AMENDMENT TO RULES COMMITTEE PRINT 118-10
OFFERED BY MR. BANKS OF INDIANA

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

SEC. 18. MODIFICATION OF REQUIREMENT FOR INSTITUTIONS OF HIGHER EDUCATION TO DISCLOSE FOREIGN GIFTS AND CONTRACTS.

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

(1) by amending subsection (a) to read as follows:

“(a) DISCLOSURE REPORT.—

“(1) IN GENERAL.—Whenever any institution is owned or controlled by a foreign source, or receives a gift from or enters into a contract with a foreign source that equals or exceeds the threshold value described in paragraph (2), the institution shall file a disclosure report with the Secretary on January 31 or July 31, whichever is sooner.
“(2) THRESHOLD VALUE.—For purposes of subsection (a) the threshold value of a gift from or contract from a foreign source is—

“(A) in the case of a foreign source that is not associated with an covered nation, $250,000 or more, considered alone or in combination with all other gifts from or contracts with that foreign source within a calendar year; and

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

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

(3) by inserting after subsection (c) the following:

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

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

(A) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6); and
(B) by inserting before paragraph (2), as so redesignated, the following new paragraph:

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

(b) TRANSMITTAL OF RECORDS FBI AND DNI.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Education shall transmit to the Director of the Federal Bureau of Investigation and the Director of National Intelligence—

(1) any report, document, or other record received by the Department of Education under section 117 of the Higher Education Act of 1965 (20 U.S.C. 1011f), regardless of the date on which the record was received or the status of the case to which the record pertains; and

(2) any report, document, or other record generated by the Department of Education in the course of an investigation into the compliance of an institution with such section.