

AMENDMENT TO RULES COMM. PRINT 118–36
OFFERED BY MR. PFLUGER OF TEXAS

Add at the end of subtitle C of title XVII the following:

1 **SEC. 1748. LIMITATIONS ON CONFUCIUS INSTITUTES' HOST**
2 **SCHOOLS.**

3 (a) DEFINITIONS.—In this section:

4 (1) CHINESE ENTITY OF CONCERN.—The term
5 “Chinese entity of concern” means any university or
6 college in the People’s Republic of China that—

7 (A) is involved in the implementation of
8 military-civil fusion;

9 (B) participates in the Chinese defense in-
10 dustrial base;

11 (C) is affiliated with the Chinese State Ad-
12 ministration for Science, Technology and Indus-
13 try for the National Defense;

14 (D) receives funding from any organization
15 subordinate to the Central Military Commission
16 of the Chinese Communist Party; or

17 (E) provides support to any security, de-
18 fense, police, or intelligence organization of the

1 Government of the People’s Republic of China
2 or the Chinese Communist Party.

3 (2) CONFUCIUS INSTITUTE.—The term “Confu-
4 cius Institute” means a cultural institute funded by
5 the Government of the People’s Republic of China.

6 (3) INSTITUTION OF HIGHER EDUCATION.—The
7 term “institution of higher education” has the
8 meaning given such term in section 102 of the High-
9 er Education Act of 1965 (20 U.S.C. 1002).

10 (4) RELATIONSHIP.—The term “relationship”
11 means, with respect to an institution of higher edu-
12 cation, any contract awarded, or agreement entered
13 into, as well as any in-kind donation or gift, received
14 from a Confucius Institute or Chinese entity of con-
15 cern.

16 (b) RESTRICTIONS ON INSTITUTIONS OF HIGHER
17 EDUCATION.—Beginning with the first fiscal year that be-
18 gins after the date that is 12 months after the date of
19 the enactment of this Act, the Secretary of Homeland Se-
20 curity shall ensure that an institution of higher education
21 (referred to in this section as an “institution”) which has
22 a relationship with a Confucius Institute is ineligible to
23 receive any Science and Technology or Research and De-
24 velopment funds from the Department of Homeland Secu-
25 rity, unless the institution terminates the relationship be-

1 tween the institution and such Confucius Institute. Upon
2 the termination of such a relationship, the institution at
3 issue shall be eligible to receive Science and Technology
4 or Research and Development funds from the Department
5 of Homeland Security.

6 (c) CHINESE ENTITIES OF CONCERN RELATIONSHIP
7 DISCLOSURES.—Beginning on the date that is 12 months
8 after the date of the enactment of this Act, the Secretary
9 of Homeland Security shall require each institution which
10 has a relationship with a Chinese entity of concern that
11 is seeking or receives Science and Technology or Research
12 and Development funds from the Department of Home-
13 land Security to notify the Secretary of such relationship.
14 Such notification shall include the following with respect
15 to such relationship:

16 (1) An identification of the Chinese entity of
17 concern.

18 (2) Information relating to the length of such
19 relationship.

20 (3) A description of the nature of such institu-
21 tion's relationship with such Chinese entity of con-
22 cern, including the monetary value of any contract
23 awarded, or agreement entered into, as well as any
24 in-kind donation or gift, from such Chinese entity of
25 concern.

1 (d) ASSISTANCE.—The Secretary of Homeland Secu-
2 rity shall provide outreach and, upon request, technical as-
3 sistance to institutions relating to compliance with this
4 Act. In carrying out this subsection, the Secretary shall
5 provide particular attention to institutions assisting his-
6 torically Black colleges and universities (as such term is
7 defined in part B of section 322(2) of the Higher Edu-
8 cation Act of 1965 (22 U.S.C. 1061(2)), Hispanic serving
9 institutions (as such term is defined in section 502 of the
10 Higher Education Act of 1965 (20 U.S.C. 1101a)), Tribal
11 colleges and universities (as such term is defined in section
12 316(b) of the Higher Education Act of 1965 (20 U.S.C.
13 1059c(b)), and other minority serving institutions (as such
14 defined in section 371(a) of the Higher Education Act of
15 1965 (20 U.S.C. 1067q(a))).

16 (e) WAIVER.—

17 (1) IN GENERAL.—The Secretary of Homeland
18 Security may waive, on a case-by-case basis, and for
19 a period of not more than one year, the application
20 of subsection (b) to an institution if the Secretary
21 determines such is in the national security interests
22 of the United States.

23 (2) RENEWAL.—The Secretary of Homeland
24 Security may annually renew a waiver issued pursu-
25 ant to paragraph (1) if the Secretary determines

1 such is in the national security interests of the
2 United States.

3 (3) NOTIFICATION.—If the Secretary of Home-
4 land Security issues or renews a waiver pursuant to
5 paragraph (1) or (2), respectively, not later than 30
6 days after such issuance or renewal, as the case may
7 be, the Secretary shall provide written notification to
8 the Committee on Homeland Security of the House
9 of Representatives and the Committee on Homeland
10 Security and Governmental Affairs of the Senate re-
11 garding such issuance or renewal, including a jus-
12 tification relating thereto.

13 (f) REPORTS.—Not later than 18 months after the
14 date of the enactment of this Act and annually thereafter,
15 the Secretary of Homeland Security shall report to the
16 Committee on Homeland Security of the House of Rep-
17 resentatives and the Committee on Homeland Security
18 and Governmental Affairs of the Senate regarding imple-
19 mentation of this Act during the immediately preceding
20 12 month period. Each such report shall include informa-
21 tion relating to—

22 (1) the implementation of subsections (b) and
23 (c), including the information disclosed pursuant to
24 such subsection (c); and

- 1 (2) outreach and the provision of technical as-
- 2 sistance pursuant to subsection (d).

