

## **Title XII: The Vision, the Institutions, and the Activities**

A report prepared for the  
National Association of State Universities and Land Grant Colleges (NASULGC)  
at the request of the Board for International Food and Agricultural Development (BIFAD)

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The statements in the report do not represent USAID, NASULGC, BIFAD, or its subcommittees, nor are they the positions of any of the interviewees, but reflect my interpretations of the information reviewed. The responsibility for any errors is mine.

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## Executive Summary

Title XII, “Famine Prevention and Freedom From Hunger,” is an amendment to the Foreign Assistance Act of 1961 that was initially signed into law in 1975 and amended in 2000. The legislation describes a “coordinated program” of several components that together have the potential to enhance agricultural development across the globe. The legislation identifies a leading role for U.S. universities to work with their many partners to achieve the goals of “ensuring food security, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources” – agriculture in all its dimensions – through research, education, extension/outreach, and policy formulation.

Over the years, the scope and level of activities carried out by United States Agency for International Development (USAID) through U.S. universities that have been characterized as “Title XII activities” has declined dramatically. The early members of the Board for International Food and Agricultural Development (BIFAD) had a broad and bold vision of their role and were supported in that view by the USAID administration of the time. They envisioned a huge potential in the application of university-led cutting-edge research and technical assistance in solving food and nutrition problems around the world.

Notably over the last fifteen years the Board’s vision and involvement in agricultural development has narrowed and USAID support has diminished in concert with shifts across the development assistance paradigm. Part of this decline is a function of the reduced funding available for agricultural development and greater investment in health, HIV/AIDS, and other sectors; another factor is a change in USAID procurement processes that favors open competition and contracting rather than grants, raising questions about procurement sensitivity and potential conflicts of interest; and a third factor is decreased attention by USAID to global research and sponsored training, two key elements characterizing earlier Title XII programs and two special skills associated with universities.

The university context has also changed as they seek to deal with tight state budgets and new scientific and program priorities. Many offices of international agriculture have closed and staff constraints affect both the ability of faculty and administrators to engage in the kind of activities once supported under Title XII. It seemed appropriate, therefore, to revisit the subject of how to implement Title XII in this new foreign assistance environment.

This report reviews the characteristics of eligible Title XII universities and definition of Title XII activities as represented in the literature and as understood by a range of stakeholders in the U.S. agricultural community. It has been prepared for the Board for International Food and Agricultural Development (BIFAD) and executed under contract to the National Association of State Universities and Land Grant Colleges (NASULGC). It builds on several earlier studies of the implementation of Title XII that speak to the long history and complicated relationship of USAID and the U.S. university community.

Specifically, this report seeks to provide clarification on several issues:

- To explore which universities are eligible under Title XII;

- To offer a more detailed description of the defining characteristics of a Title XII activity; and,
- To recommend what BIFAD's role might be in arbitrating any uncertainties in those categorizations.

In preparation of the report, interviews were conducted with nearly fifty current and former USAID staff, BIFAD members, SPARE members, and university representatives as well as a few members of university associations, research organizations, and other federal agencies. In addition, a desktop review of Title XII reports, commissioned studies of U.S. university relations with USAID, and scholarly literature on agricultural university involvement in international agricultural research, teaching, and outreach was undertaken.

### **Key Findings**

- Title XII, originally authorized in 1975 and amended in 2000, offers a bold and ambitious vision supporting a broad definition of agriculture and agricultural research, teaching, extension, and policy development to prevent famine and achieve freedom from hunger. It seeks to mobilize the use of U.S. universities in foreign assistance efforts in agriculture. Its goals remain critical in today's assistance environment and the rising world food price crisis of 2008.
- The Title clearly argues for a "coordinated program" to carry out the Agency's work in the agriculture and environment sectors. It is envisioned as having multiple components that work in harmony, some of which are university-led and others not (see Sec. 296 (b)), towards the goals of preventing famine and ending hunger.
- Historical documentation reveals that this coordinated program, from the outset, included not only university-led activities but also support to the International Agricultural Research Centers (IARCs). The Title mentions a range of opportunities involving universities on their own and with other partners as subgrantees or subcontractors within the university community, among the IARCs, with other Federal agencies, with non-governmental organizations (NGOs), and in the private sector.
- The work to develop and pass the 2000 amendment involved many players from both the university community and from USAID. The history of that process, however, is poorly recorded and individual memories are contradictory, such that there exists a great deal of misinformation about the sequence of events and the decision-making process that surrounded it. No legislative report was prepared for Congress prior to its passage.
- Title XII establishes the BIFAD to "assist in the administration of programs authorized by this title" (see Sec. 298). In the past, BIFAD had a broad vision of its role as helping to shape the entire Agency agricultural portfolio, in order to better plan opportunities to support research, teaching, and extension and the involvement of university-led assistance. In recent years, the Board's responsibilities have been interpreted quite narrowly. The language in the Title appears to support the broader view, such that BIFAD's involvement relates to all of the multiple components of the coordinated program, including the work of the international

agricultural centers as well as other efforts that the Agency supports in agricultural research, training, extension, and policy formulation.

- There is considerable misunderstanding among interviewees about the criteria for “eligible universities” under Title XII. Some think it is only the 1862 and 1890 land grant universities. Others are aware that the 2000 amendment added the 1994 land grants. Many are unfamiliar with or uncertain about the additional provision for involving “other eligible universities.”
- BIFAD is required by the Title to “develop and keep current a roster of universities.” This has not been done for some time. A provisional list is included as an appendix to this report.
- The Title XII legislation does not formally describe “a Title XII activity” or “a Title XII project” although it describes in general terms categories of effort to be pursued under the legislation and the range of players who may participate.
- There was considerable disagreement among the interviewees about the content of the annual Title XII report, in large part because of the confusion over the scope of Title XII and the definition of its activities. There was support for using the report as a vehicle for showcasing all of USAID’s agricultural work, both under Title XII and other efforts, but only if there was a clear separation in the report of these two types of programs and the funding provided for them. Interviewees among the university community were concerned that recent reports gave a false impression, particularly in the funding tables, that Title XII activities were receiving a higher level of funding than they did in actuality.
- According to many interviewees, BIFAD does not currently have adequate resources, in staff or funding, to carry out the larger scope of work envisioned for it by Title XII.

### **Recommendations to BIFAD**

1. Develop a “Guide to Title XII and BIFAD” to assist mission and bureau development of the Title XII program, Title XII activities, and the mobilization of universities in USAID development efforts in agriculture, broadly defined.
2. Clarify the definition and type of Title XII activities, e.g.,:
  - Title XII activities are initiated by or reviewed and approved by BIFAD (or its designated subcommittee/s or staff) prior to award for designation as appropriate under the Title XII legislation; and,
  - Title XII activities are almost entirely implemented by eligible U.S. universities listed on the BIFAD-established roster (although there are some exceptions discussed in the report), and,
  - Title XII activities may be constituted as a grant, cooperative agreement, or a contract and funded from any USAID account or operating unit (central or regional bureau or field mission);
  - Title XII activities address one of the four objectives of the Title, specifically, to 1) carry out global research on problems affecting food, agriculture, forestry, and fisheries; 2)

improve human capacity and institutional resource development for the global application of agricultural and related environmental sciences; 3) provide agricultural development and trade research and extension services in the United States and other countries to support the entry of rural industries into world markets; and, 4) provide for the application of agricultural sciences to solving food, health, nutrition, rural income, and environmental problems, especially such problems in low-income, food deficit countries.

In short, a Title XII activity is one that contributes to the goals of the Title (Sec. 296 (a)) that is implemented by or through an eligible U.S. university and which has been reviewed and approved by BIFAD. Activities carried out by “partners” independently of an eligible U.S. university would not be considered Title XII activities, although their efforts might be part of the coordinated program described under Title XII.

3. Since it is a requirement of the legislation, BIFAD is advised to arrange for the reestablishment of the “eligible university” roster and to define criteria for eligibility. This will require some discussion among U.S. universities, USAID, and other interested parties on criteria for eligibility. One option is simply to refer back to the USDA-maintained lists of 1862, 1890, and 1994 institutions and the NOAA-maintained list of Sea Grant Colleges. An alternative is to establish USAID-specific criteria, such as:
  - being named in the key legislation noted in Title XII (amended 2000) (see Appendix 6);
  - meeting agreed-upon indicators of “demonstrable capacity” in the following areas:
    - teaching, such as having a degree program in one or more of key agricultural/NRM-related science (and social science) disciplines;
    - research, such as having an established record of receipt of research funding and publications on research topics in one of more key agricultural/NRM-related science (and social science) disciplines; and
    - extension (including outreach) activities in the agricultural sciences, such as having an established extension service, having a outreach program involving agricultural producers, processors, traders, or policymakers
  - meeting agreed-upon indicators of being able to “contribute effectively to the attainment of the objectives of this title,” such as offering capacity in areas other those listed above or having key individual scientists (faculty or graduate students) whose skills would enhance a specific activity.
4. Initiate a process for engaging the universities and USAID on establishing a process for application to the roster and criteria for determining the basis for qualification/disqualification.
5. Initiate discussion with USAID and the universities on the scope and content of the Title XII report, which is required under the legislation to detail the Title XII activities over the previous year and projecting five years into the future. The report is also required to detail the activities of BIFAD itself as well as its reaction to the activities report. Reporting on

funding for Title XII activities should be clearly separated from discussions of other USAID agricultural programs.

