

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MR. BANKS OF INDIANA

At the end of subtitle C of title XVIII, add the following new section:

1 **SEC. 18__ . MODIFICATION OF REQUIREMENT FOR INSTI-**
2 **TUTIONS OF HIGHER EDUCATION TO DIS-**
3 **CLOSE FOREIGN GIFTS AND CONTRACTS.**

4 (a) **ADDITIONAL DISCLOSURES REQUIRED.**—Section
5 117 of the Higher Education Act of 1965 (20 U.S.C.
6 1011f) is amended—

7 (1) by amending subsection (a) to read as fol-
8 lows:

9 “(a) **DISCLOSURE REPORT.**—

10 “(1) **IN GENERAL.**—Whenever any institution is
11 owned or controlled by a foreign source, or receives
12 a gift from or enters into a contract with a foreign
13 source that equals or exceeds the threshold value de-
14 scribed in paragraph (2), the institution shall file a
15 disclosure report with the Secretary on January 31
16 or July 31, whichever is sooner.

1 “(2) THRESHOLD VALUE.—For purposes of
2 subsection (a) the threshold value of a gift from or
3 contract from a foreign source is—

4 “(A) in the case of a foreign source that
5 is not associated with an covered nation,
6 \$250,000 or more, considered alone or in com-
7 bination with all other gifts from or contracts
8 with that foreign source within a calendar year;
9 and

10 “(B) in the case of a foreign source that
11 is associated with an covered nation, a gift or
12 contract of any value.”.

13 (2) by redesignating subsections (d) through (h)
14 as subsection (e) through (i), respectively;

15 (3) by inserting after subsection (c) the fol-
16 lowing:

17 “(d) ADDITIONAL SUBMISSIONS.—Not later than 10
18 days after receiving a disclosure report, document, or
19 other record from an institution under this section, the
20 Secretary shall transmit a copy of such report, document,
21 or record to the Director of the Federal Bureau of Inves-
22 tigation and the Director of National Intelligence.”; and

23 (4) in subsection (i), as so redesignated—

24 (A) by redesignating paragraphs (1)
25 through (5) as paragraphs (2) through (6); and

1 (B) by inserting before paragraph (2), as
2 so redesignated, the following new paragraph:

3 “(1) the term ‘covered nation’ has the meaning
4 given that term in section 4872(d)(2) of title 10,
5 United States Code;”.

6 (b) TRANSMITTAL OF RECORDS FBI AND DNI.—Not
7 later than 90 days after the date of the enactment of this
8 Act, the Secretary of Education shall transmit to the Di-
9 rector of the Federal Bureau of Investigation and the Di-
10 rector of National Intelligence—

11 (1) any report, document, or other record re-
12 ceived by the Department of Education under sec-
13 tion 117 of the Higher Education Act of 1965 (20
14 U.S.C. 1011f), regardless of the date on which the
15 record was received or the status of the case to
16 which the record pertains; and

17 (2) any report, document, or other record gen-
18 erated by the Department of Education in the
19 course of an investigation into the compliance of an
20 institution with such section.

