changes: None.

Advanced Overseas Intensive Language Training Project (§ 664.14(a)(1))

Comment: One commenter recommended amending § 664.14(a)(1) to permit the support of intermediate as well as advanced intensive language programs under the Group Projects Abroad program.

Discussion: The purpose of overseas language training under this program is to increase a student's competency within the project period to a level that permits the student to use the language in research and other professional activities. The Department believes that, as a general rule, a minimum of two years study of a language is needed prior to this training. However, the Department also recognizes the availability of two years of training in certain languages in this country is very limited or non-existent. For this reason, § 664.14(a)(3) of the notice of proposed rulemaking included the word "generally" to give the Department the flexibility to fund projects for students with fewer than two years of language coursework. The Department plans to consider these projects on a case-by-case basis.

Changes: None.

Paperwork Reduction Act of 1995

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control numbers assigned to the collection of information in these final regulations is displayed at the end of the affected sections of these regulations.

Assessment of Educational Impact

In the NPRM the Secretary requested comments on whether the proposed regulations would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

Based on the response to the NPRM and on its own review, the Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

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Note: The official version of this document is the document published in the **Federal Register**.

List of Subjects

34 CFR Parts 662 and 663

Colleges and universities, Education, Educational research, Educational study programs, Fellowships, Reporting and recordkeeping requirements.

34 CFR Part 664

Colleges and universities, Education, Educational study programs, Reporting and recordkeeping requirements, Teachers.

(Catalog of Federal Domestic Assistance Numbers: 84.022 Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program; 84.019 Fulbright-Hays Faculty Research Abroad Fellowship Program; and 84.021 Fulbright-Hays Group Projects Abroad Program)

Dated: August 25, 1998.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

The Secretary amends Chapter VI of Title 34 of the Code of Federal Regulations by revising Parts 662, 663, and 664 to read as follows:

PART 662—FULBRIGHT-HAYS DOCTORAL DISSERTATION RESEARCH ABROAD FELLOWSHIP PROGRAM

Subpart A—General

Sec.

- 662.1 What is the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program?
- 662.2 Who is eligible to receive an institutional grant under this program?
- 662.3 Who is eligible to receive a fellowship under this program?
- 662.4 What is the amount of a fellowship?
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Subpart B—Applications

- 662.10 How does an individual apply for a fellowship?
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- 662.20 How is a Fulbright-Hays Doctoral Dissertation Research Abroad Fellow selected?
- 662.21 What criteria does the Secretary use to evaluate an application for a fellowship?
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Subpart D—Post-award Requirements for Institutions

- 662.30 What are an institution's responsibilities after the award of a grant?

Subpart E—Post-award Requirements for Fellows

- 662.41 What are a fellow's responsibilities after the award of a fellowship?
- 662.42 How may a fellowship be revoked?

Authority: Section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act), 22 U.S.C. 2452(b)(6), unless otherwise noted.

Subpart A—General

§ 662.1 What is the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program?

(a) The Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program is designed to contribute to the development and improvement of the study of modern foreign languages and area studies in the United States by providing opportunities for scholars to conduct research abroad.

(b) Under the program, the Secretary awards fellowships, through institutions of higher education, to doctoral candidates who propose to conduct dissertation research abroad in modern foreign languages and area studies.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.2 Who is eligible to receive an institutional grant under this program?

An institution of higher education is eligible to receive an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.3 Who is eligible to receive a fellowship under this program?

An individual is eligible to receive a fellowship if the individual—

(a)(1) Is a citizen or national of the United States; or

(2) Is a permanent resident of the United States;

(b)(1) Is a graduate student in good standing at an institution of higher education; and

(2) When the fellowship period begins, is admitted to candidacy in a doctoral degree program in modern foreign languages and area studies at that institution;

(c) Is planning a teaching career in the United States upon completion of his or her doctoral program; and

(d) Possesses sufficient foreign language skills to carry out the dissertation research project.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.4 What is the amount of a fellowship?

