

From: Foreign Source Reporting
Subject: RE: Sec117 - IP license fees
To: Ensign, Jared
Cc: Foreign Source Reporting
Sent: December 1, 2022 2:10 PM (UTC-05:00)

Good afternoon,

Thank you for your message. Section 117 speaks in terms of reportable transactions (e.g., gifts, contracts)—not income received pursuant to reportable transactions. As a result, generally speaking, a reportable transaction—like a contract between an institution and a foreign source that contemplates an institution receiving income in the form of royalties, milestone fees, or assignment fees—will only be disclosed once to the Department. That one-time disclosure would reflect the total value of the reportable transaction (e.g., the aggregate of the income received pursuant to a contract that contemplates future revenue from royalties, milestone fees, and/or assignment fees).

It may be useful to consider slides 14 and 15 of the [webinar](#) which discuss when and how institutions should report contracts with indeterminate values and slides 22-27 of the webinar presentation address contract reporting generally.

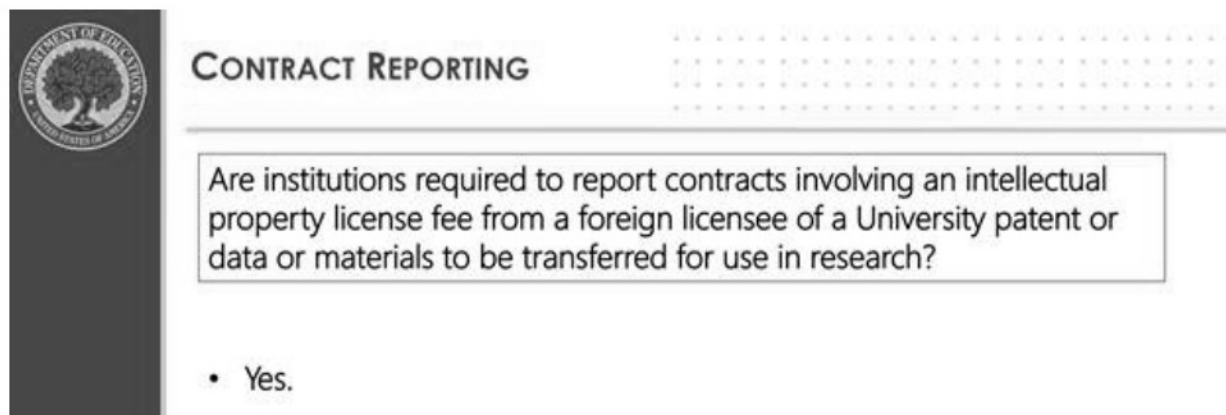
Regards,
Foreign Source Reporting Support

From: Ensign, Jared <jared.ensign@austin.utexas.edu>
Sent: Thursday, December 1, 2022 11:02 AM
To: Foreign Source Reporting <ForeignSourceReporting@ed.gov>
Subject: Sec117 - IP license fees

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Hi Foreign Source Reporting,

After new guidance received from DoE on section 117, UT Austin is working to include IP licensing fees in our foreign gift reporting. With this, we'd like to know if we need to report other types of income received such as royalties, milestone fees and assignment fees? Also, as mention in the below screenshot, is it fair to assume "materials to be transferred for use in research" refers to Material Transfer Agreements?



The screenshot shows a slide with the Texas Department of Education logo on the left and the title "CONTRACT REPORTING" at the top. The main content is a question: "Are institutions required to report contracts involving an intellectual property license fee from a foreign licensee of a University patent or data or materials to be transferred for use in research?". Below the question is a bullet point: "• Yes."

<https://www2.ed.gov/policy/highered/leg/section117-webinar-202206.pdf>

Thanks,
Jared

Jared Ensign, Senior Financial Analyst, Financial Accounting and Reporting

From: Lisa.Brown@ed.gov
Subject: Re: Need help: Institutional Responsibility for HEA Section 117 Reporting
To: Hartle, Terry
Cc: Muenzer, Melanie
Sent: March 3, 2022 12:16 PM (UTC-05:00)
Happy to follow up Terry and see if there is a quick answer to this.

Lisa Brown
General Counsel
Office of General Counsel
U.S. Department of Education
Lyndon Baines Johnson Building
400 Maryland Avenue, SW, Suite 6E313
Washington, DC. 20202-2110

Sent from my iPhone

On Mar 3, 2022, at 12:05 PM, Hartle, Terry <THartle@acenet.edu> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi guys –

Sorry to bother you but I am writing to seek your help on a specific Sec 117 question. The University of Hawaii sent a question to the Foreign Gift Reporting Desk on 7 February and a follow up on 25 February. I think this is a relatively straightforward question. (That is, I do not believe there has been a change and we have reviewed IFAP and the website has not changed since January 2021 and can't find any evidence to suggest that there has been a change)

As you know, a major campus frustration with Sec 117 is that campus can't get answers to questions – even ones that appear straightforward.

I would be deeply grateful if the right folks could get back to the U of Hawaii with an answer.

And, as you know, we are anxious to work with you to find ways to improve and smooth Sec 117 reporting.

Many thanks,

Terry

From: Darcie Yoshinaga <dsy@hawaii.edu>
Sent: Friday, February 25, 2022 7:07 AM
To: 'ForeignSourceReporting@ed.gov' <ForeignSourceReporting@ed.gov>
Subject: RE: Institutional Responsibility for HEA Section 117 Reporting

Hello, I am writing to follow up on my inquiry below. If you have already sent a response, please kindly resend it as I have not received anything.

Thank you,
Darcie

From: Darcie Yoshinaga <dsy@hawaii.edu>
Sent: Monday, February 07, 2022 4:47 PM
To: 'ForeignSourceReporting@ed.gov' <ForeignSourceReporting@ed.gov>
Subject: Institutional Responsibility for HEA Section 117 Reporting

Hello,

I am reaching to out to inquire whether there has been any restriction issued by the US Department of Education on which institutional office is responsible for HEA Section 117 reporting. I have reviewed the guidance posted at <https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2020-06-22/reminder-report-ownershipcontrol-and-contractsgifts-foreign-sources>, and it does not seem to contain any restriction. At our institution, since the HEA Section 117 reporting is done through the Federal Student Aid portal (<https://sa.ed.gov/cas/CASWeb/pages/Authentication.faces>), we have been submitting the reports through our campus Financial Aid offices who have access to this system. However, we were informed today that there is a new federal requirement that financial aid offices should not be submitting, and I am unable to confirm this or locate any such federal directive or restriction.

If there is a new requirement (restriction) in place, could you please direct me to the applicable statute, regulation, guidance or other informational material so stating? In the alternative, please confirm that there is no issue with our campus financial aid offices continuing to submit reporting through the Federal Student Aid portal.

If you need any additional information in order to address this inquiry, please feel free to call me at (808) 956-7800 or reply to this email.

Thank you in advance for your assistance.

Darcie

Darcie Yoshinaga

University of Hawaii, Research Support Center
Office of the Vice President for Research and Innovation
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From: Brown, Lisa
Subject: Re: Need help: Institutional Responsibility for HEA Section 117 Reporting
To: Hartle, Terry
Cc: Muenzer, Melanie
Sent: March 3, 2022 12:16 PM (UTC-05:00)
Happy to follow up Terry and see if there is a quick answer to this.

Lisa Brown
General Counsel
Office of General Counsel
U.S. Department of Education
Lyndon Baines Johnson Building
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Washington, DC. 20202-2110

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And, as you know, we are anxious to work with you to find ways to improve and smooth Sec 117 reporting.

Many thanks,

Terry

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Sent: Friday, February 25, 2022 7:07 AM
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Subject: RE: Institutional Responsibility for HEA Section 117 Reporting

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To: 'ForeignSourceReporting@ed.gov' <ForeignSourceReporting@ed.gov>
Subject: Institutional Responsibility for HEA Section 117 Reporting

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Darcie Yoshinaga

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From: Muenzer, Melanie
Subject: RE: Section 117 question from U of MI Medical School
To: Hartle, Terry; Brown, Lisa
Sent: July 21, 2022 12:09 AM (UTC-04:00)

I forwarded the U MI issue on to someone to follow-up with the school.

I can understand the frustration with the delay in getting the deck to you. Unfortunately, as with most things in government, it's a lot more complicated to put out written communications. We added more content to the deck, but could not add all of the details that were discussed without triggering more extensive and lengthy review processes. Hopefully we have struck the right balance. We've posted the deck on our site - <https://www2.ed.gov/policy/highered/leg/section117-webinar-202206.pdf>. We are also working to get an EA out to campuses with this info as well.

Let us know if you have questions/concerns on anything.

Thanks

From: Hartle, Terry <THartle@ACENET.EDU>
Sent: Wednesday, July 20, 2022 6:28 PM
To: Brown, Lisa <Lisa.Brown@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Subject: Section 117 question from U of MI Medical School

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lisa and Melanie -- I am forwarding you a question on section 117 that I recently received from the University of Michigan Medical School. Would you mind forwarding it to the responsible authorities within the Department with a request that they see if they can help the school? Many thanks.

It's been a month, I think, since we had our zoom meeting about Section 117. You promised to share the slides from that meeting with us so that we could share them with campuses for informational purposes. Unfortunately, we have not received them. If you were comfortable sharing them on a zoom meeting, I am at a loss to understand why we can't get them to share them more broadly. Is the information that you shared in our meeting still in place, or are you looking at something again? If the information is still correct, I'd be deeply grateful if you would share the information with us so that we can distribute it more broadly to help campuses.

I reiterate that schools have an obligation to comply with the letter and spirit of Sec 117. However the statute itself is not self-explanatory and we need the Department's assistance to ensure schools are doing things "by the book." We would appreciate it if you could share the promised materials with us.

Thanks

Terry

From: Mulder, David <davemuld@med.umich.edu>
Sent: Friday, July 8, 2022 11:52 AM
To: Hartle, Terry <THartle@ACENET.EDU>
Subject: RE: Update on Today's Sec 117 webinar at 3:30 Eastern time

Hi Terry,

Thank you (and the ACE Team) for arranging the recent meeting with the Department of Education to discuss our

various concerns regarding HEA 117 reporting. At the close of the meeting, you mentioned that those in attendance should funnel questions to you to be passed along to ED.

I've attached a PDF that tries to outline one of the biggest issues we struggle with. The "Readers' Digest" version is: How does ED want us to complete the portal page(s) for contracts with a domestic entity where there is a foreign "parent company?" I understand, based on what we heard from ED on 6/23 that reporting institutions need to make a determination on the "level of control" involved on the part of the foreign company. But, assuming we (the reporting institution) have decided that something ***does*** need to be included in our HEA 117 report, the actual mechanics of doing that in the portal are extremely unclear. I've tried to expound on why it's unclear in the attached document. Any guidance that ED could provide on this would be much appreciated. And a couple of screenshot examples would be worth, as they say, a million dollars!

Please note, the images used in the attachment pre-date the recent cosmetic changes that the Department of Education has made to the reporting portal, but the question numbers, question text, system logic, etc. are all still the same.

Thanks again for your help – please let me know if I can clarify anything or provide additional information.

