

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 881  
OFFERED BY MR. PFLUGER OF TEXAS**

Strike all after the enacting clause 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;

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 (F) purposefully undermines the United  
9 States’ relationship with Taiwan;

10 (G) aids, abets, or enables the detention,  
11 imprisonment, persecution, or forced labor of  
12 Uyghur Muslims in the People’s Republic of  
13 China;

14 (H) willfully and knowingly engages in ma-  
15 licious activities, including online disinformation  
16 campaigns and propaganda, for the purpose of  
17 interfering with United States Federal, State,  
18 or local elections; or

19 (I) is affiliated with the Chinese Academy  
20 of Sciences.

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

24 (3) INSTITUTION OF HIGHER EDUCATION.—The  
25 term “institution of higher education” has the

1 meaning given such term in section 102 of the High-  
2 er Education Act of 1965 (20 U.S.C. 1002).

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

9 (5) THOUSAND TALENTS PROGRAM.—The term  
10 “Thousand Talents Program” means any techno-  
11 logical or educational program funded or adminis-  
12 tered by the Chinese Communist Party’s Ministry of  
13 Industry and Information Technology.

14 (b) RESTRICTIONS ON INSTITUTIONS OF HIGHER  
15 EDUCATION.—Beginning with the first fiscal year that be-  
16 gins after the date that is 12 months after the date of  
17 the enactment of this Act, the Secretary of Homeland Se-  
18 curity shall ensure that an institution of higher education  
19 (referred to in this subsection as an “institution”) which  
20 has a relationship with a Confucius Institute, Thousand  
21 Talents Program, or Chinese entity of concern is ineligible  
22 to receive any funds from the Department of Homeland  
23 Security, unless the institution terminates the relationship  
24 between the institution and such Confucius Institute,  
25 Thousand Talents Program, or Chinese entity of concern,

1 as the case may be. Upon termination of such a relation-  
2 ship, the institution at issue shall be eligible to receive  
3 funds from the Department of Homeland Security.

4 (c) WAIVER.—

5 (1) IN GENERAL.—The Secretary of Homeland  
6 Security may, after consultation with the Director of  
7 National Intelligence, on a case-by-case basis and for  
8 a period not to exceed one year, waive the applica-  
9 tion of subsection (b) with respect to an institution  
10 of higher education if the Secretary determines the  
11 institution at issue maintains robust safeguards and  
12 enforcement protocols to monitor the relationship at  
13 issue, including active measures to detect and deter  
14 attempts by Chinese nationals affiliated with a Con-  
15 fucius Institute, Thousand Talents Program, or Chi-  
16 nese entity of concern that is the subject of such re-  
17 lationship to gain unauthorized access to sensitive  
18 research, data, or federally funded development ac-  
19 tivities conducted at or on the premises of, or by,  
20 such institution, and either of the following condi-  
21 tions is satisfied:

22 (A) The relationship at issue is in the na-  
23 tional security interests of the United States.

1           (B) The relationship at issue does not  
2           present a direct or indirect national security  
3           risk to the United States or its allies.

4           (2) RENEWAL.—The Secretary of Homeland  
5           Security may, after consultation with the Director of  
6           National Intelligence, annually renew a waiver issued  
7           pursuant to paragraph (1) if the Secretary deter-  
8           mines all of the conditions described in such para-  
9           graph continue to be satisfied.

10          (3) EFFECTIVE DATES.—A waiver issued or re-  
11          newed pursuant to paragraph (1) or (2), respec-  
12          tively, takes effect and applies beginning on the date  
13          that is 30 days after such issuance or renewal, as  
14          the case may be.

15          (4) NOTIFICATION.—If the Secretary of Home-  
16          land Security, after consultation with the Director of  
17          National Intelligence, issues or renews a waiver pur-  
18          suant to paragraph (1) or (2), respectively, not later  
19          than 30 days before such issuance or renewal, as the  
20          case may be, takes effect, the Secretary shall submit  
21          to the Committee on Homeland Security of the  
22          House of Representatives and the Committee on  
23          Homeland Security and Governmental Affairs of the  
24          Senate written notification regarding such issuance  
25          or renewal, including a justification relating thereto.

1           (d) ASSISTANCE.—The Secretary of Homeland Secu-  
2 rity shall provide outreach and, upon request, technical as-  
3 sistance to institutions of higher education relating to  
4 compliance with this Act.

5           (e) REPORTS.—Not later than 18 months after the  
6 date of the enactment of this Act and annually thereafter,  
7 the Secretary of Homeland Security shall submit to the  
8 Committee on Homeland Security of the House of Rep-  
9 resentatives and the Committee on Homeland Security  
10 and Governmental Affairs of the Senate a report regard-  
11 ing implementation of this section during the immediately  
12 preceding 12 month period. Each such report shall include  
13 information relating to the following:

14           (1) Any institution of higher education that has  
15 a relationship with a Confucius Institute, Thousand  
16 Talents Program, or Chinese entity of concern and  
17 receives funds from the Department of Homeland  
18 Security.

19           (2) The implementation of subsections (b), (c),  
20 and (d).