(a) The Secretary pays—

(1) Travel expenses to and from the residence of the fellow and the country or countries of research;

(2) A maintenance stipend for the fellow and his or her dependents related to cost of living in the host country or countries;

(3) An allowance for research-related expenses overseas, such as books, copying, tuition and affiliation fees, local travel, and other incidental expenses; and

(4) Health and accident insurance premiums.

(b) In addition, the Secretary may pay—

(1) Emergency medical expenses not covered by health and accident insurance; and

(2) The costs of preparing and transporting the remains of a fellow or dependent who dies during the term of the fellowship to his or her former home.

(c) The Secretary announces the amount of benefits expected to be available in an application notice published in the **Federal Register**.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e) (1) and (2))

§ 662.5 What is the duration of a fellowship?

(a) A fellowship is for a period of not fewer than six nor more than twelve months.

(b) A fellowship may not be renewed.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.6 What regulations apply to this program?

The following regulations apply to this program:

(a) The regulations in this part 662; and

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR parts 74, 75, 77, 81, 82, 85, and 86).

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.7 What definitions apply to this program?

(a) Definitions of the following terms as used in this part are contained in 34 CFR part 77:

Applicant
Application
Award
EDGAR
Fiscal year
Grant
Secretary

(b) The definition of *institution of higher education* as used in this part is contained in 34 CFR 600.4.

(c) The following definitions of other terms used in this part apply to this program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Dependent means any of the following individuals who accompany the recipient of a fellowship under this program to his or her training site for the entire fellowship period if the individual receives more than 50 percent of his or her support from the recipient during the fellowship period:

(1) The recipient's spouse.
(2) The recipient's or spouse's children who are unmarried and under age 21.

J. William Fulbright Foreign Scholarship Board means the presidentially-appointed board that is responsible for supervision of the program covered by this part.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

Subpart B—Applications

§ 662.10 How does an individual apply for a fellowship?

(a) An individual applies for a fellowship by submitting an application to the Secretary through the institution of higher education in which the individual is enrolled.

(b) The applicant shall provide sufficient information concerning his or her personal and academic background and proposed research project to enable the Secretary to determine whether the applicant—

(1) Is eligible to receive a fellowship under § 662.3; and

(2) Should be selected to receive a fellowship under subparts C and D of this part.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.11 What is the role of the institution in the application process?

An institution of higher education that participates in this program is responsible for—

(a) Making fellowship application materials available to its students;

(b) Accepting and screening applications in accordance with its own technical and academic criteria; and

(c) Forwarding screened applications to the Secretary and requesting an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart C—Selection of Fellows

§ 662.20 How is a Fulbright-Hays Doctoral Dissertation Research Abroad Fellow selected?

(a) The Secretary considers applications for fellowships under this program that have been screened and submitted by eligible institutions. The Secretary evaluates these applications on the basis of the criteria in § 662.21.

(b) The Secretary does not consider applications to carry out research in a country in which the United States has no diplomatic representation.

(c) In evaluating applications, the Secretary obtains the advice of panels of United States academic specialists in modern foreign languages and area studies.

(d) The Secretary gives preference to applicants who have served in the armed services of the United States if their applications are equivalent to those of other applicants on the basis of the criteria in § 662.21.

(e) The Secretary considers information on budget, political sensitivity, and feasibility from binational commissions or United States diplomatic missions, or both, in the

proposed country or countries of research.

(f) The Secretary presents recommendations for recipients of fellowships to the J. William Fulbright Foreign Scholarship Board, which reviews the recommendations and approves recipients.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 662.21 What criteria does the Secretary use to evaluate an application for a fellowship?

(a) *General.* (1) The Secretary uses the criteria in this section to evaluate an application for a fellowship.

(2) The maximum score for all of the criteria is 100 points. However, if priority criteria described in paragraph (c) of this section are used, the maximum score is 110 points.

(3) The maximum score for each criterion is shown in parentheses with the criterion.