Best,
David Mulder

~~~~~  
David Mulder  
Assistant Director, Regulatory Affairs  
University of Michigan Medical School  
734-647-1358 | [davemuld@med.umich.edu](mailto:davemuld@med.umich.edu)  
~~~~~

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From: Muenzer, Melanie
Subject: RE: Section 117
To: Hartle, Terry
Cc: Cordray, Richard; Brown, Lisa; Vivaldi Lanauze, Carlos
Sent: December 18, 2022 11:37 PM (UTC-05:00)

Terry –

My apologies for the delay in responding.

I think it would be useful to schedule a brief check-in after the holidays in January. I'm looping Carlos who can find us some time. Let me know if there are others you'd like to include from ACE.

Thanks

From: Hartle, Terry <THartle@ACENET.EDU>
Sent: Monday, December 12, 2022 3:21 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Cordray, Richard <Richard.Cordray@ed.gov>; Brown, Lisa <Lisa.Brown@ed.gov>
Subject: Section 117

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Hi Melanie --

This is just my occasional check in to see where things stand on Section 117. We had a zoom call with some of the ED staff several months ago and reiterated our oft-stated desire to address some of the reporting challenges that campuses face. As you might recall, the Department was unwilling to take questions at that session and we asked for another call with campus people included and the opportunity to ask questions in real time. We haven't heard anything since then.

The next reporting system ends on January 31 and, while it is clearly too late to do anything before we hit that deadline, we will have a good amount of time to make changes before the July 31, 2023 deadline. Since it does not appear that Congress will impose new requirements in the short term, we would like to see if we can make improvements before we reach the next deadline.

Colleges and universities have a clear obligation to report foreign gifts that meet the threshold specified in the law. However, as we have discussed the complexity, confusion and awkwardness of the current reporting framework undermines the ability of schools to meet their responsibilities. We remain anxious to work with ED to improve the reporting framework and campus compliance.

Terry

From: Brown, Lisa
Subject: Re: Need help: Institutional Responsibility for HEA Section 117 Reporting
To: Hartle, Terry
Cc: Muenzer, Melanie
Sent: March 3, 2022 12:16 PM (UTC-05:00)
Happy to follow up Terry and see if there is a quick answer to this.

Lisa Brown
General Counsel
Office of General Counsel
U.S. Department of Education
Lyndon Baines Johnson Building
400 Maryland Avenue, SW, Suite 6E313
Washington, DC. 20202-2110

Sent from my iPhone

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And, as you know, we are anxious to work with you to find ways to improve and smooth Sec 117 reporting.

Many thanks,

Terry

From: Darcie Yoshinaga <dsy@hawaii.edu>
Sent: Friday, February 25, 2022 7:07 AM
To: 'ForeignSourceReporting@ed.gov' <ForeignSourceReporting@ed.gov>
Subject: RE: Institutional Responsibility for HEA Section 117 Reporting

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Thank you,
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From: Darcie Yoshinaga <dsy@hawaii.edu>
Sent: Monday, February 07, 2022 4:47 PM
To: 'ForeignSourceReporting@ed.gov' <ForeignSourceReporting@ed.gov>
Subject: Institutional Responsibility for HEA Section 117 Reporting

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Thank you in advance for your assistance.

Darcie

Darcie Yoshinaga

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From: Bloom, Steven
Subject: Higher Education letter requesting meeting on Sec. 117 Foreign Gift and Contract Reporting
To: Rosenfelt, Phil; 'philip.rosenfelt@ed.gov'
Cc: Hartle, Terry; Madzellan, Daniel
Sent: February 11, 2021 1:11 PM (UTC-05:00)
Attached: Letter to Acting Sec. Rosenfelt.Sec. 117.final.2.11.21.pdf

Dear Acting Secretary Rosenfelt,

On behalf of the higher education associations listed therein, attached please find a letter requesting a meeting with the Department of Education to discuss requirements for foreign gift and contract reporting under Section 117 (Sec. 117) of the Higher Education Act of 1965 (HEA) and ways to improve reporting compliance.

Thank you for your attention to this matter.

Sincerely,

Steven Bloom

Steven M. Bloom
Assistant Vice President, Government Relations
Government and Public Affairs
American Council on Education
One Dupont Circle, NW
Washington, D.C. 20036
Phone: 202.939.9461
Fax: 202.833.4762
IPhone: (b)(6)
SBloom@acenet.edu
www.acenet.edu

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From: Bloom, Steven
Subject: RE: ACE letter reiterating request for meeting on Sec. 117 Foreign Gift and Contract Reporting
To: Rosenfelt, Phil; 'philip.rosenfelt@ed.gov'
Cc: Hartle, Terry; Spreitzer, Sarah
Sent: March 11, 2021 3:10 PM (UTC-05:00)
Attached: Letter to Acting GC Rosenfelt.Sec. 117.final.3.11.21.pdf, Letter to Acting Sec. Rosenfelt.Sec. 117.final.2.11.21.pdf

Mr. Rosenfelt,

Attached please find a letter from ACE's president reiterating our request for a meeting as soon as possible to discuss Sec. 117 foreign gift and contract reporting, as well as our prior letter from February seeking such a meeting.

Thank you very much for your attention to this matter.

Steven Bloom

Steven M. Bloom
Assistant Vice President, Government Relations
Government and Public Affairs
American Council on Education
One Dupont Circle, NW
Washington, D.C. 20036
Phone: 202.939.9461
Fax: 202.833.4762
IPhone: (b)(6)
SBloom@acenet.edu
www.acenet.edu

From: Bloom, Steven
Sent: Thursday, February 11, 2021 1:11 PM
To: 'phil.rosenfelt@ed.gov' <phil.rosenfelt@ed.gov>; 'philip.rosenfelt@ed.gov' <philip.rosenfelt@ed.gov>
Cc: Hartle, Terry <THartle@ACENET.EDU>; Madzellan, Daniel <DMadzellan@ACENET.EDU>
Subject: Higher Education letter requesting meeting on Sec. 117 Foreign Gift and Contract Reporting

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Thank you for your attention to this matter.

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SBloom@acenet.edu
www.acenet.edu

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From: Harris, Lisa (OGC)
Subject: Section 117 Investigation - Yale University
To: alexander.dreier@yale.edu
Cc: Rosenfelt, Phil; Malawer, Hilary; Lozupone, Kristina
Sent: January 20, 2023 12:45 PM (UTC-05:00)

Good afternoon, Mr. Dreier –

I am an attorney in the Department of Education’s Office of the General Counsel and am writing concerning the Department’s February 11, 2020, notice of investigation into compliance by Yale University with Section 117 of the Higher Education Act. I am coordinating the Department’s review of the investigation and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Kristina Lozupone, the attorney assigned to review the Yale investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: Section 117 Inquiry - Georgia State University
To: nealbateman@gsu.edu
Cc: Rosenfelt, Phil; Malawer, Hilary; Torres, Joanna
Sent: January 20, 2023 12:48 PM (UTC-05:00)

Good afternoon, Mr. Bateman –

I am an attorney in the Department of Education’s Office of the General Counsel and am writing concerning the Department’s January 15, 2021, preliminary inquiry into compliance by Georgia State University with Section 117 of the Higher Education Act. I am coordinating the Department’s review of the inquiry and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Joanna Torres, the attorney assigned to review the Georgia State investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: Section 117 Inquiry - University of Wisconsin-Milwaukee
To: mcgeed@uwm.edu
Cc: Rosenfelt, Phil; Malawer, Hilary; Travis, Leah
Sent: January 20, 2023 12:50 PM (UTC-05:00)

Good afternoon, Ms. McGee –

I am an attorney in the Department of Education’s Office of the General Counsel and am writing concerning the Department’s January 15, 2021, notice of preliminary inquiry into compliance by the University of Wisconsin-Milwaukee (UWM) with Section 117 of the Higher Education Act. I am coordinating the Department’s review of the inquiry and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Leah Travis, the attorney assigned to review the UWM inquiry, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Dreier, Alexander
Subject: Re: Section 117 Investigation - Yale University
To: Harris, Lisa (OGC)
Cc: Rosenfelt, Phil; Malawer, Hilary; Lozupone, Kristina
Sent: January 20, 2023 1:45 PM (UTC-05:00)

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Dear Ms. Harris,

I am traveling but I or another attorney in the Yale Office of General Counsel will get back to you by early next week in order to schedule this meeting. We appreciate the Department's work on this matter.

Thank you,

Alex Dreier

On Jan 20, 2023, at 10:44 AM, Harris, Lisa (OGC) <Lisa.Harris@ed.gov> wrote:

Good afternoon, Mr. Dreier –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's February 11, 2020, notice of investigation into compliance by Yale University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

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Regards,
Lisa Harris

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U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Ariadna Vazquez
Subject: RE: Section 117 Inquiry - University of New Mexico
To: Harris, Lisa (OGC); Loretta Martinez
Cc: Rosenfelt, Phil; Malawer, Hilary; Travis, Leah; Marlene C Armijo
Sent: January 20, 2023 2:27 PM (UTC-05:00)

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Ms. Harris,

Thank you for reaching out, we would be happy to meet with you and your colleagues to discuss this matter. UNM would be very open to a process that would result in the resolution of this matter.

I am adding Marlene Armijo here who will email you separately and provide you with our availability over the next two weeks.

Look forward to our discussion,
Ari

Ariadna Vazquez
Deputy University Counsel
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
505-277-4154 (fax)



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From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Friday, January 20, 2023 10:56 AM
To: Loretta Martinez <LPMartinez@salud.unm.edu>; Ariadna Vazquez <AriVazquez@salud.unm.edu>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Travis, Leah <Leah.Travis@ed.gov>
Subject: Section 117 Inquiry - University of New Mexico

Good afternoon, Ms. Martinez and Ms. Vazquez –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's January 15, 2021, notice of preliminary inquiry into compliance by the University of New Mexico (UNM) with Section 117 of the Higher Education Act. I am coordinating the Department's review of the inquiry and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Leah Travis, the attorney assigned to review the UNM inquiry, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov

From: Harris, Lisa (OGC)
Subject: RE: Section 117 Investigation - Yale University
To: Dreier, Alexander
Cc: Rosenfelt, Phil; Malawer, Hilary; Lozupone, Kristina
Sent: January 20, 2023 2:43 PM (UTC-05:00)

Dear Mr. Dreier,

I appreciate your quick reply, and we'll look forward to hearing from you. Safe travels to you.

Lisa Harris

From: Dreier, Alexander <alexander.dreier@yale.edu>
Sent: Friday, January 20, 2023 1:45 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Lozupone, Kristina <Kristina.Lozupone@ed.gov>
Subject: Re: Section 117 Investigation - Yale University

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Harris,

I am traveling but I or another attorney in the Yale Office of General Counsel will get back to you by early next week in order to schedule this meeting. We appreciate the Department's work on this matter.

Thank you,

Alex Dreier

On Jan 20, 2023, at 10:44 AM, Harris, Lisa (OGC) <Lisa.Harris@ed.gov> wrote:

Good afternoon, Mr. Dreier –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's February 11, 2020, notice of investigation into compliance by Yale University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Kristina Lozupone, the attorney assigned to review the Yale investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris

Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Greenwald, Alyssa
Subject: RE: Section 117 Investigation - Yale University
To: Harris, Lisa (OGC); Rosenfelt, Phil; Malawer, Hilary; Lozupone, Kristina
Cc: Dreier, Alexander
Sent: January 23, 2023 10:43 AM (UTC-05:00)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Harris,

Alex Dreier (cc'ed) asked that I reach out to you directly to coordinate the call requested below.