## Acronyms

ADS	Automated Directive System (USAID's operations manuals)
AMR	Administrative Management Review
BIFAD	Board for International Food and Development
BIFADEC	Board for International Food and Agricultural Development and Economic Cooperation
CGIAR	Consultative Group on International Agricultural Research
CRSP	Collaborative Research Support Program
HBCU	Historically Black Colleges and Universities
HED	Higher Education for Development
IARC	International Agricultural Research Center
LDC	Less Developed Country
JCAD	Joint Committee on Agricultural Development
JCARD	Joint Committee on Agricultural Research and Development
JCC	Joint Career Corps
JEM	Joint Enterprise Mode
JRC	Joint Research Committee
LWA	Leader with Associate Award
MOU	Memorandum of Understanding
NASULGC	National Association of State Universities and Land Grant Colleges
NGO	Non-Governmental Organization
RIR	Registry of Institutional Resources
SPARE	Strategic Partnership for Agricultural Research and Education
TSM	Technical Support to Missions
US	United States
USAID	United States Agency for International Development
USDA	United States Department of Agriculture
USIDCA	United States International Development Cooperation Agency



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## **Title XII: The Vision, the Institutions, and the Activities**

### **I. Introduction**

This report reviews the characteristics of eligible Title XII universities and definition of Title XII activities as represented in the literature and as understood by a range of stakeholders in the U.S. agricultural community. It has been prepared for the Board for International Food and Agricultural Development (BIFAD) and executed under contract to the National Association of State Universities and Land Grant Colleges (NASULGC).<sup>1</sup>

Title XII, “Famine Prevention and Freedom From Hunger,” is an amendment to the Foreign Assistance Act of 1961 that was initially signed into law in 1975 and amended in 2000. The legislation describes a “coordinated program” of several components that together have the potential to enhance agricultural development across the globe. A range of institutions and partners are described as participating in this “coordinated program,” but the legislation identifies a leading role for the U.S. universities to achieve the goals of “ensuring food security, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources” – agriculture in all its dimensions – through research, education, extension/outreach, and policy formulation.

The impetus for this study has been growing for several years. The relationship between the U.S. university community – and particularly the agricultural universities – and the United States Agency for International Development is a complicated one and has already been discussed and dissected by many people, both scholars and practitioners.<sup>2</sup> This study builds on their earlier work to present options for BIFAD to consider in more clearly defining definition of a “Title XII activity,” and the related questions of the scope of the Title XII program and the identification of Title XII institutions.

### **II. Title XII’s Bold Vision: Building on University Scientific Expertise to Benefit Development**

The legislation referred to as “Title XII” among those in the U.S. agricultural community<sup>3</sup> is an ambitious document. Looking at both its history and its current wording, it is also a complex document, and not without ambiguities and some possible internal contradictions.

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<sup>1</sup> Since April 2004, NASULGC has had a grant from the United States Agency for International Development (USAID) to provide logistical and other support to the work of BIFAD, including sub-contracting out various research and analytical reports.

<sup>2</sup> See listings in bibliography for documents by Richard Bissell (2006), Helen Gunther (2006), Miller and Rubin (2003), Sherper (2004), Salt (2003), and the BIFAD-approved CRSP Guidelines (2005).

<sup>3</sup> In this report, the phrase “the U.S. agricultural community” refers to institutions with interest and expertise in the agricultural sciences and agri-business, including those in higher education, the private sector, and the non-governmental organizations (NGO) and among the agencies of the Federal government which are involved in international agricultural development, such as the United States Agency for International Development (USAID) and the United States Department of Agriculture (USDA), among others.

It offers a bold vision of a world of abundant and safe food and healthy people, in which natural resources are sustainably managed, and trade among nations boosts prosperity, particularly among the now impoverished. The Title XII vision finds solutions to the development problems of hunger, malnutrition, and poverty in the scientific expertise of U.S. universities and their partners to carry out research, education, and extension efforts, building on the cutting-edge capabilities of higher education in this country. It asks that universities be more effectively engaged in the larger agricultural development program. Encouraging the involvement of universities is a central part of the legislation and the one on which documentation and stakeholder interviews agree.

To mobilize that expertise, the amendment states that United States Agency for International Development (USAID), in consultation with and in consideration of the advice and guidance of the Board of International Food and Agricultural Development (BIFAD), whose members are appointed by the President of the United States and drawn from the US university community as well as the private sector.

The legislation, however, also states that the goal of defeating hunger cannot be met without a coordinated program (see Sec. 296 (b) and Figure 1 below) with multiple components, including the efforts of a wide group of players including the international agricultural research centers, contract research, and collaborative research support programs, as well as other government agencies. The coordinated program also involves other functions such as dissemination of research results.

In responding to the interviews for this paper, many have asked “why?” Why spend more time and money on yet another study on implementing Title XII? Previous studies have not yet changed the terms of the debate or provided recommendations, whether good or not so realistic, that have been implemented with any success. Anger and frustration have been expressed by interviewees from all quarters at the amount of time that USAID staff and university faculty and administrators, as well as private sector and non-governmental organization (NGO) representatives have spent wrestling with a range of Title XII issues. They also point to declining levels of funding for agriculture since the 1980s and the changing environment of international development and the multiplication of players that hinders cooperation, especially since 2001, between USAID and the U.S. university community. And all these points have been documented and discussed, with little progress, over the past twenty-five (and sometimes more) years.

There are, however, a number of reasons why it is worth another effort to address the thorny issues of Title XII implementation, including the practical considerations that:

- Title XII is law.
- In the past six months, a new food crisis has been developing, called a “food price crisis” that has led to food riots and rising prices, and which begs for a coordinated and thoughtful response from leading agricultural experts in the U.S.
- Lack of knowledge, mistrust, and differing interpretations about the content and implications of Title XII hinders the ability of USAID and as well as of the U.S. university community and its partners to have useful discussions on program issues or to take appropriate action after deliberation, wasting participants time and scare resources.

- In recent years, the varied (mis)understandings about Title XII have affected the required annual reporting to Congress, since there is not agreement over the scope and allocation of funding to the program.
- The cast of players in international development has increased significantly since the last comprehensive assessment of Title XII, with implications for the role of the universities and their relationships to the Agency.
- The context within USAID is also changed and that has affected staff responsibilities, levels of program funds, and development priorities.
- BIFAD and its sub-committees, such as the Strategic Partnership for Agricultural Research and Education (SPARE), would both benefit from agreement on expectations and responsibilities.

The “declaration of policy” of the start of Title XII (amended 2000) states that the “United States should mobilize the capacities of the United States land-grant universities, other eligible universities, and public and private partners of universities” to carry out a range of activities, including research, human and institutional capacity-building, extension, and the application of agricultural sciences to improve human health, nutrition, environment, and rural income problems (Sec. 297). Sherper (2004: 4) notes the shift in the 2000 amendment from “strengthening” the universities to “mobilizing” them to achieve the program goals.

There is broad agreement among respondents as well as in the literature that Title XII calls for:

- Achievement of the goals of the legislation of “ensuring food security, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources” (Sec 296 (a));
- The establishment of BIFAD; and,
- The submission of an annual report on Title XII activities.

Beyond that, the legislation offers many possible interpretations and there is considerable disagreement over other points. Among the interviewees, there was a range of opinions expressed about:

- The role of research in agricultural development today;
- The appropriateness and practicality of working with universities under current USAID procurement procedures;
- The extent to which the goals of Title XII are to be accomplished only through universities, with or without their partners, or whether Title XII also encompasses the work of the IARCs;
- The ability of Title XII to be implemented without an increased staff presence, whether in USAID or in another organization;
- How or whether to distinguish between universities and their partners in a definition of “Title XII institutions”;
- The definition of Title XII activities;
- The content of Title XII reports to Congress; and
- The appropriate role of BIFAD and its success in carrying out that role.

## *A History of Title XII*

In the over 30 years since Title XII was first passed, many of the original players have retired or died, and those currently in positions of authority over the program are not all familiar with the shifts in scope and implementation that have occurred. A brief history of Title XII follows, to provide a common understanding of some the major events and shifts in oversight and administration of the program over time.

Even before Title XII was originally passed in 1975, there had been a high degree of university involvement in international agricultural efforts, funded by AID, in the 1960s. Writing in the early 1960s, for example, Johnson noted two areas of university expertise particularly suited to international agricultural development. He wrote that university faculty and staff have expertise “in widely diversified disciplines vital to rural development,” and that they also excel in training others who would then be able to teach, carry out research, or serve in government positions and other types of public service to address rural development (1964: 1110).