(b) *Quality of proposed project.* (60 points) The Secretary reviews each application to determine the quality of the research project proposed by the applicant. The Secretary considers—

(1) The statement of the major hypotheses to be tested or questions to be examined, and the description and justification of the research methods to be used;

(2) The relationship of the research to the literature on the topic and to major theoretical issues in the field, and the project's originality and importance in terms of the concerns of the discipline;

(3) The preliminary research already completed in the United States and overseas or plans for such research prior to going overseas, and the kinds, quality and availability of data for the research in the host country or countries;

(4) The justification for overseas field research and preparations to establish appropriate and sufficient research contacts and affiliations abroad;

(5) The applicant's plans to share the results of the research in progress and a copy of the dissertation with scholars and officials of the host country or countries; and

(6) The guidance and supervision of the dissertation advisor or committee at all stages of the project, including guidance in developing the project, understanding research conditions abroad, and acquainting the applicant with research in the field.

(c) *Qualifications of the applicant.* (40 points) The Secretary reviews each application to determine the qualifications of the applicant. The Secretary considers—

(1) The overall strength of the applicant's graduate academic record; (10)

(2) The extent to which the applicant's academic record demonstrates a strength in area studies relevant to the proposed project; (10)

(3) The applicant's proficiency in one or more of the languages (other than English and the applicant's native language) of the country or countries of research, and the specific measures to be taken to overcome any anticipated language barriers; (15) and

(4) The applicant's ability to conduct research in a foreign cultural context, as evidenced by the applicant's references or previous overseas experience, or both. (5)

(d) *Priorities.* (10 points) (1) The Secretary determines the extent to which the application responds to any priority that the Secretary establishes for the selection of fellows in any fiscal year. The Secretary announces any priorities in an application notice published in the **Federal Register**.

(2) Priorities may relate to certain world areas, countries, academic disciplines, languages, topics, or combinations of any of these categories. For example, the Secretary may establish a priority for—

(i) A specific geographic area or country, such as the Caribbean or Poland;

(ii) An academic discipline, such as economics or political science;

(iii) A language, such as Tajik or Indonesian; or

(iv) A topic, such as public health issues or the environment.

(Approved by the Office of Management and Budget under control number 1840-0005)

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 662.22 How does the J. William Fulbright Foreign Scholarship Board select fellows?

(a) The J. William Fulbright Foreign Scholarship Board selects fellows on the basis of the Secretary's recommendations and the information described in § 662.20(e) from binational commissions or United States diplomatic missions.

(b) No applicant for a fellowship may be awarded more than one graduate fellowship under the Fulbright-Hays Act from appropriations for a given fiscal year.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(1))

Subpart D—Post-award Requirements for Institutions

§ 662.30 What are an institution's responsibilities after the award of a grant?

(a) An institution to which the Secretary awards a grant under this part is responsible for administering the grant in accordance with the regulations described in § 662.6.

(b) The institution is responsible for processing individual applications for fellowships in accordance with procedures described in § 662.11.

(c) The institution is responsible for disbursing funds in accordance with procedures described in § 662.4.

(d) The Secretary awards the institution an administrative allowance of \$100 for each fellowship listed in the grant award document.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart E—Post-award Requirements for Fellows

§ 662.41 What are a fellow's responsibilities after the award of a fellowship?

As a condition of retaining a fellowship, a fellow shall—

(a) Maintain satisfactory progress in the conduct of his or her research;

(b) Devote full time to research on the approved topic;

(c) Not engage in unauthorized income-producing activities during the period of the fellowship; and

(d) Remain a student in good standing with the grantee institution during the period of the fellowship.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.42 How may a fellowship be revoked?

(a) The fellowship may be revoked only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a revocation of a fellowship on the basis of—

(1) The fellow's failure to meet any of the conditions in § 662.41; or

(2) Any violation of the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board.

(Authority: 22 U.S.C. 2452(b)(6), 2456, and Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

PART 663—FULBRIGHT-HAYS FACULTY RESEARCH ABROAD FELLOWSHIP PROGRAM

Subpart A—General

Sec.

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663.2 Who is eligible to receive an institutional grant under this program?

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Subpart B—Applications

- 663.10 How does an individual apply for a fellowship?
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- 663.20 How is a Fulbright-Hays Faculty Research Abroad Fellow selected?
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Subpart D—Post-award Requirements for Institutions

- 663.30 What are an institution's responsibilities after the award of a grant?