I will be the attorney handling the call on behalf of Yale along with my colleague Christopher Hanson (Director of Yale's Institutional Compliance Program, christopher.hanson@yale.edu) and our outside counsel Stephanie Gold, from Hogan Lovells (stephanie.gold@hoganlovells.com).

We are available this Wednesday January 25th between 10am and noon and Thursday January 26th between 8-10:30am or 2:30-3:30pm. Let me know if none of these times work and I can go back to the Yale group and suggest new times.

Thanks,
Alyssa

On Jan 20, 2023, at 10:44 AM, Harris, Lisa (OGC) <Lisa.Harris@ed.gov> wrote:

Good afternoon, Mr. Dreier –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's February 11, 2020, notice of investigation into compliance by Yale University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Kristina Lozupone, the attorney assigned to review the Yale investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education

400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: RE: Section 117 Investigation - Yale University
To: Greenwald, Alyssa; Rosenfelt, Phil; Malawer, Hilary; Lozupone, Kristina
Cc: Dreier, Alexander
Sent: January 23, 2023 11:21 AM (UTC-05:00)

Good morning, Alyssa – Thank you for your email and for sending some possible meeting times. I'll connect with others here and will send a meeting invitation as soon as I can. We look forward to meeting with you all.

Lisa

From: Greenwald, Alyssa <alyssa.greenwald@yale.edu>
Sent: Monday, January 23, 2023 10:43 AM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Lozupone, Kristina <Kristina.Loizupone@ed.gov>
Cc: Dreier, Alexander <alexander.dreier@yale.edu>
Subject: RE: Section 117 Investigation - Yale University

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Harris,

Alex Dreier (cc'ed) asked that I reach out to you directly to coordinate the call requested below.

I will be the attorney handling the call on behalf of Yale along with my colleague Christopher Hanson (Director of Yale's Institutional Compliance Program, christopher.hanson@yale.edu) and our outside counsel Stephanie Gold, from Hogan Lovells (stephanie.gold@hoganlovells.com).

We are available this Wednesday January 25th between 10am and noon and Thursday January 26th between 8-10:30am or 2:30-3:30pm. Let me know if none of these times work and I can go back to the Yale group and suggest new times.

Thanks,
Alyssa

On Jan 20, 2023, at 10:44 AM, Harris, Lisa (OGC) <Lisa.Harris@ed.gov> wrote:

Good afternoon, Mr. Dreier –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's February 11, 2020, notice of investigation into compliance by Yale University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Kristina Lozupone, the attorney assigned to review the Yale investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Edwin N. Bateman
Subject: RE: Section 117 Inquiry - Georgia State University
To: Harris, Lisa (OGC)
Cc: Rosenfelt, Phil; Malawer, Hilary; Torres, Joanna; Joi Mindingall
Sent: January 23, 2023 4:26 PM (UTC-05:00)

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Ms. Harris,

Thanks for reaching out to GSU about Section 117 compliance. I have asked the attorney that handles this matter for us, Joi Mindingall (copied here) to please join us when we get the "meeting" schedule. I am available Wednesday afternoon between 2:00 – 4:00 and pretty much anytime on Friday afternoon. Let me know if either of these windows work for you and your team and we can put something on the calendar.

Thanks again,
Neal

E. Neal Bateman, III, J.D., MCRP
Associate General Counsel
Office of Legal Affairs
Georgia State University
P.O. Box 3987
Atlanta, GA 30302-3987
(In person: Suite 315, 100 Auburn, NE, Atlanta, GA 30303)
Phone: 404-413-0500
Fax: 404-413-0518

Please note the change in address above.

From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Friday, January 20, 2023 12:48 PM
To: Edwin N. Bateman <nealbateman@gsu.edu>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: Section 117 Inquiry - Georgia State University

You don't often get email from lisa.harris@ed.gov. [Learn why this is important](#)

Good afternoon, Mr. Bateman –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's January 15, 2021, preliminary inquiry into compliance by Georgia State University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the inquiry and would like to arrange a call with you to discuss status. In light of the upcoming Section 117 reporting deadline of January 31, 2023, it would be helpful if we could speak before then, if possible.

I will be joined on the call by Joanna Torres, the attorney assigned to review the Georgia State investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

CAUTION: This email was sent from someone outside of the university. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Harris, Lisa (OGC)
Subject: Section 117 - Yale University
To: alyssa.greenwald@yale.edu; christopher.hanson@yale.edu; stephanie.gold@hoganlovells.com
Cc: Rosenfelt, Phil; Lozupone, Kristina
Sent: January 30, 2023 2:04 PM (UTC-05:00)

Hello Alyssa, Chris, and Stephanie –

Thank you for speaking with us on Thursday, January 26. We appreciated the opportunity to meet with you to discuss the status of the Yale Section 117 investigation, including how the Department is approaching this work to move toward the mutual goals of Yale’s compliance with Section 117 and finalizing and closing the investigation, if appropriate. We look forward to working collaboratively with you to help achieve these two goals. To that end, as we also discussed, we have prioritized some requests for submission of additional information – based on our February 11, 2020 notice of investigation, subsequent responses from Yale, and our review thus far – that we believe are necessary to assess Yale’s compliance. As promised, we provide a written summary of those requests below:

- Records of gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source that, when aggregated, meet the Section 117 reporting threshold for the periods from January 1, 2019 through the present (i.e., through the December 2022 reporting deadline), in native format and unredacted.
- For each of the above gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source that, when aggregated, meet the Section 117 reporting threshold for the periods January 1, 2019 through the present (i.e., through the December 2022 reporting deadline), information identifying where in Yale’s Section 117 disclosure report Yale reported the transaction. If the transaction has not been reported, please indicate this, along with a brief explanation as to why, and we will follow up with you.
- A complete list of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source for the periods from January 1, 2019 through the present (i.e., through the December 2022 reporting deadline).
- Documentation confirming that the requests submitted to the Department on March 4, 2021 and January 27, 2022 to withdraw inaccurate Section 117 disclosures were completed and that any corrected or updated reporting necessary as a result was also completed.
- Information and documentation describing Yale’s current policies and procedures for complying with Section 117.

We appreciate that before our call, some time had passed since the Department was last in contact with you and that it may take some time for you to review the status of the investigation on Yale’s end, including the previous submissions in response to the initial investigation letter. As we discussed, after you have had time to undertake that initial review, we would be happy to schedule a follow-up call to discuss the way forward and a reasonable time period with regard to the requests above. Perhaps a meeting during the week of February 13 or February 20 would be possible. Please let us know of your availability. In the meantime, if you have any questions, please feel free to contact Kristina or me. Thank you for your cooperation, and we look forward to speaking with you again soon.

Regards,
Lisa

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110

Phone: 202-401-6042

Email: lisa.harris@ed.gov

Pronouns: she/her/hers

From: Greenwald, Alyssa
Subject: RE: Section 117 - Yale University
To: Harris, Lisa (OGC); Hanson, Christopher; stephanie.gold@hoganlovells.com
Cc: Rosenfelt, Phil; Lozupone, Kristina
Sent: February 3, 2023 2:12 PM (UTC-05:00)

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Thank you, Lisa for your note.

I am writing to suggest times for our next call. Here are the times that would work for the Yale team:

2/21: 12pm-1pm, 2:30pm-3:30pm,
2/22: 9am-10am, 3pm-4pm
2/23: 2pm-3:30pm
2/24: 11:30am-3pm

Please let me know if none of these times work and we will try to suggest some additional times.

Best,
Alyssa

From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Monday, January 30, 2023 2:04 PM
To: Greenwald, Alyssa <alyssa.greenwald@yale.edu>; Hanson, Christopher <christopher.hanson@yale.edu>; stephanie.gold@hoganlovells.com
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Lozupone, Kristina <Kristina.Loizupone@ed.gov>
Subject: Section 117 - Yale University

Hello Alyssa, Chris, and Stephanie –

Thank you for speaking with us on Thursday, January 26. We appreciated the opportunity to meet with you to discuss the status of the Yale Section 117 investigation, including how the Department is approaching this work to move toward the mutual goals of Yale's compliance with Section 117 and finalizing and closing the investigation, if appropriate. We look forward to working collaboratively with you to help achieve these two goals. To that end, as we also discussed, we have prioritized some requests for submission of additional information – based on our February 11, 2020 notice of investigation, subsequent responses from Yale, and our review thus far – that we believe are necessary to assess Yale's compliance. As promised, we provide a written summary of those requests below:

- Records of gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source that, when aggregated, meet the Section 117 reporting threshold for the periods from January 1, 2019 through the present (i.e., through the December 2022 reporting deadline), in native format and unredacted.
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- A complete list of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source for the periods from January 1, 2019 through the present (i.e., through the December 2022 reporting

deadline).

- Documentation confirming that the requests submitted to the Department on March 4, 2021 and January 27, 2022 to withdraw inaccurate Section 117 disclosures were completed and that any corrected or updated reporting necessary as a result was also completed.
- Information and documentation describing Yale's current policies and procedures for complying with Section 117.

We appreciate that before our call, some time had passed since the Department was last in contact with you and that it may take some time for you to review the status of the investigation on Yale's end, including the previous submissions in response to the initial investigation letter. As we discussed, after you have had time to undertake that initial review, we would be happy to schedule a follow-up call to discuss the way forward and a reasonable time period with regard to the requests above. Perhaps a meeting during the week of February 13 or February 20 would be possible. Please let us know of your availability. In the meantime, if you have any questions, please feel free to contact Kristina or me. Thank you for your cooperation, and we look forward to speaking with you again soon.

Regards,
Lisa

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: RE: Section 117 - Yale University
To: Greenwald, Alyssa; Hanson, Christopher; stephanie.gold@hoganlovells.com
Cc: Rosenfelt, Phil; Lozupone, Kristina
Sent: February 3, 2023 3:23 PM (UTC-05:00)

Hi Alyssa – Thank you for your email and for suggesting some times for our next call. We will check schedules on our end and send a meeting invitation.

Have a good weekend.

Lisa

From: Greenwald, Alyssa <alyssa.greenwald@yale.edu>
Sent: Friday, February 3, 2023 2:12 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Hanson, Christopher <christopher.hanson@yale.edu>; stephanie.gold@hoganlovells.com
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Lozupone, Kristina <Kristina.Loizupone@ed.gov>
Subject: RE: Section 117 - Yale University

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Thank you, Lisa for your note.

I am writing to suggest times for our next call. Here are the times that would work for the Yale team:

2/21: 12pm-1pm, 2:30pm-3:30pm,
2/22: 9am-10am, 3pm-4pm
2/23: 2pm-3:30pm
2/24: 11:30am-3pm

Please let me know if none of these times work and we will try to suggest some additional times.

