

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1516
OFFERED BY MR. THOMPSON OF MISSISSIPPI**

Strike page 1, line 1, and all that follows through
page 3, line 9, and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “DHS Restrictions on
3 Confucius Institutes and Chinese Entities of Concern
4 Act”.

**5 SEC. 2. LIMITATIONS ON CONFUCIUS INSTITUTES’ HOST
6 SCHOOLS.**

7 (a) DEFINITIONS.—In this section:

8 (1) CHINESE ENTITY OF CONCERN.—The term
9 “Chinese entity of concern” means any university or
10 college in the People’s Republic of China that—

11 (A) is involved in the implementation of
12 military-civil fusion;

13 (B) participates in the Chinese defense in-
14 dustrial base;

15 (C) is affiliated with the Chinese State Ad-
16 ministration for Science, Technology and Indus-
17 try for the National Defense;

1 (D) receives funding from any organization
2 subordinate to the Central Military Commission
3 of the Chinese Communist Party; or

4 (E) provides support to any security, de-
5 fense, police, or intelligence organization of the
6 Government of the People’s Republic of China
7 or the Chinese Communist Party.

8 (2) CONFUCIUS INSTITUTE.—The term “Confu-
9 cius Institute” means a cultural institute funded by
10 the Government of the People’s Republic of China.

11 (3) INSTITUTION OF HIGHER EDUCATION.—The
12 term “institution of higher education” has the
13 meaning given such term in section 102 of the High-
14 er Education Act of 1965 (20 U.S.C. 1002).

15 (4) RELATIONSHIP.—The term “relationship”
16 means, with respect to an institution of higher edu-
17 cation, any contract awarded, or agreement entered
18 into, as well as any in-kind donation or gift, received
19 from a Confucius Institute or Chinese entity of con-
20 cern.

21 (b) RESTRICTIONS ON INSTITUTIONS OF HIGHER
22 EDUCATION.—Beginning with the first fiscal year that be-
23 gins after the date that is 12 months after the date of
24 the enactment of this Act, the Secretary of Homeland Se-
25 curity shall ensure that an institution of higher education

1 (referred to in this section as an “institution”) which has
2 a relationship with a Confucius Institute is ineligible to
3 receive any Science and Technology or Research and De-
4 velopment funds from the Department of Homeland Secu-
5 rity, unless the institution terminates the relationship be-
6 tween the institution and such Confucius Institute. Upon
7 the termination of such a relationship, the institution at
8 issue shall be eligible to receive Science and Technology
9 or Research and Development funds from the Department
10 of Homeland Security.

11 (c) CHINESE ENTITIES OF CONCERN RELATIONSHIP
12 DISCLOSURES.—Beginning on the date that is 12 months
13 after the date of the enactment of this Act, the Secretary
14 of Homeland Security shall require each institution which
15 has a relationship with a Chinese entity of concern that
16 is seeking or receives Science and Technology or Research
17 and Development funds from the Department of Home-
18 land Security to notify the Secretary of such relationship.
19 Such notification shall include the following with respect
20 to such relationship:

- 21 (1) An identification of the Chinese entity of
22 concern.
- 23 (2) Information relating to the length of such
24 relationship.

1 (3) A description of the nature of such institu-
2 tion's relationship with such Chinese entity of con-
3 cern, including the monetary value of any contract
4 awarded, or agreement entered into, as well as any
5 in-kind donation or gift, from such Chinese entity of
6 concern.

7 (d) ASSISTANCE.—The Secretary of Homeland Secu-
8 rity shall provide outreach and, upon request, technical as-
9 sistance to institutions relating to compliance with this
10 Act. In carrying out this subsection, the Secretary shall
11 provide particular attention to institutions assisting his-
12 torically Black colleges and universities (as such term is
13 defined in part B of section 322(2) of the Higher Edu-
14 cation Act of 1965 (22 U.S.C. 1061(2)), Hispanic serving
15 institutions (as such term is defined in section 502 of the
16 Higher Education Act of 1965 (20 U.S.C. 1101a)), Tribal
17 colleges and universities (as such term is defined in section
18 316(b) of the Higher Education Act of 1965 (20 U.S.C.
19 1059c(b)), and other minority serving institutions (as such
20 defined in section 371(a) of the Higher Education Act of
21 1965 (20 U.S.C. 1067q(a))).

22 (e) WAIVER.—

23 (1) IN GENERAL.—The Secretary of Homeland
24 Security may waive, on a case-by-case basis, and for
25 a period of not more than one year, the application

1 of subsection (b) to an institution if the Secretary
2 determines such is in the national security interests
3 of the United States.

4 (2) RENEWAL.—The Secretary of Homeland
5 Security may annually renew a waiver issued pursu-
6 ant to paragraph (1) if the Secretary determines
7 such is in the national security interests of the
8 United States.

9 (3) NOTIFICATION.—If the Secretary of Home-
10 land Security issues or renews a waiver pursuant to
11 paragraph (1) or (2), respectively, not later than 30
12 days after such issuance or renewal, as the case may
13 be, the Secretary shall provide written notification to
14 the Committee on Homeland Security of the House
15 of Representatives and the Committee on Homeland
16 Security and Governmental Affairs of the Senate re-
17 garding such issuance or renewal, including a jus-
18 tification relating thereto.

19 (f) REPORTS.—Not later than 18 months after the
20 date of the enactment of this Act and annually thereafter,
21 the Secretary of Homeland Security shall report to the
22 Committee on Homeland Security of the House of Rep-
23 resentatives and the Committee on Homeland Security
24 and Governmental Affairs of the Senate regarding imple-
25 mentation of this Act during the immediately preceding

1 12 month period. Each such report shall include informa-
2 tion relating to—

3 (1) the implementation of subsections (b) and
4 (c), including the information disclosed pursuant to
5 such subsection (c); and

6 (2) outreach and the provision of technical as-
7 sistance pursuant to subsection (d).