Subpart E—Post-award Requirements for Fellows

- 663.41 What are a fellow's responsibilities after the award of a fellowship?
- 663.42 How may a fellowship be revoked?

Authority: Sec. 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act), 22 U.S.C. 2452(b)(6), unless otherwise noted.

Subpart A—General**§ 663.1 What is the Fulbright-Hays Faculty Research Abroad Fellowship Program?**

(a) The Fulbright-Hays Faculty Research Abroad Program is designed to contribute to the development and improvement of modern foreign language and area studies in the United States by providing opportunities for scholars to conduct research abroad.

(b) Under the program, the Secretary awards fellowships, through institutions of higher education, to faculty members who propose to conduct research abroad in modern foreign languages and area studies to improve their skill in languages and knowledge of the culture of the people of these countries.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.2 Who is eligible to receive an institutional grant under this program?

An institution of higher education is eligible to receive an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.3 Who is eligible to receive a fellowship under this program?

An individual is eligible to receive a fellowship if the individual—

- (a) (1) Is a citizen or national of the United States; or
- (2) Is a permanent resident of the United States;
- (b) Is employed by an institution of higher education;
- (c) Has been engaged in teaching relevant to his or her foreign language or area studies specialization for the two

years immediately preceding the date of the award;

- (d) Proposes research relevant to his or her modern foreign language or area specialization which is not dissertation research for a doctoral degree; and
- (e) Possesses sufficient foreign language skills to carry out the research project.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.4 What is the amount of a fellowship?

- (a) The Secretary pays—
- (1) Travel expenses to and from the residence of the fellow and the country or countries of research;
- (2) A maintenance stipend for the fellow related to his or her academic year salary; and
- (3) An allowance for research-related expenses overseas, such as books, copying, tuition and affiliation fees, local travel, and other incidental expenses.

(b) The Secretary may pay—

- (1) Emergency medical expenses not covered by the faculty member's health and accident insurance; and
- (2) The costs of preparing and transporting the remains of a fellow or dependent who dies during the term of the fellowship to his or her former home.

(c) The Secretary announces the amount of benefits expected to be available in an application notice published in the **Federal Register**.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e) (1) and (2))

§ 663.5 What is the duration of a fellowship?

- (a) A fellowship is for a period of not fewer than three nor more than twelve months.

(b) A fellowship may not be renewed.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.6 What regulations apply to this program?

The following regulations apply to this program:

- (a) The regulations in this part 663; and
- (b) The Education Department General Administrative Regulations (EDGAR) (34 CFR parts 74, 75, 77, 81, 82, 85, and 86).

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.7 What definitions apply to this program?

(a) Definitions of the following terms as used in this part are contained in 34 CFR part 77:

Applicant
Application
Award

EDGAR
Fiscal year
Grant
Secretary

(b) The definition of *institution of higher education* as used in this part is contained in 34 CFR 600.4.

(c) The following definitions of other terms used in this part apply to this program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Dependent means any of the following individuals who accompany the recipient of a fellowship under this program to his or her training site for the entire fellowship period if the individual receives more than 50 percent of his or her support from the recipient during the fellowship period:

- (1) The recipient's spouse.
- (2) The recipient's or spouse's children who are unmarried and under age 21.

J. William Fulbright Foreign Scholarship Board means the presidentially-appointed board that is responsible for supervision of the program covered by this part.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

Subpart B—Applications**§ 663.10 How does an individual apply for a fellowship?**

(a) An individual applies for a fellowship by submitting an application to the Secretary through the institution of higher education at which the individual is employed.

(b) The applicant shall provide sufficient information concerning his or her personal and academic background and proposed research project to enable the Secretary to determine whether the applicant—

- (1) Is eligible to receive a fellowship under § 663.3; and
- (2) Should be selected to receive a fellowship under subparts C and D of this part.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.11 What is the role of the institution in the application process?