Best,
Alyssa

From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Monday, January 30, 2023 2:04 PM
To: Greenwald, Alyssa <alyssa.greenwald@yale.edu>; Hanson, Christopher <christopher.hanson@yale.edu>; stephanie.gold@hoganlovells.com
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Lozupone, Kristina <Kristina.Loizupone@ed.gov>
Subject: Section 117 - Yale University

Hello Alyssa, Chris, and Stephanie –

Thank you for speaking with us on Thursday, January 26. We appreciated the opportunity to meet with you to discuss the status of the Yale Section 117 investigation, including how the Department is approaching this work to move toward the mutual goals of Yale's compliance with Section 117 and finalizing and closing the investigation, if appropriate. We look forward to working collaboratively with you to help achieve these two goals. To that end, as we also discussed, we have prioritized some requests for submission of additional information – based on our February 11, 2020 notice of investigation, subsequent responses from Yale, and our review thus far – that we believe are necessary to assess Yale's compliance. As promised, we provide a written summary of those requests below:

- Records of gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source that, when aggregated, meet the Section 117 reporting threshold for the periods from January 1, 2019 through the present (i.e., through the December 2022 reporting deadline), in native format and unredacted.
- For each of the above gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source that, when aggregated, meet the Section 117 reporting threshold for the periods January 1, 2019 through the present (i.e., through the December 2022 reporting deadline), information identifying where in Yale's Section 117 disclosure report Yale reported the transaction. If the transaction has not been reported, please indicate this, along with a brief explanation as to why, and we will follow up with you.
- A complete list of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source for the periods from January 1, 2019 through the present (i.e., through the December 2022 reporting deadline).
- Documentation confirming that the requests submitted to the Department on March 4, 2021 and January 27, 2022 to withdraw inaccurate Section 117 disclosures were completed and that any corrected or updated reporting necessary as a result was also completed.
- Information and documentation describing Yale's current policies and procedures for complying with Section 117.

We appreciate that before our call, some time had passed since the Department was last in contact with you and that it may take some time for you to review the status of the investigation on Yale's end, including the previous submissions in response to the initial investigation letter. As we discussed, after you have had time to undertake that initial review, we would be happy to schedule a follow-up call to discuss the way forward and a reasonable time period with regard to the requests above. Perhaps a meeting during the week of February 13 or February 20 would be possible. Please let us know of your availability. In the meantime, if you have any questions, please feel free to contact Kristina or me. Thank you for your cooperation, and we look forward to speaking with you again soon.

Regards,
Lisa

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: RE: Fordham University - Section 117 investigation
To: Margaret Ball
Cc: Rosenfelt, Phil; Malawer, Hilary; Delbridge, Kristin
Sent: February 27, 2023 3:11 PM (UTC-05:00)

Good afternoon, Ms. Ball – Thank you so much for your reply, and no worries at all. We appreciate hearing from you. I will schedule our meeting for Friday, March 3 at 3:00 pm and will send a meeting invitation shortly. It will include both of our Deputy General Counsels, but I will confirm with them this week who will actually be joining us on the call.

We look forward to speaking with you on Friday.

Lisa

From: Margaret Ball <mball@fordham.edu>
Sent: Monday, February 27, 2023 9:52 AM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Delbridge, Kristin <Kristin.Delbridge@ed.gov>
Subject: Re: Fordham University - Section 117 investigation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Harris,

My apologies for the lengthy delay in responding to your request. I would be happy to meet with you this week. Here are some possible times:

Tuesday, Feb 28 after 3 pm

Wednesday, March 1 after 2 pm

Friday, March 3 after noon

If none of those times work, let me know what would, and I'll try to rearrange my schedule.

I look forward to hearing from you.

Margie Ball

Margaret T. Ball, Esq.
Vice President and General Counsel
Fordham University
Cunniffe House, Room 111
441 East Fordham Road
Bronx, NY 10458
Phone: (718) 817-3110
Fax: (718) 817-3115
mball@fordham.edu

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its attachments and notify the sender immediately. You are further advised that no employee or agent is authorized to consent to any obligations on behalf of Fordham University or conclude any binding agreement with another party by e-mail without express written confirmation by the authorized Vice President or officer of Fordham University.

On Fri, Feb 17, 2023 at 12:35 PM Harris, Lisa (OGC) <Lisa.Harris@ed.gov> wrote:

Good afternoon, Ms. Ball –

I hope that you are well. I am following up on the email below. We would like to schedule a call with you and/or your staff. If you could please let me know of your availability within the next two weeks, I will arrange a Microsoft Teams meeting. We look forward to speaking with you soon.

Thank you,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Sent: Wednesday, November 2, 2022 1:51 PM
To: mball@fordham.edu
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Delbridge, Kristin <Kristin.Delbridge@ed.gov>
Subject: Fordham University - Section 117 investigation

Good afternoon, Ms. Ball –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's August 10, 2020 notice of investigation into compliance by Fordham University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status.

I will be joined on the call by one of our Deputy General Counsels, either Phil Rosenfelt or Hilary Malawer, and Kristin Delbridge, the attorney assigned to review the Fordham investigation. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: RE: Section 117 Inquiry - Auburn University
To: Jaime Hammer
Cc: Rosenfelt, Phil; Malawer, Hilary; Lozupone, Kristina; Jennifer Wynn
Sent: March 22, 2023 10:16 AM (UTC-04:00)

Good morning, Ms. Hammer – Thank you for replying so quickly. I have checked schedules on our end and will send a meeting invitation for March 31 at 9:00 central/10:00 eastern. Hilary Malawer and Kristina Lozupone will join me. We look forward to speaking with you then.

Lisa

From: Jaime Hammer <jsh0073@auburn.edu>
Sent: Tuesday, March 21, 2023 5:28 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Lozupone, Kristina <Kristina.Loizupone@ed.gov>; Jennifer Wynn <jlw0054@auburn.edu>
Subject: Re: Section 117 Inquiry - Auburn University

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Ms. Harris. I would be glad to speak with you about this matter. I am available on March 30 between 12:30-3:00 CT, or March 31 between 9:00-10:00 CT. Would either of those windows work for you and your team?

Jaime S. Hammer

Auburn University General Counsel
334.844.5176
jhammer@auburn.edu

This electronic message transmission contains information from the General Counsel of Auburn University which may be confidential or privileged. This information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify me by telephone (334-844-5176) or by electronic mail at the above indicated address immediately.

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From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Date: Tuesday, March 21, 2023 at 2:16 PM
To: Jaime Hammer <jsh0073@auburn.edu>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>, Malawer, Hilary <Hilary.Malawer@ed.gov>, Lozupone, Kristina <Kristina.Loizupone@ed.gov>
Subject: [EXT] Section 117 Inquiry - Auburn University

CAUTION: Email Originated Outside of Auburn.

Good afternoon, Ms. Hammer –

I am an attorney in the Department of Education’s Office of the General Counsel and am writing concerning the
ED 24-814 (Jun 2024) 038

Department's January 15, 2021, notice of preliminary inquiry into compliance by Auburn University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the inquiry and would like to arrange a call with you to discuss status.

I will be joined on the call by Kristina Lozupone, the attorney assigned to review the Auburn inquiry, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect the call to be fairly brief and to focus on a process that should enable us to work toward resolution.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: John Hoffman
Subject: RE: Section 117 Investigation - Rutgers University
To: Harris, Lisa (OGC)
Cc: Rosenfelt, Phil; Malawer, Hilary; Torres, Joanna
Sent: March 23, 2023 1:51 PM (UTC-04:00)

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Lisa – thanks for reaching out; let me gather the right people and find out when they are available. I'll be back in touch in a day or two. John.

From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Tuesday, March 21, 2023 3:15 PM
To: John Hoffman <jhoffman@ogc.rutgers.edu>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: Section 117 Investigation - Rutgers University

Good afternoon, Mr. Hoffman –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's July 3, 2019, notice of investigation into compliance by Rutgers University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status.

More specifically, the Department would like to work with Rutgers to follow up on the requests in our July 3, 2019, notice of investigation and Rutgers' responses thereto. We believe that a call will facilitate the goal of ensuring that Rutgers understands its obligations under, and comes into compliance with, Section 117 and will allow us to identify a process to work toward resolution of the investigation.

I will be joined on the call by Joanna Torres, the attorney assigned to review the Rutgers investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect this initial call to be fairly brief.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: RE: Section 117 Investigation - Rutgers University
To: John Hoffman
Cc: Rosenfelt, Phil; Malawer, Hilary; Torres, Joanna
Sent: March 23, 2023 2:11 PM (UTC-04:00)

Good afternoon, John – Thanks so much for your reply. We look forward to hearing from you.

Lisa

From: John Hoffman <jhoffman@ogc.rutgers.edu>
Sent: Thursday, March 23, 2023 1:51 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

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To: John Hoffman <jhoffman@ogc.rutgers.edu>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: Section 117 Investigation - Rutgers University

Good afternoon, Mr. Hoffman –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's July 3, 2019, notice of investigation into compliance by Rutgers University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status.

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I will be joined on the call by Joanna Torres, the attorney assigned to review the Rutgers investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect this initial call to be fairly brief.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel

U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: John Hoffman
Subject: RE: Section 117 Investigation - Rutgers University
To: Harris, Lisa (OGC)
Cc: Rosenfelt, Phil; Malawer, Hilary; Torres, Joanna; Rachael Honig
Sent: March 24, 2023 7:04 PM (UTC-04:00)

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Lisa – I am cc'ing Rachael Honig, the University's Vice President for Ethics and Compliance, who will organize a group to respond to your inquiry. Have a good weekend. John.

From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Thursday, March 23, 2023 2:11 PM
To: John Hoffman <jhoffman@ogc.rutgers.edu>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

Good afternoon, John – Thanks so much for your reply. We look forward to hearing from you.

Lisa

From: John Hoffman <jhoffman@ogc.rutgers.edu>
Sent: Thursday, March 23, 2023 1:51 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

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Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: Section 117 Investigation - Rutgers University

Good afternoon, Mr. Hoffman –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's July 3, 2019, notice of investigation into compliance by Rutgers University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status.

More specifically, the Department would like to work with Rutgers to follow up on the requests in our July 3, 2019, notice of investigation and Rutgers' responses thereto. We believe that a call will facilitate the goal of ensuring that Rutgers understands its obligations under, and comes into compliance with, Section 117 and will allow us to identify a

process to work toward resolution of the investigation.

I will be joined on the call by Joanna Torres, the attorney assigned to review the Rutgers investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect this initial call to be fairly brief.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Rachael Honig
Subject: RE: Section 117 Investigation - Rutgers University
To: John Hoffman; Harris, Lisa (OGC)
Cc: Rosenfelt, Phil; Malawer, Hilary; Torres, Joanna
Sent: March 31, 2023 3:57 PM (UTC-04:00)

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Hi Lisa,

As John mentioned in his email below, I will be the primary point of contact on this (as I believe my predecessor, Dr. Tim Fournier, was in 2019).

Happy to schedule the requested Teams meeting at your convenience. I will be out of the office for the majority of next week (it's my kids' spring break), but starting with the following week, I have good availability. Please let me know what you have in mind as far as dates go.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) (cell)
rachael.honig@rutgers.edu

R U Concerned?
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From: John Hoffman <jhoffman@ogc.rutgers.edu>
Sent: Friday, March 24, 2023 7:04 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>; Rachael Honig <rah263@uec.rutgers.edu>
Subject: RE: Section 117 Investigation - Rutgers University

Lisa – I am cc'ing Rachael Honig, the University's Vice President for Ethics and Compliance, who will organize a group to respond to your inquiry. Have a good weekend. John.

