AMENDMENT TO RULES COMM. PRINT 117–54
OFFERED BY MR. PFLUGER OF TEXAS

At the appropriate place in division E, insert the following:

SEC. ___. LIMITATIONS ON CONFUCIUS INSTITUTES’ HOST SCHOOLS.

(a) DEFINITIONS.—In this section:

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

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

(B) participates in the Chinese defense industrial base;

(C) is affiliated with the Chinese State Administration for Science, Technology and Industry for the National Defense;

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

(E) provides support to any security, defense, police, or intelligence organization of the
Government of the People’s Republic of China or the Chinese Communist Party.

(2) CONFUCIUS INSTITUTE.—The term “Confucius Institute” means a cultural institute funded by the Government of the People’s Republic of China.

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

(4) RELATIONSHIP.—The term “relationship” means, with respect to an institution of higher education, any contract awarded, or agreement entered into, as well as any in-kind donation or gift, received from a Confucius Institute or Chinese entity of concern.

(b) RESTRICTIONS ON INSTITUTIONS OF HIGHER EDUCATION.—Beginning with the first fiscal year that begins after the date that is 12 months after the date of the enactment of this Act, the Secretary of Homeland Security shall ensure that an institution of higher education (referred to in this section as an “institution”) which has a relationship with a Confucius Institute is ineligible to receive any Science and Technology or Research and Development funds from the Department of Homeland Security, unless the institution terminates the relationship be-
tween the institution and such Confucius Institute. Upon the termination of such a relationship, the institution at issue shall be eligible to receive Science and Technology or Research and Development funds from the Department of Homeland Security.

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

1. An identification of the Chinese entity of concern.
2. Information relating to the length of such relationship.
3. A description of the nature of such institution’s relationship with such Chinese entity of concern, including the monetary value of any contract awarded, or agreement entered into, as well as any in-kind donation or gift, from such Chinese entity of concern.
(d) ASSISTANCE.—The Secretary of Homeland Security shall provide outreach and, upon request, technical assistance to institutions of higher education relating to compliance with this Act. In carrying out this subsection, the Secretary shall provide particular attention to institutions assisting historically Black colleges and universities (as such term is defined in part B of section 322(2) of the Higher Education Act of 1965 (22 U.S.C. 1061(2)), Hispanic serving institutions (as such term is defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a)), Tribal colleges and universities (as such term is defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)), and other minority serving institutions (as such term is defined in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))).

(e) WAIVER.—

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

(2) RENEWAL.—The Secretary of Homeland Security may annually renew a waiver issued pursu-
pursuant to paragraph (1) if the Secretary determines
such is in the national security interests of the
United States.

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

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

(1) the implementation of subsections (b) and
(c), including the information disclosed pursuant to
such subsection (c); and
(2) outreach and the provision of technical assistance pursuant to subsection (d).