In the early 1970s, however, general reductions in the AID budget reductions contributed to a dip in funding for universities engaged in development work overseas (GAO 1981: 3), and the desire to increase both the level and quality of U.S. university involvement in agricultural assistance programs was an important core of the effort to draft Title XII. Equally important, however, was the goal “to help AID improve its capability to deliver quality technical assistance” (GAO 1981: 1). These goals were envisioned as being synergistic – that to achieve agricultural development goals overseas, not only did USAID need to get bolster its technical knowledge with input from University scientists, but also that university systems needed support, example, in the adaptation of US research in developing country conditions or for building capacity in key skill areas (e.g., regional knowledge or language facility). This vision of a synergistic relationship was characterized as the “Title XII partnership.”

In the early years of Title XII implementation, there was real hope that the goals of “partnership” could be realized. Immediately after Title XII was passed and the members of BIFAD appointed, USAID organized meetings between BIFAD members and the USAID senior staff, provided staff support to the Board from current AID employees and consultants and started recruitment of permanent staff, sent guidance to USAID field missions about the new legislation, and involved BIFAD in discussions about funding and identification of Title XII projects. The Board developed its charter and established two committees: the Joint Research Committee (JRC) and the Joint Committee on Agricultural Development (JCAD) and began reviewing existing AID programs for their relevance under Title XII (Agency for International Development 1977).

In its first few years of operation, BIFAD met regularly and often, almost monthly. It provided input into the development of a new agricultural strategy and in designing new programs. Either the USAID Administrator or Deputy Administrator agreed to attend “for discussions involving major policy decisions” (1977: 5). The extent of the partnership is noted in the Board’s first annual report in 1977:

The Board and AID have agreed to take a broad view of the Board's role and to extend major participation of the Board in the full range of Agency policy formulation and implementation related to food and nutrition.

The Board also defined its role in broad and ambitious terms:

This approach requires Board participation in development assistance issues broader than those specifically involving university activities and broader than Title XII itself.<sup>4</sup>

In these early years, Title XII clearly included not only university-led activities but also support to the International Agricultural Research Centers (IARCs). The Title mentions a range of opportunities involving universities on their own and with other partners as subgrantees or subcontractors within the university community, among the IARCs, with other Federal agencies, with non-governmental organizations (NGOs), and in the private sector (see section IV of this report).

The JCAD, which drew its members from AID as well as from the university community, soon began to on identifying and developing programs as Title XII projects (AID 1978:11).<sup>5</sup> JCAD was also responsible for assisting in evaluating the capabilities of US universities to carry out Title XII activities, among other responsibilities (AID 1978:11).

The JRC<sup>6</sup> had a different role, which was to identify priority areas for new research, to define the scope of new "collaborative research" programs, and to develop guidelines for these programs. At first the description of this new program in the second annual Title XII report was a very general one, "Collaborative Research Support" is the generic term applied to those research activities supported jointly by AID and collaborating institutions, and carried out primarily under Section 297 (a)(3) of Title XII (AID 1978: 12)."<sup>7</sup>

By the third annual report, BIFAD had been involved in the review and designation of 54 projects as being Title XII activities, at a total "life of project" cost of approximately \$329 million dollars. Nineteen country projects had started implementation across all regions. Other programs included support to the, country programs, and US university strengthening programs, IARCs, and the emerging CRSPs. The largest portion of the funds went into the country

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<sup>4</sup> This section of the report elaborates "The core of Title XII falls within Food and Nutrition programs funded by Section 103. The Board will concentrate on this core, but will concern itself also with the remainder of Section 103 programs, and with other activities such as those funded from the Education and Human Resources Development appropriation where such programs affect issue in Food and Nutrition.....Finally, the Board will be involved through AID in agricultural development issues which arise in connection with food aid administered under PL 480" (1977:6).

<sup>5</sup> JCAD membership was set initially at 22, comprised of 9 university members, 7 AID members, 2 USDA members, 1 private sector member, 2 NGO members, and 1 member from the National Oceanic and Atmospheric Administration that oversees the Sea Grant College and Program Act (AID 1978: 9).

<sup>6</sup> JRC membership included initially 9 university members, 5 AID members, 3 USDA members, 1 NOAA member, 1 private sector member, and 1 foundation member, for a total group membership of 20.

<sup>7</sup> Section 297 (a) (3) of Title XII in the original 1975 version states: "to provide program support for long-term collaborative university research, in the developing countries themselves to the maximum extent practicable, on food production, distribution, storage, marketing, and consumption."

programs in three categories of strengthening developing country institutions, advisory services to developing countries, and adapting and applying agricultural technologies to developing countries (about \$225 million).

Research was identified as a separate category of activities and consisted of three types: funding for the IARCs (at about \$27 million in 1979), the CRSPs at \$9 million (mostly planning grants), and other centrally funded contract research at \$4.5 million (AID 1979: 4). In the early 1980s, funding for the IARCs remained at levels in the high \$20s, while funding for the CRSPs increased over the next few years into the high teens.

The CRSPs were just starting to receive planning grants in the late 1970s. In 1977, four priority areas were selected for the CRSP: sorghum and millet, fisheries and aquaculture, small ruminants, human nutritional deficiencies. In 1978, an additional four research areas were identified in: beans/cowpeas, soils management, basic food crops/integrated pest management, and post-harvest food losses. Peanuts were added as a research topic in 1979 (AID 1979: 13). It was anticipated in 1979 that a total of 21 CRSPs might be established by 1984, but this did not happen.

An important part of the early years of BIFAD-AID relationship building was **developing appropriate procurement mechanisms and processes** to permit flexibility and dialogue in procurement. Grants were used with success for many of the research programs including the support to the IARCs, the CRSPs and the strengthening grants to US universities (BIFAD/AID 1983: 14). In addition, a new **contract** mechanism was developed, the Collaborative Assistance Mechanism (CAM) that allowed for a more flexible process, to get universities involved in projects early on and to keep them involved over the longer term. It included identification of a university based on its identified capacities and a general idea of the scope of the project. The university then worked jointly with the host country to design the project in greater detail and to follow through in implementation (AID 1977: 19-20, USIDCA 1980:17, BIFAD/AID 1983: 13).<sup>8</sup> Among the interviewees, some remembered specific cases in which a mission chose not to develop a proposal for consideration as a Title XII project because it wanted the opportunity to have a full and open competition among universities, NGOs, and private firms. In other situations, interviewees recalled a few cases where a university was a “fig leaf” for a consulting firm who provided the actual staff members. These respondents believed the CAM was a good concept, but one which did not always work as planned in practice.

Also in the 1980s, new initiatives created the Joint Career Corps (JCC) to bring university faculty into USAID for two-year appointments, usually overseas, and a “reverse JCC” that placed USAID personnel in the universities. Other mechanisms used to engage the universities included the Technical Support to Mission (TSM) procedure, which were three to five year renewable agreements between a mission and a specific university that provided “a reliable annual level of funding” and the Joint Enterprise Contracting Mode (JEM) that was oriented to smaller universities in collaboration with each other (BIFAD/AID 1983: 13). Over the past ten years, from the mid-1990s to the present, further changes have been made. The CAM is no longer used, although it is still technically “in force.” Starting in the mid-1990s, there has been a rise of Indefinite Quantity Contracts (IQCs) to carry out most of USAID’s implementation

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<sup>8</sup> <http://www.usaid.gov/policy/ads/300/aidar.pdf>

efforts under contracts which allow for teams of contractors (including universities) to prequalify for the opportunity to compete against a smaller pool of players. The predominant use of grants has shifted, first to cooperative agreements and more recently to Leader with Associate (LWAs) Awards.

A second important theme was **communicating BIFAD goals and actions under Title XII throughout the Agency**. Because some programs, such as support for the IARCs and country programs in agricultural development had existed prior to the passage of the Title, while others, such as the CRSPs were newly formed by BIFAD, there was confusion over when and how a program was designated as Title XII. Several evaluation and progress reports on the Title revealed that more definition was needed. A significant effort was put into writing guidance for USAID operating units, and especially for field missions, about what kinds of programs could be designated as Title XII and how missions could develop proposals for them. According to the early Title XII reports, such guidance was sent out annually from 1976 to 1981. BIFAD and AID signed a joint resolution on Title XII in May 1981 and this was formalized with a “policy directive” from the then Administrator Peter McPherson in 1982 providing guidance to missions on Title XII (see section IV). It had three purposes:

- communicate its [Title XII] importance in relation to the AID overall agricultural development strategy
- Specify the extent to which its [Title XII] mechanisms are emphasized in research and technical assistance activities; and
- Delineate the role of BIFAD in assisting AID operating units (GAO 1981: iv)

Another important theme over the years was **USAID reorganization and its impact on BIFAD**. The first reorganization to affect Title XII occurred in 1980, when USAID established the US International Development Cooperation Agency (USIDCA) as the unit with “responsibility for policy and budget authority affecting bilateral and multilateral development assistance,” including interacting with BIFAD and Title XII (USIDCA 1980: ii). A new agricultural policy and new sector strategies for agriculture and nutrition were developed in 1983 with input from BIFAD. In 1991, USAID established Agency Center for University Cooperation in Development, an act supported by BIFAD (then known as the Board for International Food and Agricultural Development and Economic Cooperation (BIFADEC)). A few years later, however, BIFAD’s membership lapsed, and when it was reinstated, it was placed under the jurisdiction of the Office of Agriculture, within the (then) Bureau of Economic Growth and Agricultural Development. The staff support that had been a part of the previous BIFADs was substantially reduced, down to a single staff member and part-time secretarial support. The BIFAD Federal Officer has remained within the Office of Agriculture since that time, through additional reorganizations, although in the last two years, there has been some discussion about shifting the line of reporting from the Office of Agriculture to a locus closer to the Office of the USAID Administrator, as was the situation in BIFAD’s early years.