From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Thursday, March 23, 2023 2:11 PM
To: John Hoffman <jhoffman@ogc.rutgers.edu>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

Good afternoon, John – Thanks so much for your reply. We look forward to hearing from you.

Lisa

From: John Hoffman <jhoffman@ogc.rutgers.edu>
Sent: Thursday, March 23, 2023 1:51 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

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Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: Section 117 Investigation - Rutgers University

Good afternoon, Mr. Hoffman –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's July 3, 2019, notice of investigation into compliance by Rutgers University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status.

More specifically, the Department would like to work with Rutgers to follow up on the requests in our July 3, 2019, notice of investigation and Rutgers' responses thereto. We believe that a call will facilitate the goal of ensuring that Rutgers understands its obligations under, and comes into compliance with, Section 117 and will allow us to identify a process to work toward resolution of the investigation.

I will be joined on the call by Joanna Torres, the attorney assigned to review the Rutgers investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect this initial call to be fairly brief.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042

Email: lisa.harris@ed.gov

Pronouns: she/her/hers

From: Harris, Lisa (OGC)
Subject: RE: Section 117 Investigation - Rutgers University
To: Rachael Honig; John Hoffman
Cc: Rosenfelt, Phil; Malawer, Hilary; Torres, Joanna
Sent: April 11, 2023 11:20 AM (UTC-04:00)

Hi Rachael – Thank you for your email below. I hope you had a wonderful spring break with your family.

Please let me know if any of the following times would work for a meeting, and I'll schedule and send a meeting invitation (please also let me know who to include on the meeting invitation):

Friday, April 14 – 9:00-10:00; 9:30-10:30; 3:30-4:30
Monday, April 17 – 9:30-10:30; 10:00-11:00
Tuesday, April 18 – 2:00-3:00

Thank you so much.

Lisa

From: Rachael Honig <rah263@uec.rutgers.edu>
Sent: Friday, March 31, 2023 3:57 PM
To: John Hoffman <jhoffman@ogc.rutgers.edu>; Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

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Hi Lisa,

As John mentioned in his email below, I will be the primary point of contact on this (as I believe my predecessor, Dr. Tim Fournier, was in 2019).

Happy to schedule the requested Teams meeting at your convenience. I will be out of the office for the majority of next week (b)(6) but starting with the following week, I have good availability. Please let me know what you have in mind as far as dates go.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) (cell)
rachael.honig@rutgers.edu

R U Concerned?
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Subject: RE: Section 117 Investigation - Rutgers University

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Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

Good afternoon, John – Thanks so much for your reply. We look forward to hearing from you.

Lisa

From: John Hoffman <jhoffman@ogc.rutgers.edu>
Sent: Thursday, March 23, 2023 1:51 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: RE: Section 117 Investigation - Rutgers University

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Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Subject: Section 117 Investigation - Rutgers University

Good afternoon, Mr. Hoffman –

I am an attorney in the Department of Education's Office of the General Counsel and am writing concerning the Department's July 3, 2019, notice of investigation into compliance by Rutgers University with Section 117 of the Higher Education Act. I am coordinating the Department's review of the investigation and would like to arrange a call with you to discuss status.

More specifically, the Department would like to work with Rutgers to follow up on the requests in our July 3, 2019, notice of investigation and Rutgers' responses thereto. We believe that a call will facilitate the goal of ensuring that Rutgers understands its obligations under, and comes into compliance with, Section 117 and will allow us to identify a

process to work toward resolution of the investigation.

I will be joined on the call by Joanna Torres, the attorney assigned to review the Rutgers investigation, as well as one of our Deputy General Counsels, Phil Rosenfelt or Hilary Malawer. We expect this initial call to be fairly brief.

Please kindly let me know of your availability within the next two weeks, and I will arrange a Microsoft Teams meeting. Thank you, and we look forward to speaking with you soon.

Regards,
Lisa Harris

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Rachael Honig
Subject: Section 117 Investigation - Rutgers University
To: Harris, Lisa (OGC); Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: April 19, 2023 11:32 AM (UTC-04:00)

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Hi all,

Thank you again for your time on Friday and your explanation of what you would like to see accomplished in order to bring this matter to a conclusion. I am following up to see when you believe you will be able to provide the list of documents that you would like us to produce in order to aid in your review. (I don't want to pester, but I also know that you mentioned a desire to resolve all outstanding requests by the next reporting deadline, which is approaching, and the sooner we can get started on assembling those materials, the better.)

Please let me know when we might expect to see the list, and thanks very much, in advance.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) (cell)
rachael.honig@rutgers.edu

R U Concerned?
We R Listening

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From: Harris, Lisa (OGC)
Subject: RE: Section 117 Investigation - Rutgers University
To: Rachael Honig; Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: April 19, 2023 11:56 AM (UTC-04:00)

Good afternoon, Rachael –

Thank you for speaking with us on Friday, April 14. We appreciated the opportunity to meet you, Gene, Jennifer, and Malusha, and to discuss the status of the Rutgers Section 117 investigation, including how the Department is approaching this work to move toward the mutual goals of Rutgers' compliance with Section 117 and finalizing and closing the investigation. We look forward to working collaboratively with you as expeditiously as possible to help achieve these two goals. To that end, as we also discussed, we have prioritized some requests for submission of additional information that we believe is necessary to assess Rutgers' compliance. As promised, a written summary of those requests is below:

- A list of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with statutorily defined foreign sources for the periods from January 1, 2020 through the present (i.e., through the December 2022 reporting deadline). As clarified during the call, we are requesting a list of all such gifts and contracts, and not only those that are or were reportable, so that we can review and assess Rutgers' aggregation process for reporting purposes. In producing this information, please include the following: (1) the foreign source's name; (2) the foreign source's country; (3) the type of transaction (gift or contract); (4) the transaction amount; (5) the receipt or start date; (6) whether the transaction is conditional or restricted (and if so, a brief description of the conditions or restrictions); (7) if a contract, the end date; (8) any amendments/extensions to the transaction (including the date, any change to the transaction amount, and any changes to the terms that make the transaction conditional/restricted); and (9) whether the transaction was reported (and if so, when).
- A copy of the most recent version of Rutgers' Section 117 compliance policy or procedures, or if such a document has not been developed, a description of the process that Rutgers follows in addressing Section 117 requirements. This should include matters such as how Rutgers gathers information across the institution about gifts and contracts with foreign sources, how it determines which transactions might be reportable, how it calculates the value of contracts, and how it ensures that it is aggregating multiple transactions involving one foreign source in a reporting period and calendar year.

We appreciate that before our call, some time had passed since the Department was last in contact with you and that it will take some time for you to review the status of the investigation on Rutgers' end, including determining how much time it will take to respond to the Department's requests above. As we discussed, after you have had time to undertake that review, we would be happy to schedule a follow-up call to discuss a reasonable yet expeditious timeline and the way forward regarding these requests. Additionally, to further expedite this process, we encourage you to provide information on a rolling basis. For instance, if you are able to provide a copy of Rutgers' Section 117 compliance policy or a description of the process that Rutgers follows in its Section 117 reporting fairly quickly, and in advance of the list of gifts and contracts, it would be helpful to us in advancing our review.

In the meantime, if you have any questions, please feel free to contact Joanna or me (or Phil). Thank you for your cooperation, and we look forward to speaking with you again soon.

Best,
Lisa

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW

Washington, DC 20202-2110

Phone: 202-401-6042

Email: lisa.harris@ed.gov

Pronouns: she/her/hers

From: Rachael Honig <rah263@uec.rutgers.edu>

Sent: Wednesday, April 19, 2023 11:39 AM

To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>

Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>

Subject: RE: Section 117 Investigation - Rutgers University

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Terrific – thanks again!

Rachael A. Honig

Vice President, Chief University Compliance Officer

University Ethics & Compliance

Rutgers, The State University of New Jersey

(b)(6) (cell)

rachael.honig@rutgers.edu

R U Concerned?

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From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>

Sent: Wednesday, April 19, 2023 11:38 AM

To: Rachael Honig <rah263@uec.rutgers.edu>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>

Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>

Subject: RE: Section 117 Investigation - Rutgers University

Hi Rachael – Thank you for following up, and you’re not pestering at all. You’re right on time, as I’ll be sending you an email within the half hour. Thanks!

Lisa

From: Rachael Honig <rah263@uec.rutgers.edu>

Sent: Wednesday, April 19, 2023 11:32 AM

To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>

Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler

<foblermm@uec.rutgers.edu>

Subject: Section 117 Investigation - Rutgers University

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Please let me know when we might expect to see the list, and thanks very much, in advance.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) cell
rachael.honig@rutgers.edu

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From: Rachael Honig
Subject: RE: Section 117 Investigation - Rutgers University
To: Harris, Lisa (OGC); Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: April 19, 2023 12:01 PM (UTC-04:00)

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Thank you again, Lisa & team. We've received this and will begin responding expeditiously.

Rachael A. Honig
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University Ethics & Compliance
Rutgers, The State University of New Jersey
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In the meantime, if you have any questions, please feel free to contact Joanna or me (or Phil). Thank you for your cooperation, and we look forward to speaking with you again soon.

Best,
Lisa

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

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Subject: RE: Section 117 Investigation - Rutgers University

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Terrific – thanks again!

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Rutgers, The State University of New Jersey

(b)(6) (cell)

rachael.honig@rutgers.edu

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To: Rachael Honig; Rosenfelt, Phil; Torres, Joanna
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Sent: April 19, 2023 12:04 PM (UTC-04:00)

You're welcome, and thank you. That sounds great.

Lisa

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Subject: RE: Section 117 Investigation - Rutgers University

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From: Rachael Honig
Subject: RE: Section 117 Investigation - Rutgers University
To: Harris, Lisa (OGC); Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: May 15, 2023 4:18 PM (UTC-04:00)

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Hi Lisa and team,

I'm writing with an update regarding Rutgers' responses to your requests.

We expect to produce a complete response to your second listed request ("A copy of the most recent version of Rutgers' Section 117 compliance policy or procedures, or if such a document has not been developed, a description of the process that Rutgers follows in addressing Section 117 requirements") by the end of this week – in other words, by the close of business on **Friday, May 19**.

We are in the process of compiling our response to your first listed request ("A list of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with statutorily defined foreign sources for the periods from January 1, 2020 through the present (i.e., through the December 2022 reporting deadline).") We expect to be ready to give you a timetable for when that data will be provided shortly. We have assembled some of the data already, and may be in a position to make a complete production some time in the next three weeks, which would be our preference. If we determine that we cannot make a complete production within that timeframe, we will reach out to you to discuss a rolling production. In other words, we will either make a complete production by the close of business on **Friday, June 9**, or we will reach out to you before June 9 to discuss a schedule according to which we will produce data on a rolling basis.

Of course, please let me know if you would like to discuss any of the above. Thank you for your patience as we work with our colleagues across the university to make sure we are collecting all of the historical data requested.

Thanks,
Rachael

Rachael A. Honig
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Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: RE: Section 117 Investigation - Rutgers University

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Terrific – thanks again!