An institution of higher education that participates in this program is responsible for—

- (a) Making fellowship application materials available to its faculty;
- (b) Accepting and screening applications in accordance with its own technical and academic criteria; and
- (c) Forwarding screened applications to the Secretary through a request for an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart C—Selection of Fellows

§ 663.20 How is a Fulbright-Hays Faculty Research Abroad Fellow selected?

- (a) The Secretary considers applications for fellowships under this program that have been screened and submitted by eligible institutions. The Secretary evaluates these applications on the basis of the criteria in § 663.21.
- (b) The Secretary does not consider applications to carry out research in a country in which the United States has no diplomatic representation.
- (c) In evaluating applications, the Secretary obtains the advice of panels of United States academic specialists in modern foreign languages and area studies.
- (d) The Secretary gives preference to applicants who have served in the armed services of the United States if their applications are equivalent to those of other applicants on the basis of the criteria in § 663.21.
- (e) The Secretary considers information on budget, political sensitivity, and feasibility from binational commissions or United States diplomatic missions, or both, in the proposed country or countries of research.
- (f) The Secretary presents recommendations for recipients of fellowships to the J. William Fulbright Foreign Scholarship Board, which reviews the recommendations and approves recipients.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 663.21 What criteria does the Secretary use to evaluate an application for a fellowship?

- (a) *General.* (1) The Secretary uses the criteria in this section to evaluate an application for a fellowship.
- (2) The maximum score for all of the criteria is 100 points. However, if priority criteria described in paragraph (c) of this section are used, the maximum score is 110 points.
- (3) The maximum score for each criterion is shown in parentheses with the criterion.
- (b) *Quality of proposed project.* (60 points) The Secretary reviews each application to determine the quality of the research project proposed by the applicant. The Secretary considers—

- (1) The statement of the major hypotheses to be tested or questions to be examined, and the description and justification of the research methods to be used;
- (2) The relationship of the research to the literature on the topic and to major theoretical issues in the field, and the project's importance in terms of the concerns of the discipline;
- (3) The preliminary research already completed or plans for research prior to going overseas, and the kinds, quality and availability of data for the research in the host country or countries;
- (4) The justification for overseas field research, and preparations to establish appropriate and sufficient research contacts and affiliations abroad;
- (5) The applicant's plans to share the results of the research in progress with scholars and officials of the host country or countries and the American scholarly community; and
- (6) The objectives of the project regarding the sponsoring institution's plans for developing or strengthening, or both, curricula in modern foreign languages and area studies.
- (c) *Qualifications of the applicant.* (40 points) The Secretary reviews each application to determine the qualifications of the applicant. The Secretary considers—
- (1) The overall strength of applicant's academic record (teaching, research, contributions, professional association activities); (10)
- (2) The applicant's excellence as a teacher or researcher, or both, in his or her area or areas of specialization; (10)
- (3) The applicant's proficiency in one or more of the languages (other than English and the applicant's native language), of the country or countries of research, and the specific measures to be taken to overcome any anticipated language barriers; (15) and
- (4) The applicant's ability to conduct research in a foreign cultural context, as evidenced by the applicant's previous overseas experience, or documentation provided by the sponsoring institution, or both. (5)
- (d) *Priorities.* (10 points) (1) The Secretary determines the extent to which the application responds to any priority that the Secretary establishes for the selection of fellows in any fiscal year. The Secretary announces any priorities in an application notice published in the **Federal Register**.
- (2) Priorities may relate to certain world areas, countries, academic disciplines, languages, topics, or combinations of any of these categories. For example, the Secretary may establish a priority for—

- (i) A specific geographic area or country, such as East Asia or Latvia;
- (ii) An academic discipline, such as history or political science;
- (iii) A language, such as Hausa or Telegu; or
- (iv) A topic, such as religious fundamentalism or migration.

(Approved by the Office of Management and Budget under control number 1840-0005)
(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 663.22 How does the J. William Fulbright Foreign Scholarship Board select fellows?

The J. William Fulbright Foreign Scholarship Board selects fellows on the basis of the Secretary's recommendations and the information described in § 663.20(e) from binational commissions or United States diplomatic missions.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(1))

Subpart D—Post-award Requirements for Institutions

§ 663.30 What are an institution's responsibilities after the award of a grant?