A strong theme of reporting about Title XII has been on **the role of research in the Agency portfolio**. From a perspective of 2008, the amount of funding allocated to research under Title XII in the 1980s is significant. In actual dollars as well as in percentage of the agricultural



portfolio, it was generally higher than it has been in recent years, which, considering the value of 1980 dollars, underestimates the investment at the time.

More importantly, however, is that research was seen as only one component of Title XII, whether carried out by missions or by centrally funded country programs or interregional regional programs such as the IARCs and the Universities. The 1981 Title XII report discusses this point at length:

Under the broadest definitions of research, the greatest share of AID-funded research is undertaken as components of individual country programs...The great bulk of support to research under country programs, however, is as elements in projects with broader objectives [e.g., to build a Land Grant type university...or to improve soil conservation practices] ....

AID does not maintain separate data on the amount of research undertaken as part of our country programs. In part, this is a matter of definition as to what constitutes research. More especially, one of the most severe problems in many developing countries is the historic separation of research from extension and other services to farms. A principal objective of Title XII is to integrate these functions. Delineation of research as a self-enclosed entity would be counterproductive to that objective (USIDC 1981: 9).

Thus the bulk of funding under Title XII was not for the separate research component, but went into country programs that engaged universities to provide technical assistance to USAID missions and to host country institutions, some of which integrated research sub-activities. Most of the discussions about “Title XII projects” and “Title XII universities” referred to these country-based efforts. The creation of the “Registry of Institutional Resources” (RIR) was for the purpose of identifying how to create the most appropriate linkages between missions and universities. In 1978 there were 19 projects; by 1980, there were 36 country Title XII projects; by 1982, these projects were no longer reported by number, but by percentage of the budget, 86% (or \$495 million).

The formation of the Joint Committee on Agricultural Research and Development (JCARD) in 1982 also reflected this desire for greater integration of research and development, replacing the two separate committees the JCAD and the JRC (USIDCA 1983: 7).

Through the 1980s, Title XII country programs remained strong. Agricultural development remained a priority of the Agency and concerns over famine remained high. A series of evaluations, however, raised concerns over USAID’s commitment to the involvement of universities as well as about the universities’ abilities to deliver technical assistance in a timely and efficient manner. Statements from a review of mission opinions about Title XII report that other players in international agriculture are emerging from the private sector and the NGO community who are capable of providing. The report stated that “[S]everal missions said they would prefer open competition for projects traditionally reserved for universities” quoting one mission respondent as saying “there is definitely a trend to look beyond universities for project implementation, even for those projects which traditionally would have been earmarked for the

university route, e.g., research, extension, and training....” (USAID 1986: 17). Nonetheless, the CRSP program (as distinct from county programs) continued to grow, as planning grants resulted in fully funded programs. Support to the IARCs continued at funding levels in the high \$25 million dollar range.

Shifts were emerging in the priority and scope of the Title XII program by the mid-1980s. BIFAD’s orientation towards Title XII programs appear to be focusing more narrowly on university involvement. References seen in the first few years of the Title XII reports to “land grant, sea grant, and other eligible universities” are no longer seen and references encompass only land grants. As early as 1982 and 1983 and in reports from 1992, and 1996, support to the IARCs was not reported in the annual survey of Title XII.<sup>9</sup> There is no clear explanation for these changes in the literature.

In February 1992, a substantive report was released that had been initiated under BIFADEC and supported by several foundation grants. Overseen by Ed Schuh (a later BIFAD chair) and Susanna Hecht with the assistance of well-known names in agriculture at the time, including John Mellor, Uma Lele, and others. The report, “International Cooperation for Sustainable Economic Growth: The U.S. Interest and Proposals for Revitalization” noted declining commitment to agriculture in foreign assistance (estimated as down one-third in 1990 from a peak in the 1980s) as well as a “disturbing tendency to emphasize short-term and private sector activities at the expense of long-term investments in human capital and institution building” (Schuh et al 1992: 44-45). The report also notes an absence of leadership on agriculture, a decline in agricultural technical staff positions. Although the report does not mention Title XII explicitly, it does contain among its many recommendations several that support strengthening of university collaboration with developing countries, an increased attention to human capital development, and the internationalization of U.S. universities.

There is no record yet found of the annual Title XII report for 1993. The BIFAD members resigned in June 1994 and reconstituted over a year later in September 1995 (USAID 1996: iii). Accounts of the reasons for this hiatus differ, with some attributing the situation to a lack of interest under the Clinton administration to appoint new members and other attributing the delay to shifts in USAID development priorities away from agriculture. When BIFAD was reinstated, the staff support for it was placed in the Office of Agriculture and was limited to a single staff person and some portion of secretarial time.

The Title XII reports were revived to meet the annual reporting requirement in 1998, but their scope had changed once more. The reports continued to report on the CRSPs and other centrally funded activities, but also reintroduced reporting on the IARCs. More information was also provided on agricultural activities being carried out by the regional bureaus and country missions, but this reporting, particularly on the funding obligations, was not limited to activities led by universities. This has led to concern and dissatisfaction among the university community that the Title XII report has, in recent years, given a false picture of the amount of money going to universities.

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<sup>9</sup> Title XII reports reviewed for this study include those published in 1977-83, 1992, 1996, and 1998-2006. Reports from 1984 and 1985 did not arrived in time for this draft. It was not yet possible to locate reports for 1986-1991 or 1992-1995. There was no report submitted in 1997.

### *Title XII since its amendment in 2000*

The year 2000 saw passage of an amended Title XII. The new amendment widened the provisions of the Act from preventing famine and establishing freedom from hunger to achieving “the mutual goals among nations of ensuring food security, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources.” The new mandate more broadly defined agriculture and related sciences. It also named a wider group of eligible universities and identified a wider set of potential partners among non-university players (Sherper 2005:3).

According to interviews, the motivation for an amended Title XII was linked to a desire to “modernize” it by deemphasizing a perception (by USAID) of an older production-oriented focus and to create greater energy and interest in agriculture as well as the environmental and nutrition and health linkages with greater attention to market forces and partnerships with the private sector. The direct impetus may have come out of a meeting held in Washington in the mid-1990s, after the reconstitution of BIFAD, which was convened by the Board on Agriculture of NASULGC. It involved an open and wide-ranging discussion of ways to revitalize attention to agriculture and the involvement of universities in international agricultural development.

The specific wording of the new amendment was discussed and debated among a number of people in the university community and at USAID, with a few individuals taking responsibility for most of wording changes and for shepherding the legislation through the Congress. It appears that no legislative report was prepared for Congress. Overall, the history of that process is poorly recorded and individual memories are contradictory, such that there exists a great deal of misinformation about the sequence of events and the decision-making process that surrounded it (see Bissell 2006 for one written review of the process).

Since 2000, many of the debates already noted have continued and worsened, and hope for improvement in agriculture generally and university involvement waxes and wanes. Following the attacks of September 11, 2001, USAID was not able to mobilize greater interest in agriculture, as originally intended by the then-Administrator Natsios, and the early enthusiasm for changes that might follow in the wake of the amended Title XII legislation died down. Relatively wide discussion among the university community over the agricultural strategy in 2003-4 raised some hope for a more harmonized approach to agricultural activities, as did initial reaction to a report on new priorities for Agency agricultural programs in 2005. The report’s influence, however, was diminished when parts of the Agency withdrew their support, and it was used only as background to reconfiguring the CRSP portfolio. Funding for agriculture improved slightly and worsened again in FY 2008.

Meanwhile, universities face their own set of challenges over financing for operations and research. Many have closed or reduced their own offices of international programs. One interviewee noted that with more development work taking place in more fragile and transitional states, US university risk management people get concerned in the considerably more litigious society that now exists, and faculty and staff are more risk averse. Even with efforts to improve the internationalization of campuses, faculty in the agricultural sciences may receive

contradictory messages about the value of overseas research, and untenured faculty members are sometimes hesitant to relocate overseas for long periods. Research funds are tight.

