

Bursar Operations – Mary Catherine Gillespie

# **SECTION 117 & ACT 767**

## **FOREIGN SOURCE REPORTING**

# Agenda

- Section 117 Reporting
- Act 767/106 Reporting
- Process for Reporting
- Is Your Department Reporting?
- Additional Resources

# Section 117 of the Higher Education Act of 1965

- Required to report all gifts or contracts from an individual foreign **source** that totals \$250,000 in a calendar year; departments are to report **any and all** foreign source payments and Bursar Operations is responsible for aggregating
- Scope is LSU A&M only
- Bi-annual filing:
  - January 1 – June 30 period: due by July 31
  - July 1 – December 31 period: due by January 31

# Foreign Source

- 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
- an agent, including a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source

# Act 767 of the Higher Education Foreign Security Act of 2022

- Amended by Act 106 of the 2023 Regular Session
- Required to report all gifts or contracts from an individual foreign **adversary** that totals \$50,000 in a calendar year; departments are to report **any and all** foreign adversary payments and Bursar Operations is responsible for aggregating
- Additional preapproval required for travel paid for by a foreign adversary
- Screening required for foreign researchers who have any affiliation with an institution or program with a foreign adversary

# Act 767 of the Higher Education Foreign Security Act of 2022 cont.

- Scope is LSU A&M and Affiliates
- Affiliate Organizations are as follows:
  - LSU Alumni Association
  - LSU Foundation
  - LSU Research Foundation
  - Tiger Athletic Foundation
  - Stephenson Technologies Corporation
- Bi-annual filing:
  - January 1 – June 30 period: due by July 31
  - July 1 – December 31 period: due by January 31

# Foreign Adversary

- Any foreign government or non-government person determined by US Secretary of Commerce to have engaged in long-term pattern or serious instances of conduct significantly adverse to national security
- Current adversaries are (1) People's Republic of China, (2) Republic of Cuba, (3) Iran, (4) North Korea, (5) Russian Federation, and (6) Venezuelan politician Nicolas Maduro

# Processing for Reporting Both Section 117 and Act 767

- Survey is sent to business managers from each department approximately 7 business days prior to end of reporting period
- If the department has any foreign payments (regardless of amount) to report, the reporting form will be sent and will ask for pertinent information (source name, type, amount, etc.)
- Bursar Operations will report to US Dept of Education and Board of Regents by due date



# Survey Example

First Name of Person Completing Survey

Last Name of Person Completing Survey

LSU E-mail of Person Completing Survey

Does your college/unit deposit funds from foreign sources for gifts and/or contracts as defined in Section 117 of the Higher Education Act of 1965 or the Louisiana Higher Education Foreign Security Act of 2022?

Yes

No

# If Survey Answered Yes...

What is the first name of the individual in charge of reporting these gifts/contracts?

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What is the last name of the individual in charge of reporting these gifts/contracts?

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What is the email of the individual in charge of reporting these gifts/contracts?

# Is Your Department Reporting?

- Every department at LSU should be reporting **any** foreign payments received to comply.
- If you are unsure if your department is reporting, please email [mgille7@lsu.edu](mailto:mgille7@lsu.edu) to inquire.

# Additional Resources



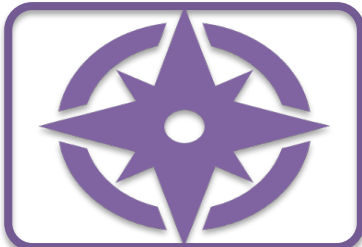
**Email**

[mgille7@lsu.edu](mailto:mgille7@lsu.edu)



**Phone**

(225) 578-7546



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