- (a) An institution to which the Secretary awards a grant under this part is responsible for administering the grant in accordance with the regulations described in § 663.6.
- (b) The institution is responsible for processing individual applications for fellowships in accordance with procedures described in § 663.11.
- (c) The institution is responsible for disbursing funds in accordance with procedures described in § 663.4.
- (d) The Secretary awards the institution an administrative allowance of \$100 for each fellowship listed in the grant award document.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart E—Post-award Requirements for Fellows

§ 663.41 What are a fellow's responsibilities after the award of a fellowship?

As a condition of retaining a fellowship, a fellow shall—

- (a) Maintain satisfactory progress in the conduct of his or her research;
- (b) Devote full time to research on the approved topic;
- (c) Not engage in unauthorized income-producing activities during the period of the fellowship; and
- (d) Remain employed by the grantee institution during the period of the fellowship.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.42 How may a fellowship be revoked?

- (a) The fellowship may be revoked only by the J. William Fulbright Foreign

Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a revocation of a fellowship on the basis of—

(1) The fellow's failure to meet any of the conditions in § 663.41; or

(2) Any violation of the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board.

(Authority: 22 U.S.C. 2452(b)(6), 2456, and Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

PART 664—FULBRIGHT-HAYS GROUP PROJECTS ABROAD PROGRAM

Subpart A—General

Sec.

664.1 What is the Fulbright-Hays Group Projects Abroad Program?

664.2 Who is eligible to apply for assistance under the Fulbright-Hays Group Projects Abroad Program?

664.3 Who is eligible to participate in projects funded under the Fulbright-Hays Group Projects Abroad Program?

664.4 What regulations apply to the Fulbright-Hays Group Projects Abroad Program?

664.5 What definitions apply to the Fulbright-Hays Group Projects Abroad Program?

Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?

664.10 What kinds of projects does the Secretary assist?

664.11 What is a short-term seminar project?

664.12 What is a curriculum development project?

664.13 What is a group research or study project?

664.14 What is an advanced overseas intensive language training project?

Subpart C—How Does the Secretary Make a Grant?

664.30 How does the Secretary evaluate an application?

664.31 What selection criteria does the Secretary use?

664.32 What priorities may the Secretary establish?

664.33 What costs does the Secretary pay?

Subpart D—What Conditions Must Be Met by a Grantee?

664.40 Can participation in a Fulbright-Hays Group Projects Abroad be terminated?

Authority: 22 U.S.C. 2452(b)(6), unless otherwise noted.

Subpart A—General

§ 664.1 What is the Fulbright-Hays Group Projects Abroad Program?

(a) The Fulbright-Hays Group Projects Abroad Program is designed to contribute to the development and improvement of the study of modern foreign languages and area studies in the

United States by providing opportunities for teachers, students, and faculty to study in foreign countries.

(b) Under the program, the Secretary awards grants to eligible institutions, departments, and organizations to conduct overseas group projects in research, training, and curriculum development.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.2 Who is eligible to apply for assistance under the Fulbright-Hays Group Projects Abroad Program?

The following are eligible to apply for assistance under this part:

- (a) Institutions of higher education;
- (b) State departments of education;
- (c) Private non-profit educational organizations; and
- (d) Consortia of institutions, departments, and organizations described in paragraphs (a), (b), or (c) of this section.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.3 Who is eligible to participate in projects funded under the Fulbright-Hays Group Projects Abroad Program?

An individual is eligible to participate in a Fulbright-Hays Group Projects Abroad, if the individual— (a)(1) Is a citizen or national of the United States; or

(2) Is a permanent resident of the United States; and

(b)(1) Is a faculty member who teaches modern foreign languages or area studies in an institution of higher education;

(2) Is a teacher in an elementary or secondary school;

(3) Is an experienced education administrator responsible for planning, conducting, or supervising programs in modern foreign languages or area studies at the elementary, secondary, or postsecondary level; or

(4) Is a graduate student, or a junior or senior in an institution of higher education, who plans a teaching career in modern foreign languages or area studies.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.4 What regulations apply to the Fulbright-Hays Group Projects Abroad Program?

