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

- 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?

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

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 to inquire.
Additional Resources

Email
mgille7@lsu.edu

Phone
(225) 578-7546

FASOP : AS-35
• https://lsu.edu/administration/ofa/fasops/fasopas35july12023.pdf