More generally, consulting firms and NGOs have taken on much of the responsibility and received much of the funding for staffing overseas agricultural program implementation and are more likely to respond to the short-term opportunities offered today.

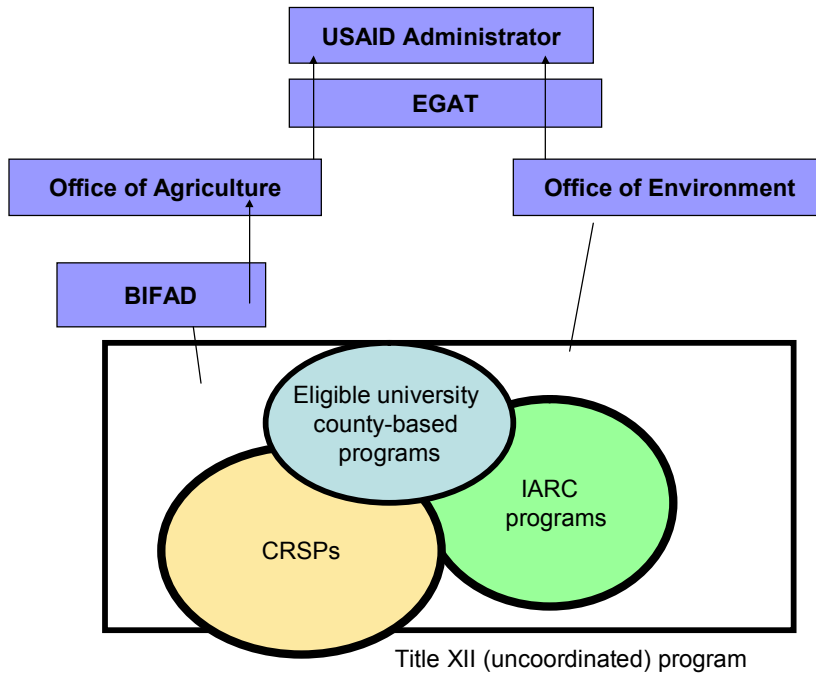
In sum, the history of Title XII and BIFAD reveals many changes and adjustments over time. There has been no one way that it has operated. Procurement methods have changed. The composition of the Board has changed. The relative importance of the Board within the Agency has changed. Title XII was understood as encompassing a wide range of agricultural programs carried out through universities; today it is too often mistakenly thought to refer only to the CRSPs or to the use of land grant universities.

Too much time has been spent by both USAID and by the university community asking the wrong questions. USAID asks, “How can USAID get universities to act more like contractors?” The universities ask, “How can USAID be made to fund more long-term research?”

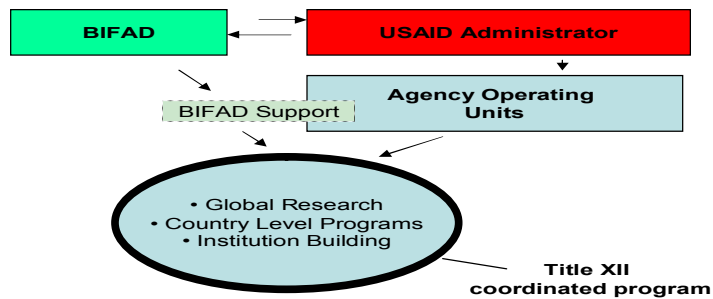
A better question might be, “What is the strength of Title XII?” to which the answer would be its bold vision of mobilizing the scientific expertise of US academic community and their partners to improve agricultural development assistance, preventing famine and ending hunger. Or a second question, “What assistance does Title XII provide to help USAID make the most effective use of the academic community’s contributions to agricultural development?” The answer lies in the creation of a creation of a federally-appointed Board that if effectively constituted and enabled, could advise on and assist in developing a truly coordinated USAID agriculture program composed of multiple components. In that scenario, a win-win situation emerges, where USAID gains from university based scientific expertise to address development problems while the universities, their faculty, staff, and students, gain from influencing the course of development, internationalization of the campus, and funding support for projects.

Whether or not such a vision can be realized depends in large part on both USAID and BIFAD and their joint ability to find a new mode of operating and interacting. Figure 1 below give a rough diagram of how BIFAD has been structured in recent years, and how the component parts of Title XII have been isolated from each other. Country-based programs led by universities have been few. Figure 2, in contrast, shows a picture of the organizational structure described in the legislation and the ideal of a coordinated program, where the country-based programs are again at the center of Title XII efforts, with research activities (whether under the CRSPs or the IARCs) all part of an integrated effort.

**Figure 1: An overview of how Title XII has been implemented in recent years**



**Figure 2: Interpretation of Title XII as laid out in the 2000 legislation**



### **III. What is an Eligible Title XII “Institution”?**

#### ***Eligible Universities***

Among its responsibilities, BIFAD is tasked to maintain a current roster of “eligible universities.” The last such roster that was identified in this review was from 1994. Among the interviewees there was a great deal of confusion about which institutions were eligible under the original legislation (1975) and the amended version (2000).

The original 1975 legislation defined universities as being those which benefit from the First (1862) and Second (1890) Morrill Acts “which are commonly know as “land-grant universities,” as well as those named under the National Sea Grant College and Program Act (1966), “which are commonly known as “sea-grant colleges.” But it also named as eligible “other United States colleges and universities which – 1) have demonstrable capacity in teaching, research and extension activities in the agricultural sciences; and 2) can contribute effectively to the attainment of the objective of this title (Sec. 296 (d)). Early Title XII reports, from 1977 to the mid-1980s, repeatedly mentioned that “The Title places specific emphasis on the increased involvement of U.S. Land Grant, Sea Grant, and other qualified universities.”

The amended legislation expanded the definition of eligible universities to include the Native American land grant institutions from 1994. It also added the clarifying phrase of “including outreach” after “extension” in Sec 296 (d) thus making it possible for institutions with outreach programs but lacking formal extension programs to be considered “eligible.”

Many respondents believe that the earlier legislation identified only land grant universities as eligible under Title XII. There was a widespread belief that only with the 2000 amendment was the definition expanded to include private universities, but this is not entirely correct, as noted above, although in most of the active Title XII universities were the land grant universities.

According to several interviewees, it appears that during the 1980s, BIFAD had established a process by which institutions not clearly identified as “eligible universities” could apply for inclusion on the “Registry of Institutional Resources” maintained by the BIFAD office staff and described as “a central depository of computerized information on the international capabilities of U.S. universities and their staffs in agriculture, natural resources, nutrition, and rural development” (BIFAD 1983: 10). According to oral history, the steps in the process involved an institution writing a formal request to BIFAD for consideration as an eligible university and the request was discussed and either approved or rejected by the Board. Several private universities and other types of organizations are listed in the Title XII registry of 1994 consulted for this report that were said to have gained entry through that process (see end of Appendix 3, “other institutions”). Unfortunately, the details of the process do not appear to have been preserved in the written record researched thus far. Nor have any documented criteria been found, however, to determine what constitutes “demonstrable capacity” in these areas. Several interviewees mentioned both Tufts University and Stanford University as examples of private universities that at times expressed an interest in becoming eligible for contracts or grants under the rubric of Title XII. Tufts University was said to have applied and made eligible in part on the basis of being a Sea Grant College. Tufts University was listed on the 1994 BIFAD roster. Stanford

University, however, was not on the list, although the reasons are not apparent. A prominent Stanford professor, Walter Falcon, was a member of BIFAD. It is not clear if the university ever applied for eligibility.

It is recommended that BIFAD reestablish the roster, revisit the possibility of developing a process by which universities can apply for inclusion on the roster, and also determine what criteria would cause a university to be deleted from the roster.

### ***Eligible and Qualified Universities***

There is an important distinction to be made between “eligible” and “qualified” universities. Eligible universities are those which fit whatever basic criteria are set (such as being named in the legislation) and who should therefore be contacted with respect to Title XII business: release of an RFA or RFP or to be notified regarding other matters. There are advantages to having a large pool of eligible institutions.

Some of the individual universities who are among the categories named in the legislation, however, do not have “demonstrable capacity in teaching, research, and extension activities in the agricultural sciences,” for example, those that are only two-year colleges that do not support significant research functions for their faculty or those that do not offer degrees in the agricultural sciences. Others may not initially be included on the “eligible” list, for example, some private universities, but may in fact be quite qualified.

Beyond the basic listing, a more thorough review of “eligible universities” needs to be carried out by BIFAD, in consultation with the university community and USAID staff to determine what group is both eligible and qualified according to the five general criteria listed in the title:

- (A) interested in exploring their potential for collaborative relationships with agricultural institutions, and with scientists working on significant programs designed to improve agricultural production, trade, and natural resource management in developing countries, and with private organizations seeking to increase agricultural production and trade, natural resources management, and household food security in developing and transition countries;
- (B) having capacity in the agricultural, environmental, and related social sciences,
- (C) able to maintain an appropriate balance of teaching, research, and extension functions,
- (D) having capacity, experience, and commitment with respect to international agricultural efforts, and
- (E) able to contribute to solving the problems addressed by this title.