The following regulations apply to this program:

(a) The regulations in this part 664; and

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR parts 74, 75, 77, 80, 81, 82, 85, and 86).

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1), 2456(a)(2))

§ 664.5 What definitions apply to the Fulbright-Hays Group Projects Abroad Program?

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR part 77:

Applicant
Application
Award
EDGAR
Equipment
Facilities
Grant
Grantee
Nonprofit
Project
Private
Public
Secretary
State
State educational agency
Supplies

(Authority: 22 U.S.C. 2452(b)(6))

(b) *Definitions that apply to this program:* The following definitions apply to the Fulbright-Hays Group Projects Abroad Program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Institution of higher education means an educational institution in any State that—

(1) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;

(2) Is legally authorized within such State to provide a program of education beyond secondary education;

(3) Provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree;

(4) Is a public or other nonprofit institution; and

(5) Is accredited by a nationally recognized accrediting agency or association.

J. William Fulbright Foreign Scholarship Board means the presidentially appointed board that is responsible for supervision of the program covered by this part.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?

§ 664.10 What kinds of projects does the Secretary assist?

The Secretary assists projects designed to develop or improve programs in modern foreign language or area studies at the elementary, secondary, or postsecondary level by supporting overseas projects in research, training, and curriculum development by groups of individuals engaged in a common endeavor. Projects may include, as described in §§ 664.11 through 664.14, short-term seminars, curriculum development teams, group research or study, and advanced intensive language programs.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.11 What is a short-term seminar project?

A short-term seminar project is—

(a) Designed to help integrate international studies into an institution's or school system's general curriculum; and

(b) Normally four to six weeks in length and focuses on a particular aspect of area study, such as, for example, the culture of the area or a portion of the culture.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.12 What is a curriculum development project?

(a) A curriculum development project—

(1) Is designed to permit faculty and administrators in institutions of higher education and elementary and secondary schools, and administrators in State departments of education the opportunity to spend generally from four to eight weeks in a foreign country acquiring resource materials for curriculum development in modern foreign language and area studies; and

(2) Must provide for the systematic use and dissemination in the United States of the acquired materials.

(b) For the purpose of this section, resource materials include artifacts, books, documents, educational films, museum reproductions, recordings, and other instructional material.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.13 What is a group research or study project?

(a)(1) A group research or study project is designed to permit a group of faculty of an institution of higher education and graduate and undergraduate students to undertake research or study in a foreign country.

(2) The period of research or study in a foreign country is generally from three to twelve months.

(b) As a prerequisite to participating in a research or training project, participants—

(1) Must possess the requisite language proficiency to conduct the research or study, and disciplinary competence in their area of research; and

(2) In a project of a semester or longer, shall have completed, at a minimum, one semester of intensive language training and one course in area studies relevant to the projects.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.14 What is an advanced overseas intensive language training project?

(a)(1) An advanced overseas intensive language project is designed to take advantage of the opportunities present in the foreign country that are not present in the United States when providing intensive advanced foreign language training.

(2) Project activities may be carried out during a full year, an academic year, a semester, a trimester, a quarter, or a summer.

(3) Generally, language training must be given at the advanced level, i.e., at the level equivalent to that provided to students who have successfully completed two academic years of language training.

(4) The language to be studied must be indigenous to the host country and maximum use must be made of local institutions and personnel.

(b) Generally, participants in projects under this program must have successfully completed at least two academic years of training in the language to be studied.

(Authority: 22 U.S.C. 2452(b)(6))

Subpart C—How Does the Secretary Make a Grant?

§ 664.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application for a Group Project Abroad under the criteria in § 664.31.

(b) In general, the Secretary awards up to 95 possible points for these criteria. However, if priority criteria are used, the Secretary awards up to 110 possible points. The maximum possible points for each criterion are shown in parentheses.

(c) All selections by the Secretary are subject to review and final approval by the J. William Fulbright Foreign Scholarship Board.