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) (cell)
rachael.honig@rutgers.edu

R U Concerned?
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From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Wednesday, April 19, 2023 11:38 AM
To: Rachael Honig <rah263@uec.rutgers.edu>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: RE: Section 117 Investigation - Rutgers University

Hi Rachael – Thank you for following up, and you’re not pestering at all. You’re right on time, as I’ll be sending you an email within the half hour. Thanks!

Lisa

From: Rachael Honig <rah263@uec.rutgers.edu>
Sent: Wednesday, April 19, 2023 11:32 AM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>

Subject: Section 117 Investigation - Rutgers University

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Hi all,

Thank you again for your time on Friday and your explanation of what you would like to see accomplished in order to bring this matter to a conclusion. I am following up to see when you believe you will be able to provide the list of documents that you would like us to produce in order to aid in your review. (I don't want to pester, but I also know that you mentioned a desire to resolve all outstanding requests by the next reporting deadline, which is approaching, and the sooner we can get started on assembling those materials, the better.)

Please let me know when we might expect to see the list, and thanks very much, in advance.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) (cell)
rachael.honig@rutgers.edu

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From: Harris, Lisa (OGC)
Subject: RE: Section 117 Investigation - Rutgers University
To: Rachael Honig; Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: May 16, 2023 1:59 PM (UTC-04:00)

Hi Rachael – We hope all is well, and thank you for this update. We look forward to receiving a complete response to our request for Rutgers’ Section 117 policy or procedures by this Friday, May 19. With respect to our first request – the list of gifts/contracts from or with foreign sources – we look forward to receiving a complete response by June 9. It is promising to hear that you have already begun gathering and assembling some of that information. To the extent that Rutgers would prefer to make a rolling production, we encourage you to begin submitting this information now, rather than possibly waiting to provide us with a schedule, so that the goal remains a complete production by June 9.

We’re happy to discuss if you have any questions or concerns, and we appreciate your continued cooperation.

Best,
Lisa

From: Rachael Honig <rah263@uec.rutgers.edu>
Sent: Monday, May 15, 2023 4:18 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: RE: Section 117 Investigation - Rutgers University

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Hi Lisa and team,

I’m writing with an update regarding Rutgers’ responses to your requests.

We expect to produce a complete response to your second listed request (“A copy of the most recent version of Rutgers’ Section 117 compliance policy or procedures, or if such a document has not been developed, a description of the process that Rutgers follows in addressing Section 117 requirements”) by the end of this week – in other words, by the close of business on **Friday, May 19**.

We are in the process of compiling our response to your first listed request (“A list of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with statutorily defined foreign sources for the periods from January 1, 2020 through the present (i.e., through the December 2022 reporting deadline).”) We expect to be ready to give you a timetable for when that data will be provided shortly. We have assembled some of the data already, and may be in a position to make a complete production some time in the next three weeks, which would be our preference. If we determine that we cannot make a complete production within that timeframe, we will reach out to you to discuss a rolling production. In other words, we will either make a complete production by the close of business on **Friday, June 9**, or we will reach out to you before June 9 to discuss a schedule according to which we will produce data on a rolling basis.

Of course, please let me know if you would like to discuss any of the above. Thank you for your patience as we work with our colleagues across the university to make sure we are collecting all of the historical data requested.

Thanks,
Rachael

Rachael A. Honig

Vice President, Chief University Compliance Officer

University Ethics & Compliance

Rutgers, The State University of New Jersey

(b)(6) (cell)

rachael.honig@rutgers.edu

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From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>

Sent: Wednesday, April 19, 2023 11:56 AM

To: Rachael Honig <rah263@uec.rutgers.edu>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>

Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>

Subject: RE: Section 117 Investigation - Rutgers University

Good afternoon, Rachael –

Thank you for speaking with us on Friday, April 14. We appreciated the opportunity to meet you, Gene, Jennifer, and Malusha, and to discuss the status of the Rutgers Section 117 investigation, including how the Department is approaching this work to move toward the mutual goals of Rutgers' compliance with Section 117 and finalizing and closing the investigation. We look forward to working collaboratively with you as expeditiously as possible to help achieve these two goals. To that end, as we also discussed, we have prioritized some requests for submission of additional information that we believe is necessary to assess Rutgers' compliance. As promised, a written summary of those requests is below:

- A list of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with statutorily defined foreign sources for the periods from January 1, 2020 through the present (i.e., through the December 2022 reporting deadline). As clarified during the call, we are requesting a list of all such gifts and contracts, and not only those that are or were reportable, so that we can review and assess Rutgers' aggregation process for reporting purposes. In producing this information, please include the following: (1) the foreign source's name; (2) the foreign source's country; (3) the type of transaction (gift or contract); (4) the transaction amount; (5) the receipt or start date; (6) whether the transaction is conditional or restricted (and if so, a brief description of the conditions or restrictions); (7) if a contract, the end date; (8) any amendments/extensions to the transaction (including the date, any change to the transaction amount, and any changes to the terms that make the transaction conditional/restricted); and (9) whether the transaction was reported (and if so, when).
- A copy of the most recent version of Rutgers' Section 117 compliance policy or procedures, or if such a document has not been developed, a description of the process that Rutgers follows in addressing Section 117 requirements. This should include matters such as how Rutgers gathers information across the institution about gifts and contracts with foreign sources, how it determines which transactions might be reportable, how it calculates the value of contracts, and how it ensures that it is aggregating multiple transactions involving one foreign source in a reporting period and calendar year.

We appreciate that before our call, some time had passed since the Department was last in contact with you and that it will take some time for you to review the status of the investigation on Rutgers' end, including determining how much

time it will take to respond to the Department's requests above. As we discussed, after you have had time to undertake that review, we would be happy to schedule a follow-up call to discuss a reasonable yet expeditious timeline and the way forward regarding these requests. Additionally, to further expedite this process, we encourage you to provide information on a rolling basis. For instance, if you are able to provide a copy of Rutgers' Section 117 compliance policy or a description of the process that Rutgers follows in its Section 117 reporting fairly quickly, and in advance of the list of gifts and contracts, it would be helpful to us in advancing our review.

In the meantime, if you have any questions, please feel free to contact Joanna or me (or Phil). Thank you for your cooperation, and we look forward to speaking with you again soon.

Best,
Lisa

Lisa Wells Harris
Attorney
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-2110
Phone: 202-401-6042
Email: lisa.harris@ed.gov
Pronouns: she/her/hers

From: Rachael Honig <rah263@uec.rutgers.edu>
Sent: Wednesday, April 19, 2023 11:39 AM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: RE: Section 117 Investigation - Rutgers University

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Terrific – thanks again!

Rachael A. Honig
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From: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>
Sent: Wednesday, April 19, 2023 11:38 AM
To: Rachael Honig <rah263@uec.rutgers.edu>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: RE: Section 117 Investigation - Rutgers University

Hi Rachael – Thank you for following up, and you’re not pestering at all. You’re right on time, as I’ll be sending you an email within the half hour. Thanks!

Lisa

From: Rachael Honig <rah263@uec.rutgers.edu>
Sent: Wednesday, April 19, 2023 11:32 AM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: Section 117 Investigation - Rutgers University

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Hi all,

Thank you again for your time on Friday and your explanation of what you would like to see accomplished in order to bring this matter to a conclusion. I am following up to see when you believe you will be able to provide the list of documents that you would like us to produce in order to aid in your review. (I don’t want to pester, but I also know that you mentioned a desire to resolve all outstanding requests by the next reporting deadline, which is approaching, and the sooner we can get started on assembling those materials, the better.)

Please let me know when we might expect to see the list, and thanks very much, in advance.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
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rachael.honig@rutgers.edu

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From: Rachael Honig
Subject: Section 117 Investigation - Rutgers University - First Production
To: Harris, Lisa (OGC); Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: May 19, 2023 1:51 PM (UTC-04:00)
Attached: Rutgers Standard Operating Procedure - Section 117 FINAL 5-19-23.pdf, 2023-01 - MEMORANDUM - Section 117 Disclosure Procedures.pdf, Template for 1st Email.pdf, Template for 2nd Email.pdf, TEMPLATE - Section 117 Foreign Gifts Tuition Grant Contracts Reporting_2023-01-31.xlsx

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Hi Lisa, Phil, and Joanna,

I am attaching the following items requested in your email of April 19, 2023:

- Rutgers Standard Operating Procedure – Section 117
- Supporting documents relating to Rutgers Standard Operating Procedure – Section 117:
 - Sample memorandum from J. Michael Gower, Executive Vice President-Chief Financial Officer & University Treasurer
 - Dr. Michael E. Zwick, PhD, Senior Vice President for Research (please note: a new version of the memorandum is sent out for each reporting period; this sample is from the most recent reporting period)
 - Template for first email from University Ethics & Compliance soliciting responses and attaching Gower/Zwick memorandum and Excel template
 - Template for follow-up email from University Ethics & Compliance soliciting responses and attaching Gower/Zwick memorandum and Excel template
 - Excel template for reporting data to University Ethics & Compliance

This responds to the following request:

- A copy of the most recent version of Rutgers' Section 117 compliance policy or procedures, or if such a document has not been developed, a description of the process that Rutgers follows in addressing Section 117 requirements. This should include matters such as how Rutgers gathers information across the institution about gifts and contracts with foreign sources, how it determines which transactions might be reportable, how it calculates the value of contracts, and how it ensures that it is aggregating multiple transactions involving one foreign source in a reporting period and calendar year.

As discussed, we continue to work on assembling the data required to respond to the remaining request in your April 19 email, but expect to be able to begin producing it shortly.

Of course, please reach out with any questions or follow-up requests. Thank you!

Rachael A. Honig

Vice President, Chief University Compliance Officer

University Ethics & Compliance

Rutgers, The State University of New Jersey

(b)(6) (cell)

rachael.honig@rutgers.edu

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ED 24-814 (Jun 2024) 071

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Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

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(b)(4)

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(b)(4)

of the Freedom of Information and Privacy Act

From: Harris, Lisa (OGC)
Subject: RE: Section 117 Investigation - Rutgers University - First Production
To: Rachael Honig; Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: May 19, 2023 2:27 PM (UTC-04:00)

Hi Rachael – We appreciate your work in compiling and submitting these documents related to Rutgers’ Section 117 procedures, and we will begin reviewing them. Thank you also for continuing your work on gathering information in response to our other request.

Have a wonderful weekend!

Lisa

From: Rachael Honig <rah263@uec.rutgers.edu>
Sent: Friday, May 19, 2023 1:51 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: Section 117 Investigation - Rutgers University - First Production

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Hi Lisa, Phil, and Joanna,

I am attaching the following items requested in your email of April 19, 2023:

- Rutgers Standard Operating Procedure – Section 117
- Supporting documents relating to Rutgers Standard Operating Procedure – Section 117:
 - Sample memorandum from J. Michael Gower, Executive Vice President-Chief Financial Officer & University Treasurer
 - Dr. Michael E. Zwick, PhD, Senior Vice President for Research (please note: a new version of the memorandum is sent out for each reporting period; this sample is from the most recent reporting period)
 - Template for first email from University Ethics & Compliance soliciting responses and attaching Gower/Zwick memorandum and Excel template
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This responds to the following request:

- A copy of the most recent version of Rutgers’ Section 117 compliance policy or procedures, or if such a document has not been developed, a description of the process that Rutgers follows in addressing Section 117 requirements. This should include matters such as how Rutgers gathers information across the institution about gifts and contracts with foreign sources, how it determines which transactions might be reportable, how it calculates the value of contracts, and how it ensures that it is aggregating multiple transactions involving one foreign source in a reporting period and calendar year.