BIFAD also needs to establish a more detailed set of evaluation criteria that can measure what it means “have capacity” in these five areas. Possible criteria might include:

- teaching, such as having a degree program in one or more of key agricultural/NRM-related science (and social science) disciplines;

- research, such as having an established record of receipt of research funding and publications on research topics in one of more key agricultural/NRM-related science (and social science) disciplines; and
- extension (including outreach) activities in the agricultural sciences, such as having an established extension service, having a outreach program involving agricultural producers, processors, traders, or policymakers
- capacity in areas other than those listed above or having key individual scientists (faculty or graduate students) whose skills would enhance a specific activity.

### ***“Title XII Institutions”***

Some of the USAID documentation – though not Title XII itself – refers to “Title XII Institutions.” Several documents offering procurement guidance use this term, as does the ADS section on Title XII (216.3.9).

In interviews, most of those in the university community were consistently stated that only universities can be considered “Title XII institutions,” although other types of entities can and should contribute to the larger goals described by the legislation, as partners to universities. Among the more frequent comments were that Title XII institutions are those able to carry out both research and education and many insisted that they be U.S.-based.<sup>10</sup>

Most of the USAID staff interviewed stated that the universities are the primary category of Title XII institutions; many stated that universities and colleges were the sole category, with other entities being subsumed within the category of partners who would not themselves be “Title XII institutions” but who could work with universities on Title XII activities.

However there were some, mostly among staff within USAID, whose reading of Title XII that suggests the inclusion of other types of institutions, in addition to universities, be considered “Title XII institutions” because they contribute to the larger goals of Title XII. One person commented that in practice, BIFAD should “make the tent as large as possible” and include any institution whose expertise can help to solve the problems of hunger, especially since NGOs are now larger players than are universities or contractors in the provision of food aid.

The phrase “Title XII institutions” thus appears to be a carry-over from the earlier 1975 legislation and the USAID 1982 policy directive. It no longer seems to be appropriate since the 2000 amendment distinguishes several times between “universities” and their “partners.” There is no documentation to support that the phrase “Title XII institutions” refers to anything but the universities. In the future, until and unless Title XII is again amended, it is recommended that this phrasing be avoided in favor of the more accurate “U.S. universities” and their “partners,” both of which are defined in the legislation.

## **IV. Defining a Title XII Activity**

### ***Drawing a Definition from the 2000 Amended Legislation***

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<sup>10</sup> It was also pointed out that there are examples of American Universities abroad, such as Zamorano University in Honduras, EARTH in Costa Rica and the American Universities as in Lebanon, which are eligible for Federal funding, which could be considered Title XII universities.



As noted earlier, the legislation does not specifically define a “Title XII activity.” The Title clearly argues for a “coordinated program” to carry out its goals, consisting of multiple components, some of which are university-led and others not. Sec. 296 (b) names the international agricultural research centers, contract research, collaborative research support programs, universities, public and private partners of universities, and others as all part of the effort to prevent famine and establish freedom from hunger.

Some have argued that this justifies any and all agricultural activities related to research, education, outreach, and policy development can be labeled “Title XII” activities. They point to Sec. 297 (a) which gives the authorization of assistance and states:

To carry out the purposes of this title, the President is authorized to provide assistance on such terms and conditions as he shall determine --

- (1) to implement program components through United States universities as authorized by paragraphs (2) **through** (5) of this subsection [*bolding added*];
- (2) to build and strengthen the institutional capacity and human resource skills of agriculturally developing countries so that these countries may participate more fully in the international agricultural problem-solving effort and to introduce and adapt new solutions to local circumstances;
- (3) to provide long-term program support for United States university global agricultural and related environmental collaborative research and learning opportunities for students, teachers, extension specialists, researchers, and the general public;
- (4) to involve United States universities more fully in the international network of agricultural science, including the international agricultural research centers, the activities of international organizations such as the United Nations Development Program and the Food and Agriculture Organization, multilateral banks, the institutions of agriculturally developing nations, and United States and foreign nongovernmental organizations supporting extension and other productivity-enhancing programs; and
- (5) to provide program support for international agricultural research centers to provide support for research projects identified for specific problem-solving needs and to develop and strengthen national research systems in the developing countries.

Specifically, point 5 in this section is interpreted as giving independent authorization for the international centers, and, building on the Policy Directive of 1982, placing the work of the centers under the umbrella of Title XII. This position was that taken by most but not all of the USAID current and former staff members, who made comments such as “The CGIAR institutions are part of Title XII,” or “Yes, I see the [CGIAR] centers as part of Title XII, and the CRSPs were created to deal with crops that filled the Centers’ gaps.”

A narrower reading, which is in the majority among the interviewees (including one person working with the CGIAR program) however, argues that although the Title XII goals are broad and that it asks USAID to develop a “coordinated program,” that the Title XII itself focuses on the university engagement either on its own or with its partners in defining the boundaries of its activities. In this position, Title XII activities are those which fit the topical concerns of the legislation and are carried out by the universities whose names are maintained on BIFAD’s

legislatively proscribed roster. The reading for this interpretation comes from the same Sec. 297 noted above, but with a different emphasis given to the word “through.”

In this case, the points 2 through 5 are seen as all of the ways in which the universities are to engage with other parts of the broader program, but it is not interpreted as including the international centers as part of Title XII.

### *The Definition in other Documents*

One of the study questions asked respondents if they were aware of any documentation that defined or explained Title XII outside of the legislation itself, either prepared by those in the university community, by those in the Agency, or by others. Nearly all initially stated they were not aware of any such documents; a small number referenced the ADS section (216.3.9).

There are several documents that offer historical and more contemporary question to define a Title XII activity<sup>11</sup> and add more complexity to the summary above.

Soon after BIFAD was first established in 1976, it initiated discussions with USAID and identified four types of programs that would be considered Title XII activities and reported on these categories in the first annual Title XII report:

1. The first addressed **support to research**, in three categories: the IARCs, the “food and nutrition components of AID’s centrally funded contract research program”; and the “new” Collaborative Research Support Program.
2. The second area was **centrally-funded technical assistance** in adapting and applying agricultural and nutrition technologies.
3. The third area included the **strengthening grants to developing country institutions** that carried out research, offered training, or provided extension and institutional building in agricultural development.
4. The fourth and final area encompassed **advisory services** to developing country governments and their private sectors on a wide range of rural development topics (USAID 1977: 7-8).

For the next few years, these categories were maintained. An elaboration of the definition was provided in the 1980 Title XII report, but it referred primarily to the second type of activity in the list just above, the country projects.

All Title XII [country] projects have, however, several characteristics in common. They are directed at famine prevention and freedom from hunger. They involve U.S. universities eligible under Title XII and/or the U.S. Department of Agriculture (or the U.S. Department of Commerce for fisheries projects) as

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<sup>11</sup> These include the current ADS 216.3.9 on Title XII, revised in 2002; the 1982 “Policy Directive on Title XII” prepared under Administrator McPherson (<http://www.USAID.gov/policy/ads/200/pd04.pdf>); Section 715.370 of the AIDAR entitled “Title XII selection procedure – general” and “Title XII selection procedure – collaborative assistance” <http://www.USAID.gov/policy/ads/300/aidar.pdf>; “A Guide to Title XII and BIFAD” published jointly by BIFAD and USAID (November 1983); “Contract Information Bulletin 89-21. (August 21) Washington, D.C.: AID, 1989.

suppliers of technical assistance to the host governments or institutions. All are concerned with strengthening the host country institutional capabilities and expanding the numbers of local people properly trained to carry out needed development functions...(USIDCA 1980: 10).

What these early Title XII reports make clear is that most of the discussions of “Title XII Activities” and their definitions referred primarily to these country programs. The delineation of activity characteristics was needed in the country programs because they were more similar to other development projects that might be implemented by NGOs or private sector firms or other institutions besides universities. The research components, however, were not likely to be implemented by any groups other than the named research organizations, the IARCs and the CRSPs, and were likely to be funded through a different process. Hence even in the definition found in the 1982 USAID Policy Directive, these two programs are separately identified:

1. Definitions - Projects or sub-projects which qualify as Title XII activities are those which have as a primary objective the development of the LDC capacity for research, education, and/or extension, the training of participants, the conduct of research, the building or strengthening of related institutional infrastructure, and/or the provision of university advisors to development projects, all in agriculture, agriculture, nutrition, agroforestry or closely related fields. Also included under the purview of Title XII are the new initiatives of the Collaborative Research Support Program (CRSP) and the Strengthening Program, as well as such long-standing programs as support to the International Agricultural Research Centers whose work is integral to other Title XII resources. (Italics added)

And further,

[A Title XII activity].... may involve a single university/college, a cluster of universities/colleges or a mixture of universities/colleges and [some Federal Agencies] and/or an agribusiness or non-profit firm, to the extent that their own personnel are required for the activity. There may be exceptional circumstances when a non-Title XII resource, with special capabilities, is chosen to implement what by subject-matter definition might otherwise be classified as a Title XII activity.