(d) The Secretary does not recommend a project to the J. William

Fulbright Foreign Scholarship Board if the applicant proposes to carry it out in a country in which the United States does not have diplomatic representation.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 664.31 What selection criteria does the Secretary use?

The Secretary uses the criteria in this section to evaluate applications for the purpose of recommending to the J. William Fulbright Foreign Scholarship Board projects for funding under this part. The criteria are weighted and may total 105 points:

(a) *Plan of operation.* (Maximum 25 points).

(1) The Secretary reviews each application for information to determine the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) A clear description of how the applicant will ensure that project participants who are otherwise eligible to participate are selected without regard to race, color, national origin, gender, age, or handicapping condition.

(b) *Quality of key personnel.* (Maximum 15 points).

(1) The Secretary reviews each application for information to determine the quality of key personnel the applicant plans to use on the project.

(2) The Secretary looks for information that shows—

(i) The qualifications of the project director;

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this section will commit to the project; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age, or handicapping condition.

(3) To determine the qualifications of a person, the Secretary considers evidence of past experience and training in fields related to the objectives of the

project as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (Maximum 10 points).

(1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(d) *Evaluation plan.* (Maximum 10 points).

(1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project.

(2) The Secretary looks for information that shows that the methods of evaluation are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable.

(e) *Adequacy of resources.* (Maximum 5 points).

(1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows that the facilities, equipment, and supplies that the applicant plans to use are adequate.

(f) *Specific program criteria.* (Maximum 30 points).

(1) In addition to the general selection criteria contained in this section, the Secretary reviews each application for information that shows that the project meets the specific program criteria.

(2) The Secretary looks for information that shows—

(i) The potential impact of the project on the development of the study of modern foreign languages and area studies in American education. (Maximum 15 points).

(ii) The project's relevance to the applicant's educational goals and its

relationship to its program development in modern foreign languages and area studies. (Maximum 5 points).

(iii) The extent to which direct experience abroad is necessary to achieve the project's objectives and the effectiveness with which relevant host country resources will be utilized. (Maximum 10 points).

(g) *Priorities.* (Maximum 15 points) The Secretary looks for information that shows the extent to which the project addresses program priorities in the field of modern foreign languages and area studies for that year. (Approved by the Office of Management and Budget under control number 1840-0068)

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 664.32 What priorities may the Secretary establish?

(a) The Secretary may establish for each funding competition one or more of the following priorities:

(1) Categories of projects described in § 664.10.

(2) Specific languages, topics, countries or geographic regions of the world; for example, Chinese and Arabic, Curriculum Development in Multicultural Education and Transitions from Planned Economies to Market Economies, Brazil and Nigeria, Middle East and South Asia.

(3) Levels of education; for example, elementary and secondary, postsecondary, or postgraduate.

(b) The Secretary announces any priorities in the application notice published in the **Federal Register**.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 664.33 What costs does the Secretary pay?

(a) The Secretary pays only part of the cost of a project funded under this part. Other than travel costs, the Secretary does not pay any of the costs for project-related expenses within the United States.

(b) The Secretary pays the cost of the following—

(1) A maintenance stipend related to the cost of living in the host country or countries;

(2) Round-trip international travel;

(3) A local travel allowance for necessary project-related transportation within the country of study, exclusive of the purchase of transportation equipment;

(4) Purchase of project-related artifacts, books, and other teaching materials in the country of study;

(5) Rent for instructional facilities in the country of study;

(6) Clerical and professional services performed by resident instructional personnel in the country of study; and

(7) Other expenses in the country of study, if necessary for the project's success and approved in advance by the Secretary.

(c) The Secretary may pay—

(1) Emergency medical expenses not covered by a participant's health and accident insurance; and

(2) The costs of preparing and transporting the remains of a participant who dies during the term of a project to his or her former home.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart D—What Conditions Must Be Met by a Grantee?

§ 664.40 Can participation in a Fulbright-Hays Group Projects Abroad be terminated?

(a) Participation may be terminated only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a termination of participation on the basis of failure by the grantee to ensure that participants adhere to the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board.

(Authority: 22 U.S.C. 2452(b)(6), 2456, and Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

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