

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**54**

**OFFERED BY MR. PFLUGER OF TEXAS**

At the end of title LVIII, add the following new section:

**1 SEC. 58 \_\_. DISCLOSURES OF FOREIGN GIFTS.**

2 Section 117 of the Higher Education Act of 1965 (20  
3 U.S.C. 1011f) is amended—

4 (1) in subsection (a), by striking “Whenever”  
5 and inserting “Except as provided in subsection (d),  
6 whenever”;

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

9 (3) by inserting after subsection (c) the fol-  
10 lowing:

11 “(d) SPECIAL RULES RELATING TO CHINA-AFFILI-  
12 ATED ORGANIZATIONS.—

13 “(1) ENHANCED DISCLOSURES OF GIFTS AND  
14 CONTRACTS.—

15 “(A) IN GENERAL.—Whenever any institu-  
16 tion receives a gift from or enters into a con-  
17 tract with a China-affiliated organization, the  
18 value of which is \$5,000 or more, considered

1 alone or in combination with all other gifts  
2 from or contracts with that organization within  
3 a calendar year, the institution shall file a dis-  
4 closure report with the Secretary on January  
5 31 or July 31, whichever is sooner.

6 “(B) CONTENTS OF REPORT.—Each report  
7 under subparagraph (A) shall include—

8 “(i) the information described in sub-  
9 sections (b) and (c) (as applicable);

10 “(ii) the full legal name of the indi-  
11 vidual or organization that made the gift  
12 or entered into the contract to which the  
13 disclosure pertains; and

14 “(iii) instructions for accessing the in-  
15 formation made available under paragraph  
16 (3).

17 “(2) DISCLOSURE OF JOINT ACTIVITIES.—On  
18 an annual basis, any institution that receives funds  
19 under a Federal grant program shall file a disclosure  
20 report with the Secretary that identifies any activi-  
21 ties conducted pursuant to a contract or other agree-  
22 ment between the institution and a China-affiliated  
23 organization, including any joint research or aca-  
24 demic exchanges.

1           “(3) PUBLIC AVAILABILITY OF AGREEMENTS.—  
2       Each institution shall make available, on a publicly  
3       accessible website of the institution, the full text of  
4       any contract, agreement, or memorandum of under-  
5       standing between the institution and a China-affili-  
6       ated organization (regardless of whether the con-  
7       tract, agreement, or memorandum remains in ef-  
8       fect).”;

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

10           (A) by redesignating paragraphs (1)  
11           through (5) as paragraphs (2) through (6), re-  
12           spectively; and

13           (B) by inserting before paragraph (2) the  
14           following:

15           “(1) the term ‘China-affiliated organization’  
16           means any entity that receives support directly or  
17           indirectly from the Government of the People’s Re-  
18           public of China, including—

19           “(A) a cultural, language, or educational  
20           institute or program;

21           “(B) a think tank that has received more  
22           than \$100,000 in one calendar year or more  
23           than 10 percent of the total funding for such  
24           think tank for that year, whichever is less, from

1 the Chinese Communist Party or individuals af-  
2 filiated with the Chinese Communist Party;

3 “(C) a person who is a current member of  
4 the Chinese Communist Party or otherwise ac-  
5 tive in collaborating with the Chinese Govern-  
6 ment as an employee or advisor;

7 “(D) a Chinese state-owned enterprise or  
8 partially or wholly owned subsidiary of a Chi-  
9 nese state-owned enterprise; and

10 “(E) a company, think tank, nonprofit, or  
11 other similar entity, which has on its board of  
12 directors or with equity ownership or voting  
13 control in excess of 5 percent any members of  
14 the Chinese Communist Party or executives of  
15 a Chinese state-owned enterprise, including the  
16 president, vice president, or any other officer  
17 who performs a policy making function or any  
18 other person who performs similar policy mak-  
19 ing functions for such enterprise, including an  
20 executive officer of a subsidiary of such enter-  
21 prise who performs such policy making func-  
22 tions.”.