As discussed, we continue to work on assembling the data required to respond to the remaining request in your April 19 email, but expect to be able to begin producing it shortly.

Of course, please reach out with any questions or follow-up requests. Thank you!

Rachael A. Honig

Vice President, Chief University Compliance Officer

University Ethics & Compliance

Rutgers, The State University of New Jersey

(b)(6) cell

rachael.honig@rutgers.edu

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From: Rachael Honig
Subject: Section 117 Investigation - Rutgers University - Second Production
To: Harris, Lisa (OGC); Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon; Malusha Fobler
Sent: June 9, 2023 4:26 PM (UTC-04:00)
Attached: 6-9-23 Production Cover Letter rah.pdf, Folder information.xlsx

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Hi Lisa, Phil, and Joanna:

Please see the attached letter, with enclosure, in further response to our conversation of April 14, 2023, memorialized in your email of April 19, 2023. You each should be receiving an email shortly giving you access to the Box folder in which the data files are stored. Please let us know if you have any difficulty accessing the data or if there are others at the Department to whom you would like us to grant access.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) (cell)
rachael.honig@rutgers.edu

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From: Rachael Honig
Sent: Friday, May 19, 2023 1:51 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: Section 117 Investigation - Rutgers University - First Production

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- Rutgers Standard Operating Procedure – Section 117
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Of course, please reach out with any questions or follow-up requests. Thank you!

Rachael A. Honig

Vice President, Chief University Compliance Officer

University Ethics & Compliance

Rutgers, The State University of New Jersey

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rachael.honig@rutgers.edu

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From: Malusha Fobler
Subject: RE: Section 117 Investigation - Rutgers University - Second Production
To: Rachael Honig; Harris, Lisa (OGC); Rosenfelt, Phil; Torres, Joanna
Cc: Jennifer Francone; Eugene Simon
Sent: June 9, 2023 4:35 PM (UTC-04:00)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Lisa, Phil and Joanna:

Rutgers Box folder access has been shared with you all.

Thank you
Malusha

Malusha Fobler, MS, CCRP
Institutional Compliance Officer – Research
University Ethics & Compliance
Rutgers, The State University of New Jersey
Office: (973) 972-1334
Cell: (b)(6)

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From: Rachael Honig <rah263@uec.rutgers.edu>
Sent: Friday, June 9, 2023 4:26 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>

Subject: Section 117 Investigation - Rutgers University - Second Production

Hi Lisa, Phil, and Joanna:

Please see the attached letter, with enclosure, in further response to our conversation of April 14, 2023, memorialized in your email of April 19, 2023. You each should be receiving an email shortly giving you access to the Box folder in which the data files are stored. Please let us know if you have any difficulty accessing the data or if there are others at the Department to whom you would like us to grant access.

Thanks,
Rachael

Rachael A. Honig
Vice President, Chief University Compliance Officer
University Ethics & Compliance
Rutgers, The State University of New Jersey
(b)(6) (cell)
rachael.honig@rutgers.edu

R U Concerned?
We R Listening

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From: Rachael Honig
Sent: Friday, May 19, 2023 1:51 PM
To: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Torres, Joanna <Joanna.Torres@ed.gov>
Cc: Jennifer Francone <jf430@uec.rutgers.edu>; Eugene Simon <simoneu@uec.rutgers.edu>; Malusha Fobler <foblermm@uec.rutgers.edu>
Subject: Section 117 Investigation - Rutgers University - First Production

Hi Lisa, Phil, and Joanna,

I am attaching the following items requested in your email of April 19, 2023:

- Rutgers Standard Operating Procedure – Section 117
- Supporting documents relating to Rutgers Standard Operating Procedure – Section 117:
 - Sample memorandum from J. Michael Gower, Executive Vice President-Chief Financial Officer & University Treasurer
 - Dr. Michael E. Zwick, PhD, Senior Vice President for Research (please note: a new version of the memorandum is sent out for each reporting period; this sample is from the most recent reporting period)
 - Template for first email from University Ethics & Compliance soliciting responses and attaching Gower/Zwick memorandum and Excel template
 - Template for follow-up email from University Ethics & Compliance soliciting responses and attaching Gower/Zwick memorandum and Excel template
 - Excel template for reporting data to University Ethics & Compliance

This responds to the following request:

- A copy of the most recent version of Rutgers' Section 117 compliance policy or procedures, or if such a document has not been developed, a description of the process that Rutgers follows in addressing Section 117 requirements. This should include matters such as how Rutgers gathers information across the institution about gifts and contracts with foreign sources, how it determines which transactions might be reportable, how it calculates the value of contracts, and how it ensures that it is aggregating multiple transactions involving one foreign source in a reporting period and calendar year.

As discussed, we continue to work on assembling the data required to respond to the remaining request in your April 19 email, but expect to be able to begin producing it shortly.

Of course, please reach out with any questions or follow-up requests. Thank you!

Rachael A. Honig

Vice President, Chief University Compliance Officer

University Ethics & Compliance

Rutgers, The State University of New Jersey

(b)(6) (cell)

[*rachael.honig@rutgers.edu*](mailto:rachael.honig@rutgers.edu)

R U Concerned?

We R Listening

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From: Travis, Leah
Subject: Section 117 Investigation - University of New Mexico
To: Ariadna Vazquez; Loretta Martinez
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil
Sent: June 22, 2023 3:23 PM (UTC-04:00)

Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
- A description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117 and confirmation as to how UNM's procedures are designed to lead to proper reporting of restricted and conditional gifts or contracts (including disclosure of the terms that make the gift or contract restricted or conditional within the meaning of Section 117); and
- A copy of any policies or procedures that UNM has developed for complying with Section 117, including both any prior policies or procedures and the most recent version; as well as a description of any related training that UNM has provided to university employees, as noted in the April 2021 response to the Department's preliminary inquiry letter.

Since we last spoke, it appears as if UNM has filed new disclosure reports disclosing previously unreported gift and contract transactions meeting the Section 117 threshold. We are currently in the process of reviewing UNM's new disclosure reports to determine whether we have any remaining questions related to UNM's Section 117 reporting. In the meantime, we are requesting only the following: (1) a description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117, and (2) a copy of any policies or procedures that UNM has developed for complying with Section 117, as well as a description of any training that UNM has provided to university employees. We would appreciate a response by June 30, 2023, if possible.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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From: Ariadna Vazquez
Subject: RE: Section 117 Investigation - University of New Mexico
To: Travis, Leah; Loretta Martinez
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil
Sent: June 22, 2023 6:29 PM (UTC-04:00)

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Leah,

Thank you for reaching out, with apologies, we understood during our February call that UNM would be filing the reports we had previously disclosed through your system right away and that you would be sending us a data request for other information. We will be happy to provide information regarding the two additional items you've included in your email and, again, we apologize we did not provide that information soon after our call.

We will start gathering the information as soon as possible, however, with the summer break it will take a bit of time to consolidate the information from across our campus and departments that provide the documentation related to this reporting. We would kindly request an extension of time to file our response to your request to Monday, July 10th.

We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Thursday, June 22, 2023 1:23 PM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: Section 117 Investigation - University of New Mexico

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Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
- A description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117 and confirmation as to how UNM's procedures are designed to lead to proper reporting of restricted and conditional gifts or contracts (including disclosure of the terms that make the gift or contract restricted or conditional within the meaning of Section 117); and
- A copy of any policies or procedures that UNM has developed for complying with Section 117, including both any prior policies or procedures and the most recent version; as well as a description of any related training that UNM has provided to university employees, as noted in the April 2021 response to the Department's preliminary inquiry letter.

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We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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From: Travis, Leah
Subject: RE: Section 117 Investigation - University of New Mexico
To: Ariadna Vazquez
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: June 23, 2023 10:11 AM (UTC-04:00)

Hi Ari—

There is absolutely no need to apologize! We were not expecting you to provide any of this information until we had sent out a follow-up email restating the requests we had made during our phone call. Apologies on our end for taking this long to send the follow-up email. We appreciate that UNM has been proactive and filed updated disclosure reports in the meantime. Based on the fact that UNM has already filed updated disclosure reports, we revised the requests we had made during our meeting to indicate that, at this time, we are only requesting information about how UNM identifies a gift or contract as restricted or conditional, and a copy of UNM's Section 117 policies or procedures. An extension until July 10th is reasonable, and please feel free to reach out if you have any questions or need additional time.

Have a nice weekend!

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Thursday, June 22, 2023 6:29 PM
To: Travis, Leah <Leah.Travis@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,
Thank you for reaching out, with apologies, we understood during our February call that UNM would be filing the reports we had previously disclosed through your system right away and that you would be sending us a data request for other information. We will be happy to provide information regarding the two additional items you've included in your email and, again, we apologize we did not provide that information soon after our call.

We will start gathering the information as soon as possible, however, with the summer break it will take a bit of time to consolidate the information from across our campus and departments that provide the documentation related to this reporting. We would kindly request an extension of time to file our response to your request to Monday, July 10th.

We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Thursday, June 22, 2023 1:23 PM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: Section 117 Investigation - University of New Mexico

Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
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We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,

Leah

Leah Travis (she/her)

General Attorney

Division of Business and Administrative Law

Office of the General Counsel

United States Department of Education

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Work: (202) 987-1187

Cell: (b)(6)

Email: Leah.Travis@ed.gov

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From: Ariadna Vazquez
Subject: RE: Section 117 Investigation - University of New Mexico
To: Travis, Leah
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: June 28, 2023 2:12 PM (UTC-04:00)

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Leah,
We greatly appreciate the extension and will have all of the requested information for you by that date.

Thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Friday, June 23, 2023 8:11 AM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: RE: Section 117 Investigation - University of New Mexico

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Hi Ari—

There is absolutely no need to apologize! We were not expecting you to provide any of this information until we had sent out a follow-up email restating the requests we had made during our phone call. Apologies on our end for taking this long to send the follow-up email. We appreciate that UNM has been proactive and filed updated disclosure reports in the meantime. Based on the fact that UNM has already filed updated disclosure reports, we revised the requests we had made during our meeting to indicate that, at this time, we are only requesting information about how UNM identifies a gift or contract as restricted or conditional, and a copy of UNM's Section 117 policies or procedures. An extension until July 10th is reasonable, and please feel free to reach out if you have any questions or need additional time.

Have a nice weekend!

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Thursday, June 22, 2023 6:29 PM
To: Travis, Leah <Leah.Travis@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,
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ED 24-814 (Jun 2024) 089

for other information. We will be happy to provide information regarding the two additional items you've included in your email and, again, we apologize we did not provide that information soon after our call.

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We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>

Sent: Thursday, June 22, 2023 1:23 PM

To: Ariadna Vazquez <AriVazquez@salud.unm.edu>; Loretta Martinez <LPMartinez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>

Subject: Section 117 Investigation - University of New Mexico

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Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
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- A copy of any policies or procedures that UNM has developed for complying with Section 117, including both any prior policies or procedures and the most recent version; as well as a description of any related training that UNM has provided to university employees, as noted in the April 2021 response to the Department's preliminary inquiry letter.

