

WE DON'T HAVE
ANY FOREIGN GIFTS!

What about contracts?



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Topics

- Brief overview of Section 117
- Our approach
- Who, what, when and where to report
- Challenges associated with reporting
- What's next

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Poll: Is your institution currently compliant with Foreign Gifts and Contracts reporting?



Yes



No



I don't know



What are Foreign Gifts and Contracts?

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Section 117 of the Higher Education Act of 1965 (HEA)



Certain institutions participating in Title IV funds are required to submit disclosures to the Department of Education.



Disclosures include ownership interests in or control over the institution by a foreign entity.



Disclosures also include contracts with or gifts from the same foreign source that, alone or combined, have a value of \$250,000 or more in a calendar year.



The disclosures must be made no later than January 31 or July 31, whichever is sooner, that immediately follows the activity that triggers the need for a report.

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Foreign Source

A Foreign Source is defined as a foreign government, including an agency of a foreign government; a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states; an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof; and an agent, including a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source.

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Gifts and Contracts

The term “gift” means any gift of money or property.

The term “contract” means any agreement for the acquisition by purchase, lease, or barter of property or services by the foreign source, for the direct benefit or use of either of the parties.

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Restricted or Conditional

The term “restricted or conditional gift or contract” means any endowment, gift, grant, contract, award, present, or property of any kind which includes provisions regarding:

- The employment, assignment, or termination of faculty;
- The establishment of departments, centers, research or lecture programs, or new faculty positions;
- The selection or admission of students;
- 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.

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Our Approach


Who and what areas should be at the table?

- Procurement
- Contract Management
- Advancement
- Sponsored Programs
- Student Account Services
- Financial Accounting
- Contract and Grant Accounting
- International Programs

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What information to collect? What to report?

Everything?



can i go too this time?

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Data Collection



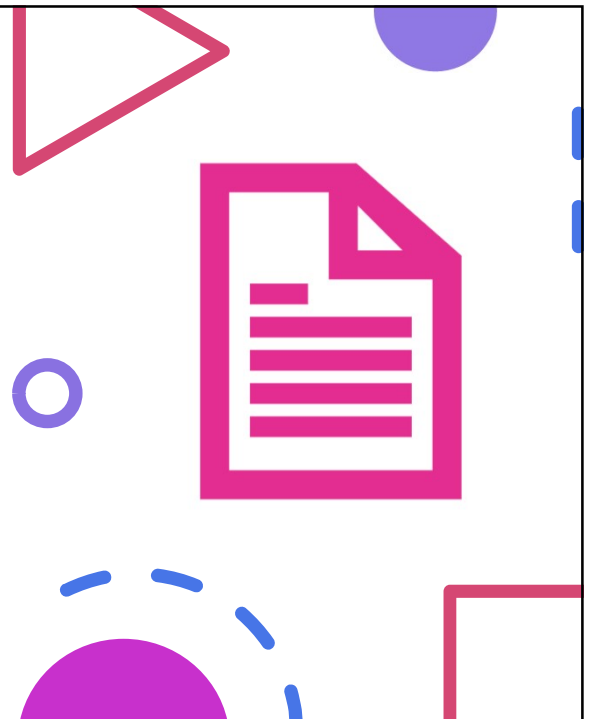
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Collection and Reporting

Reports will include obvious foreign owned companies.

Contracts with foreign remit to address and known foreign based donors/gifts.

All areas made best efforts/good faith efforts to identify and report all foreign gifts received or contracts entered and if unknown submit for further research.



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How we collected the information

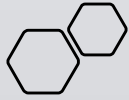


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Our Most Recent Report

Foreign Gift Received Date	Foreign Gift Amount	Giver Name	Country of Giver	Citizenship of Giver (if giver is a natural person)	Gift Type	Contract Start Date	Contract End Date
10/14/2019	\$45,900.00	Mercedes-Benz U.S. International	Germany	NA	Contract	8/29/2018	12/6/2019
8/31/2019	\$7,260.00	Daimler Purchasing Coordination Coper	Germany	NA	Contract	8/19/2018	12/6/2019
7/31/2019	\$1,650,825.00	Mercedes-Benz U.S. International, Inc.	Germany	NA	Gift in kind - Equipment	NA	NA
3/19/2019	\$200.00	Mercedes-Benz U.S. International, Inc.	Germany	NA	Matching Gift Program	NA	NA
3/21/2019	\$300.00	Mercedes-Benz U.S. International, Inc.	Germany	NA	Matching Gift Program	NA	NA
5/30/2019	\$300.00	Mercedes-Benz U.S. International, Inc.	Germany	NA	Matching Gift Program	NA	NA
7/30/2019	\$300.00	Mercedes-Benz U.S. International, Inc.	Germany	NA	Matching Gift Program	NA	NA
6/16/2019	\$517,303.00	Korea Polar Research Institute - KOPRI	Korea	NA	Contract	1/1/2019	12/31/2019
6/14/2019	\$1,862.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	1/1/2019	6/3/2019
7/30/2019	\$183,197.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	5/1/2019	8/2/2019
8/6/2019	\$176,795.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	5/1/2019	8/2/2019
8/19/2019	\$2,472,084.00	Kuwait Embassy Of The State	Kuwait	NA	Contract	5/1/2019	8/2/2019
9/20/2019	\$22,264.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	5/1/2019	8/2/2019
10/7/2019	\$243,616.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	8/21/2018	12/6/2019
10/18/2019	\$256,264.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	8/21/2018	12/6/2019
11/12/2019	\$15,888.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	8/21/2018	12/6/2019
11/23/2019	\$14,343.00	Saudi Arabian Education Mission	Saudi Arabia	NA	Contract	8/21/2018	12/6/2019
11/27/2019	\$4,784,428.12	Kuwait Embassy Of The State	Kuwait	NA	Contract	8/21/2018	12/6/2019
12/13/2019	\$193,337.00	Turkish Consulate General	Turkey	NA	Contract	8/21/2018	12/6/2019
6/14/2019	\$147,479.90	Turkish Consulate General	Turkey	NA	Contract	1/1/2019	5/1/2019
6/14/2019	\$265.00	Turkish Consulate General	Turkey	NA	Contract	8/21/2018	12/14/2018
6/14/2019	\$15,862.00	Turkish Consulate General	Turkey	NA	Contract	1/1/2019	5/1/2019
6/19/2019	\$47,762.00	Kuwait Embassy Of The State	Kuwait	NA	Contract	1/1/2019	5/1/2019
7/1/2019	\$16,522.00	Kuwait Embassy Of The State	Kuwait	NA	Contract	1/1/2019	5/1/2019
7/9/2019	\$25.00	Turkish Consulate General	Turkey	NA	Contract	5/29/2018	7/16/2019
11/13/2019	\$78,489.00	Turkish Consulate General	Turkey	NA	Contract	5/29/2018	7/16/2019

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Poll: Who submits your report?



Financial Aid Office



Compliance Office



System Office



I don't know

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What We Are Learning



There is not a central way to track all this information.



Collaboration across multiple departments is necessary.



The Department of Education will change their minds...again.




There will be another reporting tool.



No one wants to own this process.

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What Is Next?

- Will the DOE require true copies?
- Will they expand their questions even further?
- How or will COVID – 19 change how the DOE examines relationships with foreign sources?

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A BIG Thank You to Jared Miller!



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