

## Paperwork Reduction Act (PRA) Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1801-NEW. Public reporting burden for this collection of information is estimated to average 10 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is *mandatory*, unless there are no disclosures to report under 20 U.S.C. 1011f. If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact Kevin Slupe, 400 Maryland Ave SW, room 6E-323, Washington D.C. 20202, (202)-401-6273 directly.

### Foreign Gifts and Contracts Disclosures

This information collection implements Section 117 of the Higher Education Act (HEA) codified at 20 U.S.C. § 1011f and related authorities. Section 20 U.S.C. § 1011f-defined institutions must file this information collection by January 31st and July 31<sup>st</sup> of each year for the preceding six-month period, whenever a disclosure is required under 20 U.S.C. § 1011f(a). For purposes of this information collection:

As provided in 20 U.S.C. § 1011f(b)(1), a gift or contract is “attributable” to the country of citizenship, or if unknown, the principal residence for a foreign source who is a natural person, and the country of incorporation, or if unknown, the principal place of business, for a foreign source which is a legal entity.

“Contract” has the meaning given at 20 U.S.C. § 1011f(h)(1).

“Foreign source” has the meaning given at 20 U.S.C. § 1011f(h)(2).

“Gift” has the meaning given at 20 U.S.C. § 1011f(h)(3).

“Institution” has the meaning given at 20 U.S.C. § 1011f(h)(4).

“Restricted or conditional gift or contract” has the meaning given at 20 U.S.C. § 1011f(h)(5).

#### 1. Institution ID No.

- a. List all campuses.
- b. List all legal entities (including foundations or other organizations) that operate substantially for the benefit for or under the auspices of your institution.

- c. Is the institution, or any part thereof, including any legal entity (including foundations or organizations) that operate substantially for the benefit for or under the auspices of your institution owned or substantially controlled by a foreign source? (Y/N)
    - i. If yes, then identify:
      - 1. The foreign source
      - 2. The date on which the foreign source assumed ownership or control
      - 3. Any changes in program or structure resulting from the change in ownership or control
- 2. Gifts from a foreign source.
  - a. Name of the foreign source.
    - i. Is the donor a foreign government, including but not limited to any agency, foundation, or sovereign wealth fund of a foreign government, or person acting on its behalf? (Y/N)
      - 1. If yes, provide the name and address of the foreign government
    - ii. Is the donor a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states? (Y/N)
    - iii. Is the donor an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof? (Y/N)
    - iv. Is the donor a person, including a subsidiary or affiliate of a foreign legal entity, who acts as an agent of a foreign government, a legal entity created solely under the laws of a foreign state or states, or an individual who is not a citizen or national of the United States or a trust territory or protectorate thereof? (Y/N)
      - 1. If yes, provide the name and address of the foreign government, legal entity, or individual.
    - v. Is the donor a legal person created under the laws of any State, trust territory, or protectorate of the United States and owned in whole or substantial part by a foreign principal? (Y/N)
    - vi. Is the donor a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially controlled by a foreign principal? (Y/N)
    - vii. Is the donor a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially financed or subsidized by a foreign principal? (Y/N)
  - b. Foreign source address including country of origin.
  - c. Gift terms.
    - i. Amount.
    - ii. Duration.
  - d. Recipient.
  - e. True copy of the gift or donation agreement (UPLOAD PDF)
- 3. Contracts with a foreign source.
  - a. Name of the foreign source.
    - i. Is the party a foreign government, including but not limited to any agency, foundation, or sovereign wealth fund of a foreign government, or person acting on its behalf? (Y/N)

1. If yes, provide the name and address of the foreign government.
    - ii. Is the party a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states? (Y/N)
    - iii. Is the party an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof? (Y/N)
    - iv. Is the party a person, including a subsidiary or affiliate of a foreign legal entity, who acts as an agent of a foreign government, legal entity created solely under the laws of a foreign state or states, or individual who is not a citizen or national of the United States or a trust territory or protectorate thereof? (Y/N)
      1. If yes, provide the name and address of the foreign government, legal entity, or individual.
    - v. Is the party a legal person created under the laws of any State, trust territory, or protectorate of the United States and owned in whole or substantial part by a foreign principal? (Y/N)
    - vi. Is the party a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially controlled by a foreign principal? (Y/N)
    - vii. Is the party a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially financed or subsidized by a foreign principal? (Y/N)
  - b. Foreign source address including country of origin.
  - c. Domestic party
  - d. Contract terms.
    - i. Amount.
    - ii. Duration.
  - e. True copy of the contract (UPLOAD PDF)
4. Restricted or conditional gifts from a foreign source.
- a. Name of the foreign source.
    - i. Is the donor a foreign government, including but not limited to any agency, foundation, or sovereign wealth fund of the foreign government, or person acting on its behalf? (Y/N)
      1. If yes, provide the name and address of the foreign government.
    - ii. Is the donor a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states? (Y/N)
    - iii. Is the donor an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof? (Y/N)
    - iv. Is the donor a person, including a subsidiary or affiliate of a foreign legal entity, who acts as an agent of a foreign government, a legal entity created solely under the laws of a foreign state or states, or an individual who is not a citizen or national of the United States or a trust territory or protectorate thereof? (Y/N)
      1. If yes, provide the name and address of the foreign government, legal entity, or individual.
    - v. Is the donor a legal person created under the laws of any State, trust territory, or protectorate of the United States and owned in whole or substantial part by a foreign principal? (Y/N)