Although a variety of institutions are listed here, the implication appears to be that the implementation of the Title XII country program activities could involve universities on their own or universities in partnership with other types of institutions, but it also, in the third sentence also opens the door to “exceptional circumstances” when “a non-Title XII resource” implements a Title XII activity, presumably independently from and outside a university partnership.

Elsewhere in the document, however, the policy directive states, “For Title XII activities so identified, we [USAID] are committed to be both expeditious and effective in mobilizing these resources, whether from within the academic community itself or combined with agribusiness,

foundation, or other federal agencies.” (1982: 3). This sentence seems again to privilege the universities as the primary Title XII resources who work “combined with” other entities.

Two years later, in 1983, a pamphlet entitled “A Guide to Title XII and BIFAD” was published jointly by BIFAD and USAID. This document does not explicitly define the content of Title XII activities, but it does identify Title XII program objectives in both “developing countries” and “at home.” In the developing countries, these objectives included:

- The development of the country’s capacity to do research, extension, and teaching;
- The training of people at all levels to carry out and continue agricultural development work adapted to local needs and circumstances;
- The discovery of new knowledge through the conduct of research; and
- The improvement of local systems to deliver the best available knowledge to small farmers and farm laborers, many of whom are women. (BIFAD/USAID 1983:3)

Unlike the 1982 policy directive, however, despite similar language at the start, it emphasizes the centrality of the university as a defining criterion of a Title XII activity.

A Title XII activity may involve a single university, a cluster of universities, and, when their personnel are required for the activity, a combination of universities, federal agencies, the international agricultural research centers, and the non-profit and private sector. The involvement of the U.S. agricultural university, however, is central to Title XII (BIFAD/USAID 1983: 5).

Some interviewees noted that in the past, the staff in the BIFAD office made the determination as to what projects were considered “Title XII activities.” This is shown visually in a chart in the document, “A Guide to Title XII and BIFAD,” which depicts a field mission identifying a project in consultation with the host country, and preparing a project identification document (PID) that was “procurement designated as Title XII” (BIFAD/USAID 1983:9). This document was reviewed by USAID/W and then a solicitation for competition among Title XII eligible universities was announced by the BIFAD office. The submitted expressions of interest were review, again by BIFAD staff, against the registry of Title XII institutional resources. The top choices were asked to prepare technical proposals that were further reviewed by USAID/W. This process is supported by Section 715.370 of the AIDAR (<http://www.USAID.gov/policy/ads/300/aidar.pdf>) which discusses “Title XII selection procedures” for contracts (not grants), and notes that it is “the project office” that “certifies that the activity is authorized under Title XII, and determines that use of the Title XII selection procedure is appropriate.”

The current ADS 216.3.9 draws on the language of the policy directive of 1982, with few changes. Modified in 2002, after the revised amendment of 2002, it notes:

- That the activities are carried out “insofar as possible and appropriate” by Title XII institutions (the definition of which is open to interpretation, as discussed above);
- That what qualifies a Title XII activity is that it has “the primary strategic objective [of] the development of the cooperative country capacity for research, education, and/or extension; the

training of participants, the conduct of research; the building or strengthening of related institutional infrastructure; and/or the provision of university advisors to development projects, all in agriculture, aquaculture, nutrition, agroforestry or closely-related fields.”

- That the activities are not restricted by the type of assistance or acquisition instrument used. They can be accomplished through grants, cooperative agreements, or contracts.

This Agency guidance does not include the reference to international centers and focuses primarily on the universities. It again uses the language of “Title XII institutions” without clarity as to whether this refers only to universities.

### ***A Definition from Practice in the Title XII Reports***

The annual Title XII reports to Congress also provide an indication of the types of activities that have been considered under the Title XII umbrella. Title XII reports from 1977, 1978, 1979, 1980, 1981, 1982, 1992, 1996, and from 1998-2006 were reviewed. Each report describes USAID-funded programs in agriculture as well as BIFAD activities. Among the documents reviewed, four phases can be characterized. The phases refer NOT to funding levels or the quality of activities, but the content of the reports.

#### **Phase One: Start Up (1977-1981)**

The earliest reports describe the results of the BIFAD discussions with USAID in getting Title XII programs up and running. The tone is upbeat and all-encompassing. The first few reports define a wide group of eligible universities (see discussion above); they list country projects already underway that can be brought into the Title XII program; they define a process for identifying new projects, and they outline four categories of activities under Title XII: research, country programs, strengthening grants, and advisory services to developing countries. Each year reports an increasing amount of funding and an increasing number of projects.

#### **Phase Two: Consolidation (1982 -1991)**

By 1982, the reports start to report some bumps in the road and begin to narrow down their initially very wide focus to efforts more directly related to university research, teaching, extension and institution-building.. The 1981 report was the last one to include reference to the IARC activities for a number of years. By 1991, the report is describing Title XII as encouraging “AID to tap the resources of U.S. land grant colleges and universities” with no mention of the “other universities” category. Reporting includes information on the Historically Black Colleges and Universities Research Grants Program and the University Development Linkages Program, both of which involve university strengthening efforts. There is no reference to advisory services or to specific country programs in the later years.

#### **Phase Three: Fragmentation (1993-1996)**

No reports have been found for this period, which encompassed the dissolution of BIFAD during 1984 and its reconstitution in 1995. The 1996 report is a simple one of 10 pages. Only university-led programs are reported on, specifically the CRSPs, the Food Security II Project held by Michigan State University, as well as on the Historically Black Colleges and Universities Research Grants Program and the University Development Linkages Program. There is no reference to advisory services or to specific country programs in the 1996 report.

#### Phase Four: Expansion (1998-2006)

From 1998 onwards, the reports are more sophisticated and include discussions of all Agency programs in agriculture. Programs involving the international centers as well as activities carried out by the regional bureaus by other organizations were all documented, along with information about the financial resources dedicated to these myriad activities. From 2001 to 2005, published the reports included an “analytical chapter” highlight a topic of interest. The change in the Title XII report format does not appear to correspond to changes in the legislation. Instead, the shift to broaden the report was described by several interviewees as a way to minimize the visibility of the decreases in funding to agriculture that occurred in the late 1990s and to maximize as positive a picture as possible of agricultural activities to Congressional representatives. Many university interviewees, however, objected to this expansion of content because they felt it gave a perception to Congress that all of the many activities were officially “Title XII” activities. However, during these years, from 1998-2004, the published annual response by BIFAD did not object to this broadened characterization of Title XII.

#### *Interviewee Perceptions*

When asked to define a Title XII activity, respondents both among university and USAID staff nearly universally started with a statement that “Title XII activities involve the universities.” All interviewees identified land grant universities as being the key actors in Title XII activities, and all mentioned CRSP activities as being the key Title XII activity today. Some noted that CRSPs are not the only authorized Title XII activities, but among the few still funded. Most respondents rejected the idea that a Title XII activity could be implemented by one of the partner organizations independently. All interviewees stated that a Title XII activity could not be implemented by a consulting company. There was less certainty about whether it was a Title XII activity if a consulting company gave a subcontract or subgrant to a university, or if it was a Title XII activity if a contract primed by a university offered a subcontract to a consulting company.

Some interviewees placed more emphasis on the content of the activity than the acting entity. They insisted that Title XII activities addressed research, education (or training), and extension (or outreach) in pursuit of preventing famine and ending hunger. Many argued that the research carried out by the international agricultural research centers, although seeking to achieve the larger goals of Title XII, did not themselves constitute Title XII activities, variously justified on the grounds of their not being universities, not involving teaching, rarely involving extension, and, with only one exception, not being U.S.-based. Interviewees noted that the procurement mechanism – grant or contract – was not a determining factor. Few interviewees brought up the possibility of a Title XII activity involving advisory services by university personnel to developing country institutions in-country.

According to the interviewees, then, Title XII activities are defined by a combination of characteristics, including who the actors are, the substance of the effort, and where the effort occurs, as well as its duration. Some were familiar with the country programs that formed such a large part of the program in through the 1980s, but the provision of technical assistance of this type was not initiated by very many of the respondents but only emerged after some questioning.

There was overall a lack of knowledge about how Title XII activities were classified today, even among those familiar with the system in the past. The perception was that the Office of Agriculture made the determination “after the fact,” designating an activity as Title XII if it involved agriculture in some way and appeared to contribute to the larger goals of the Title, by helping to prevent famine and end hunger. Some of the university respondents became very upset when speaking about the way that the Title XII annual report in recent years has tried to make all agricultural projects, whether or not they involve universities, “count” as Title XII. Others liked the use of the report to make a strong case about the work of agriculture in the Agency, but wanted to have a clearer distinction between the university-led activities that could be considered Title XII and the other types of organizations (NGOs and private sector firms)-led activities that would not, by them, be considered Title XII.

