

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

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

1 **SEC. ____ . 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 of
10 higher education which has a relationship with a Chinese
11 entity of concern that is seeking or receives Science and
12 Technology or Research and Development funds from the
13 Department of Homeland Security to notify the Secretary
14 of such relationship. Such notification shall include the fol-
15 lowing with respect 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 of higher education relating to
4 compliance with this Act. In carrying out this subsection,
5 the Secretary shall provide particular attention to institu-
6 tions assisting historically Black colleges and universities
7 (as such term is defined in part B of section 322(2) of
8 the Higher Education Act of 1965 (22 U.S.C. 1061(2)),
9 Hispanic serving institutions (as such term is defined in
10 section 502 of the Higher Education Act of 1965 (20
11 U.S.C. 1101a)), Tribal colleges and universities (as such
12 term is defined in section 316(b) of the Higher Education
13 Act of 1965 (20 U.S.C. 1059c(b)), and other minority
14 serving institutions (as such term is defined in section
15 371(a) of the Higher Education Act of 1965 (20 U.S.C.
16 1067q(a))).

17 (e) WAIVER.—

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

24 (2) RENEWAL.—The Secretary of Homeland
25 Security may annually renew a waiver issued pursu-

1 ant to paragraph (1) if the Secretary determines
2 such is in the national security interests of the
3 United States.

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

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

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

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