- vi. Is the donor a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially controlled by a foreign principal? (Y/N)
    - vii. Is the donor a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially financed or subsidized by a foreign principal? (Y/N)
  - b. Foreign source address including country of origin.
    - i. For gifts received from a foreign source other than a foreign government, the country of citizenship, or if unknown, the principal residence for a foreign source who is a natural person, and the country of incorporation, or if unknown, the principal place of business for a foreign source which is a legal entity.
    - ii. For gifts received from a foreign government, the name of the foreign government.
  - c. Restricted or conditional gift terms.
    - i. Amount.
    - ii. Date.
    - iii. Duration.
    - iv. Detailed description of all conditions or restrictions.
  - d. Specific restricted or conditional gift provisions.
    - i. Do the restrictions or conditions concern or relate to the employment, assignment, or termination of faculty? (Y/N)
    - ii. Do the restrictions or conditions concern or relate to the establishment of departments, centers, research or lecture programs, or new faculty positions? (Y/N)
    - iii. Do the restrictions or conditions concern or relate to the selection or admission of students? (Y/N)
    - iv. Do the restrictions or conditions concern or relate to the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion? (Y/N)
    - v. Was the restricted or conditional gift for the purpose of or did it have the effect of influencing any program or curricula at the institution, either directly or indirectly? (Y/N)
      - 1. If yes, please describe.
  - e. Recipient.
  - f. True copy of restricted or conditional gift agreement (UPLOAD PDF)
5. Restricted or conditional contract with a foreign source.
- a. Name of the foreign source.
    - i. Is the party a foreign government, including but not limited to any agency, foundation, or sovereign wealth fund of the foreign government, or person acting on its behalf? (Y/N)
      - 1. If yes, provide the name and address of the foreign government.
    - ii. Is the party a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states? (Y/N)
    - iii. Is the party an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof? (Y/N)

- iv. Is the party a person, including a subsidiary or affiliate of a foreign legal entity, who acts as an agent of a foreign government, a legal entity created solely under the laws of a foreign state or states, or an individual who is not a citizen or national of the United States or a trust territory or protectorate thereof? (Y/N)
  - 1. If yes, provide the name and address of the foreign government, legal entity, or individual.
- v. Is the party a legal person created under the laws of any State, trust territory, or protectorate of the United States and owned in whole or substantial part by a foreign principal? (Y/N)
- vi. Is the party a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially controlled by a foreign principal? (Y/N)
- vii. Is the party a legal person created under the laws of any State, trust territory, or protectorate of the United States and substantially financed or subsidized by a foreign principal? (Y/N)
- b. Foreign source address including country of origin.
  - i. For contracts received from a foreign source other than a foreign government, the country of citizenship, or if unknown, the principal residence for a foreign source who is a natural person, and the country of incorporation, or if unknown, the principal place of business for a foreign source which is a legal entity.
  - ii. For contracts received from a foreign government, the name of the foreign government.
- c. Domestic party.
- d. Restricted or conditional contract terms.
  - i. Amount.
  - ii. Duration.
  - iii. Date.
  - iv. Narrative description of all conditions or restrictions
- e. Specific restricted or conditional contract provisions.
  - i. Do the restrictions or conditions concern or relate to the employment, assignment, or termination of faculty? (Y/N)
    - 1. If yes, please describe.
  - ii. Do the restrictions or conditions concern or relate to the establishment of departments, centers, research or lecture programs, or new faculty positions? (Y/N)
    - 1. If yes, please describe.
  - iii. Do the restrictions or conditions concern or relate to the selection or admission of students? (Y/N)
    - 1. If yes, please describe.
  - iv. Do the restrictions or conditions concern or relate to the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion? (Y/N)
    - 1. If yes, please describe.
  - v. Was the restricted or conditional gift for the purpose of or did it have the effect of influencing any program or curricula at the institution, either directly or indirectly? (Y/N)
    - 1. If yes, please describe.

- f. True copy of the restricted or conditional contract (UPLOAD PDF)
6. For each foreign source, does the institution certify:
- a. Each gift, contract, restricted or conditional gift or contract complies with Executive Order 13224? (Y/N)
  - b. Foreign source is not owned or controlled by and does not act for or on behalf of persons subject to subsections 1(b), 1(c), or 1(d)(i) of Executive Order 13224? (Y/N)
  - c. Foreign source does not assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, research and related activities that violate 22 U.S.C. Chapter 39, or 15 CFR 730 et seq., or 22 CFR Subchapter M? (Y/N)
  - d. Foreign source has not engaged in or provided material support to and does not engage in or provide material support to any person who engages in, activities prohibited by 18 U.S.C. §§ 2339, 2339A, 2339B, 2339C, and 2339D? (Y/N)
  - e. Foreign source is not listed as a country requiring cooperation with an international boycott pursuant to 26 U.S.C. § 999(a)(3)? (Y/N)
  - f. Foreign source is not engaged in “boycott participation and cooperation” as defined at 26 U.S.C. § 999(b)(3)? (Y/N)
  - g. Foreign source is not on the Entity List at 15 CFR Part 744? (Y/N)
7. Attribution.
- a. Foreign source other than government.
    - i. NATION/AMOUNT
  - b. Foreign government
    - i. NATION/AMOUNT
8. Total from all foreign sources this reporting period.
- a. Gifts.
  - b. Contracts.
  - c. Restricted or conditional gifts.
  - d. Restricted or conditional contracts.
  - e. Aggregate.
9. Acknowledgement: This information collection is subject to 18 U.S.C. § 1001, which provides that whoever knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes any materially false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, may be subject to fines and imprisonment. (Y/N)