Many interviewees from the universities stressed the longer time frame as a characteristic of Title XII activities, with projects starting out in periods of five years (some said three; others ten). It was said that several years are necessary to establish university programs, research, and extension efforts, and that these activities cannot be easily measured or evaluated in one-year increments.

### ***Discussion***

It is important to note there are consequences for BIFAD depending on the determination as to the size of the Title XII tent and the understanding of the definition of Title XII activities. If the scope of these programs is interpreted narrowly, then BIFAD’s involvement also relates narrowly to enhancing university engagement. If the scope is interpreted broadly, then BIFAD’s involvement relates to all of the multiple components of the coordinated program, including the work of the international agricultural centers and other groups that the Agency supports in agricultural research, training, and extension activities.

Taking into account the record presented in the legislation, the annual reports and other documents, and in the interviewee comments, it seems there is no single definition of a Title XII activity that is consistent among all these sources.

First, a Title XII activity is one that addresses the goals of the Title (Sec. 296 (a)).

Second, it has to have been identified through a process (that needs to be reestablished) of identification by BIFAD (or its subcommittees), either as part of a preapproved program, such as the CRSPs or the IARCs, through a more individualized labeling of a specific project, such as the Farmer-to-Farmer program, or as part of the country operational plan review and approval. BIFAD and USAID also need to have a better process for engaging BIFAD in the determination of what is “counted” as a Title XII activity at an early stage in activity design, within the parameters permitted by current procurement regulations. At the mission level, new guidance needs to be developed by updating the relevant ADS sections that outline a process for mobilizing university expertise, as stated in the Title. This will probably require drafting a new “Guide to Title XII.”

Third, a Title XII activity is one that is implemented by an eligible Title XII university. Activities carried out by “partners” independently of an eligible university would not be considered Title XII activities, although they might be part of the “coordinated program.”

Finally, reporting on Title XII activities in the annual report sent to Congress should distinguish clearly between the “Title XII designated activities” and other agricultural programs. The funding for each time of project should also be clearly distinguished.

One can make a good case in favor of using the annual Title XII report to describe the broader array of program components, including the work of partners who are independently contributing to achieving the objectives of the legislation. It is in the interest of all the member of the U.S. agricultural community to have a greater appreciation for the work being done in agricultural research, education, and extension/outreach and policy development worldwide and the impact it is having on reducing poverty, preventing famine, and ending hunger. These other activities should not be used to create an artificially inflated picture of university funding and involvement in development assistance.

## **V. Conclusions and Recommendations**

- Title XII, originally authorized in 1975 and amended in 2000, offers a bold and ambitious vision supporting a broad definition of agriculture and agricultural research, teaching, extension, and policy development to prevent famine and achieve freedom from hunger. It seeks to mobilize the use of U.S. universities in foreign assistance efforts in agriculture. Its goals remain critical in today’s assistance environment and the rising world food price crisis of 2008.
- The Title clearly argues for a “coordinated program” to carry out the Agency’s work in the agriculture and environment sectors. It is envisioned as having multiple components that work in harmony, some of which are university-led and others not (see Sec. 296 (b)), towards the goals of preventing famine and ending hunger.
- Historical documentation reveals that this coordinated program, from the outset, included not only university-led activities but also support to the International Agricultural Research Centers (IARCs). The Title mentions a range of opportunities involving universities on their own and with other partners as subgrantees or subcontractors within the university community, among the IARCs, with other Federal agencies, with non-governmental organizations (NGOs), and in the private sector.
- The work to develop and pass the 2000 amendment involved many players from both the university community and from USAID. The history of that process, however, is poorly recorded and individual memories are contradictory, such that there exists a great deal of misinformation about the sequence of events and the decision-making process that surrounded it. No legislative report was prepared for Congress prior to its passage.
- Title XII establishes the BIFAD to “assist in the administration of programs authorized by this title” (see Sec. 298). In the past, BIFAD had a broad vision of its role as helping to shape the



entire Agency agricultural portfolio, in order to better plan opportunities to support research, teaching, and extension and the involvement of university-led assistance. In recent years, the Board's responsibilities have been interpreted quite narrowly. The language in the Title appears to support the broader view, such that BIFAD's involvement relates to all of the multiple components of the coordinated program, including the work of the international agricultural centers as well as other efforts that the Agency supports in agricultural research, training, extension, and policy formulation.

- There is considerable misunderstanding among interviewees about the criteria for "eligible universities" under Title XII. Some think it is only the 1862 and 1890 land grant universities. Others are aware that the 2000 amendment added the 1994 land grants. Many are unfamiliar with or uncertain about the additional provision for involving "other eligible universities."
- BIFAD is required by the Title to "develop and keep current a roster of universities." This has not been done for some time. A provisional list is included as an appendix to this report.
- The Title XII legislation does not formally describe "a Title XII activity" or "a Title XII project" although it describes in general terms categories of effort to be pursued under the legislation and the range of players who may participate.
- There was considerable disagreement among the interviewees about the content of the annual Title XII report, in large part because of the confusion over the scope of Title XII and the definition of its activities. There was support for using the report as a vehicle for showcasing all of USAID's agricultural work, both under Title XII and other efforts, but only if there was a clear separation in the report of these two types of programs and the funding provided for them. Interviewees among the university community were concerned that recent reports gave a false impression, particularly in the funding tables, that Title XII activities were receiving a higher level of funding than they did in actuality.
- According to many interviewees, BIFAD does not currently have adequate resources, in staff or funding, to carry out the larger scope of work envisioned for it by Title XII.

### **Recommendations to BIFAD**

6. Develop a "Guide to Title XII and BIFAD" to assist mission and bureau development of the Title XII program, Title XII activities, and the mobilization of universities in USAID development efforts in agriculture, broadly defined.
7. Clarify the definition and type of Title XII activities, e.g.,:
  - Title XII activities are initiated by or reviewed and approved by BIFAD (or its designated subcommittee/s or staff) prior to award for designation as appropriate under the Title XII legislation; and,
  - Title XII activities are almost entirely implemented by eligible U.S. universities listed on the BIFAD-established roster (although there are some exceptions discussed in the report), and,

- Title XII activities may be constituted as a grant, cooperative agreement, or a contract and funded from any USAID account or operating unit (central or regional bureau or field mission);
- Title XII activities address one of the four objectives of the Title, specifically, to 1) carry out global research on problems affecting food, agriculture, forestry, and fisheries; 2) improve human capacity and institutional resource development for the global application of agricultural and related environmental sciences; 3) provide agricultural development and trade research and extension services in the United States and other countries to support the entry of rural industries into world markets; and, 4) provide for the application of agricultural sciences to solving food, health, nutrition, rural income, and environmental problems, especially such problems in low-income, food deficit countries.

In short, a Title XII activity is one that contributes to the goals of the Title (Sec. 296 (a)) that is implemented by or through an eligible U.S. university and which has been reviewed and approved by BIFAD. Activities carried out by “partners” independently of an eligible U.S. university would not be considered Title XII activities, although their efforts might be part of the coordinated program described under Title XII.

8. Since it is a requirement of the legislation, BIFAD is advised to arrange for the reestablishment of the “eligible university” roster and to define criteria for eligibility. This will require some discussion among U.S. universities, USAID, and other interested parties on criteria for eligibility. One option is simply to refer back to the USDA-maintained lists of 1862, 1890, and 1994 institutions and the NOAA-maintained list of Sea Grant Colleges. An alternative is to establish USAID-specific criteria, such as:
  - being named in the key legislation noted in Title XII (amended 2000) (see Appendix 6);
  - meeting agreed-upon indicators of “demonstrable capacity” in the following areas:
    - teaching, such as having a degree program in one or more of key agricultural/NRM-related science (and social science) disciplines;
    - research, such as having an established record of receipt of research funding and publications on research topics in one of more key agricultural/NRM-related science (and social science) disciplines; and
    - extension (including outreach) activities in the agricultural sciences, such as having an established extension service, having a outreach program involving agricultural producers, processors, traders, or policymakers
  - meeting agreed-upon indicators of being able to “contribute effectively to the attainment of the objectives of this title,” such as offering capacity in areas other those listed above or having key individual scientists (faculty or graduate students) whose skills would enhance a specific activity.
9. Initiate a process for engaging the universities and USAID on establishing a process for application to the roster and criteria for determining the basis for qualification/disqualification.

10. Initiate discussion with USAID and the universities on the scope and content of the Title XII report, which is required under the legislation to detail the Title XII activities over the previous year and projecting five years into the future. The report is also required to detail the activities of BIFAD itself as well as its reaction to the activities report. Reporting on funding for Title XII activities should be clearly separated from discussions of other USAID agricultural programs.

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