Since we last spoke, it appears as if UNM has filed new disclosure reports disclosing previously unreported gift and contract transactions meeting the Section 117 threshold. We are currently in the process of reviewing UNM's new disclosure reports to determine whether we have any remaining questions related to UNM's Section 117 reporting. In the meantime, we are requesting only the following: (1) a description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117, and (2) a copy of any policies or procedures that UNM has developed for complying with Section 117, as well as a description of any training that UNM has provided to university employees. We would appreciate a response by June 30, 2023, if possible.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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From: Lozupone, Kristina
Subject: Section 117 - Yale University
To: alyssa.greenwald@yale.edu; christopher.hanson@yale.edu; Gold, Stephanie J.
Cc: Harris, Lisa (OGC); Rosenfelt, Phil
Sent: July 10, 2023 7:42 AM (UTC-04:00)

Hello Alyssa, Chris, and Stephanie –

Thank you again for speaking with us regarding Yale's request to amend the Department's follow up requests. Our apologies for the delay in providing a response to Yale's request. The Department has been diligently working on addressing Yale's concerns and maintaining consistency in the Department's Section 117 investigations. The Department has considered Yale's request and amended our follow up requests in a manner designed to address Yale's concerns while also resulting in information necessary to the Department's assessment of Yale's compliance with Section 117. The Department respectfully requests the following:

- A list of all gifts, contracts and/or restricted or conditional gifts or contracts from or with a foreign source for the periods from January 1, 2021 through the present (i.e. through the July 2023 reporting deadline).
 - Please include the following information in your list: (1) the foreign source's name (if a foreign source is not the direct party but still has control or influence over the transaction, then please indicate both the direct party and the foreign source), (2) the foreign source's country, (3) the type of transaction (gift or contract), (4) the transaction amount, (5) the receipt or start date, (6) if the transaction is conditional or restricted (if so, what the conditions or restrictions are), (7) a brief summary of what the transaction is for (could be as short as one sentence), (8) the contract end date, (9) any amendments/extensions to the transaction (this includes the date, any change to the transaction amount, and any changes to the terms that make the transaction conditional/restricted), and (10) whether the transaction was reported (and if yes, when).
 - This request also includes information for transactions that Yale has previously withheld, claiming confidentiality, in its original Section 117 submission.
- Clarification regarding how Yale handles reporting clinical trials to ensure Section 117 compliance.
- An explanation concerning how Yale determines if a party is acting as an agent for a foreign source, pursuant to Section 117 guidelines.
- Documentation confirming that the requests submitted to the Department on March 4, 2021 and January 2022 to withdraw inaccurate Section 117 disclosures were completed and that any corrected reporting necessary as a result was also completed.
- A copy of the most recent version of Yale's Section 117 compliance procedures.

After you have had time to review the Department's amended requests, we would be happy to schedule a follow up call to discuss any questions Yale may have. To move Yale's Section 117 investigation along, we request that Yale provide a response to the Department's requests by August 14, 2023. Please feel free to contact Lisa or me if you have any concerns with responding by this date. We also encourage you to submit information on a rolling basis, as you compile it. Thank you for your cooperation and we look forward to speaking with you again soon.

Thank you,

Kristina Lozupone

General Attorney
U.S. Department of Education
Office of the General Counsel
Business and Administrative Law Division
400 Maryland Avenue, SW
Washington, DC 20202-2110
Cell: (b)(6)
E-mail: Kristina.Loizupone@ed.gov

From: Ariadna Vazquez
Subject: Section 117 Investigation - University of New Mexico
To: Travis, Leah
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: July 10, 2023 6:01 PM (UTC-04:00)
Attached: Section 117 Inquiry University of New Mexico.Ltr.pdf, Attachment A - Standard Operation Procedure
Section 117 Foreign Gift Reporting.pdf, Attachment B - UNM Industrial Security - Disclosures Training.pdf,
Attachment C - Reporting Foreign Gifts and Contracts at University of New Mexico.pdf

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Leah,

Attached for your review and consideration is the supplemental response and documentation that you requested in your latest communication, including a cover letter and three attachments. We appreciate you granting us an extension to file this response and have provided all of the information requested. Please do not hesitate to reach to me should you have any questions or need any additional information. We look forward to resolving this matter.

Thank you in advance,
Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
505-277-4154 (fax)



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From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Friday, June 23, 2023 8:11 AM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil

<Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Subject: RE: Section 117 Investigation - University of New Mexico

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Hi Ari—

There is absolutely no need to apologize! We were not expecting you to provide any of this information until we had sent out a follow-up email restating the requests we had made during our phone call. Apologies on our end for taking this long to send the follow-up email. We appreciate that UNM has been proactive and filed updated disclosure reports in the meantime. Based on the fact that UNM has already filed updated disclosure reports, we revised the requests we had made during our meeting to indicate that, at this time, we are only requesting information about how UNM identifies a gift or contract as restricted or conditional, and a copy of UNM's Section 117 policies or procedures. An extension until July 10th is reasonable, and please feel free to reach out if you have any questions or need additional time.

Have a nice weekend!

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>

Sent: Thursday, June 22, 2023 6:29 PM

To: Travis, Leah <Leah.Travis@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>

Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,

Thank you for reaching out, with apologies, we understood during our February call that UNM would be filing the reports we had previously disclosed through your system right away and that you would be sending us a data request for other information. We will be happy to provide information regarding the two additional items you've included in your email and, again, we apologize we did not provide that information soon after our call.

We will start gathering the information as soon as possible, however, with the summer break it will take a bit of time to consolidate the information from across our campus and departments that provide the documentation related to this reporting. We would kindly request an extension of time to file our response to your request to Monday, July 10th.

We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>

Sent: Thursday, June 22, 2023 1:23 PM

To: Ariadna Vazquez <AriVazquez@salud.unm.edu>; Loretta Martinez <LPMartinez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>

Subject: Section 117 Investigation - University of New Mexico

Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
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We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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of the Freedom of Information and Privacy Act

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July 10, 2023

VIA ELECTRONIC MAIL

Leah Travis
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, SW
Washington D.C., 20202
Leah.Travis@ed.gov

Lisa Wells Harris
Attorney
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, SW
Washington D.C., 20202
Lisa.Harris@ed.gov

Re: **Section 117 Inquiry – University of New Mexico**

Dear Mses. Travis and Harris:

I am responding on behalf of the University of New Mexico (UNM) to the Department of Education's supplemental request for information related to the Department's preliminary inquiry regarding UNM's compliance with Section 117 (20 U.S.C. §1011f) dated June 22, 2023. First, please accept my appreciation for the extension to respond to the supplemental request for information.

By way of background, we provided our initial response to your preliminary inquiry on April 14, 2021 and on January 20, 2023 you contacted us to schedule a time to discuss the status of that inquiry. During our telephone call on February 1, 2023, you requested that UNM follow up by filing new disclosure reports through the Federal Student Aid office system disclosing previously unreported gift and contract transactions meeting the Section 117 threshold, which we had previously disclosed in our initial response letter. UNM filed those reports and we understand that you are currently in the process of reviewing those reports. In addition, as memorialized in your June 22, 2023 email communication, you have asked us to provide the following information:

- 1) A description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117, and

- 2) A copy of any policies or procedures that UNM has developed for complying with Section 117, as well as a description of any training that UNM has provided to university employees.

Attached for your review, and in response to your supplemental request for information, we are providing you with the following documentation:

- The **Standard Operation Procedure: Section 117 Foreign Gift Reporting** for UNM's Contract and Grant Accounting Main Campus Office which is responsible for the reporting of all contracts or gifts from a foreign source as required by Section 117. (Attachment A)
- The relevant Section 117 Reporting section of the **UNM Industrial Security – Disclosures Training** created and led by UNM's Industrial Security Office which is provided to researchers who receive grants from foreign sources and that will be provided to all departments who are tasked with Section 117 compliance across the UNM system. (Attachment B)
- A draft policy “**Reporting Foreign Gifts and Contracts at University of New Mexico,**” which is currently being reviewed by the UNM Policy Office and relevant constituents. This draft policy was the result of a campus wide compliance taskforce which was created by President Garnett S. Stokes and is based on an assessment of best practices for institutions of higher education similar to UNM. The policy will need to go through our policy process, however, we intend to have it finalized and approved as soon as possible. (Attachment C)

As described in more detail in UNM's Contract and Grant Accounting Department's Standard Operation Procedure: Section 117 Foreign Gift Reporting, that department is tasked with compliance with Section 117 reporting for the UNM system. The process of identification for a gift or contract as restricted or conditional within the meaning of Section 117 would occur at the time that the responses from all applicable UNM department are received and processed by the UNM Contract and Grant Accounting Department. Due to the additional disclosure requirements and the added complexity in identifying any restricted or conditional gifts and contracts, the department would consult with the UNM Compliance Office, the Industrial Security Officer and with our office (Office of University Counsel), in order to make the determination regarding whether additional reporting is necessary for any such gift or contract as required by Section 117. That group would identify any such restricted or conditional gifts and contracts and be tasked with including the appropriate information and detail, as required by the regulations, in the disclosure provided to the Department.

In addition, the UNM Contract and Grant Accounting Department, together with the UNM Compliance Office, the Industrial Security Office and the Office of University Counsel, will undertake training for all relevant departments prior to each reporting period (twice a year) and will schedule meetings for the entire group to discuss any questions or concerns related to the required reporting. Specifically, the UNM Compliance Office and the Industrial Security Officer, have agreed to take the lead in scheduling the trainings and the review meetings prior to each

reporting period to occur in a timely fashion to allow for accurate reporting within each time period required by Section 117.

Should you require any additional information please let us know. We welcome any guidance you may have for us as we continue to improve our internal compliance processes and training for faculty and staff related to Section 117. We are also happy to answer any questions you may have regarding the documentation we have provided. We thank you in advance for your review and consideration of our supplemental submission.

Sincerely,

(b)(6)

Loretta P. Martinez
General Counsel
University of New Mexico

From: Travis, Leah
Subject: RE: Section 117 Investigation - University of New Mexico
To: Ariadna Vazquez
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: July 11, 2023 8:30 AM (UTC-04:00)

Good morning, Ari—

Thank you for this supplemental response and documentation. We will review the information in your response and will get back to you as soon as we can.

We appreciate your cooperation in this matter, and please feel free to reach out if you have any questions.

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Monday, July 10, 2023 6:01 PM
To: Travis, Leah <Leah.Travis@ed.gov>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: Section 117 Investigation - University of New Mexico

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Leah,
Attached for your review and consideration is the supplemental response and documentation that you requested in your latest communication, including a cover letter and three attachments. We appreciate you granting us an extension to file this response and have provided all of the information requested. Please do not hesitate to reach to me should you have any questions or need any additional information. We look forward to resolving this matter.

Thank you in advance,
Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
505-277-4154 (fax)



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STANDARD, AND/OR THE ATTORNEY-CLIENT OR ATTORNEY WORK PRODUCT PRIVILEGE. IT IS THE POLICY OF THE UNIVERSITY OF NEW MEXICO HEALTH SCIENCES CENTER THAT THE SENDER DID NOT INTEND THIS TRANSMISSION TO BE SENT TO OR RECEIVED BY ANY UNAUTHORIZED PERSONS AND IS NOT WAIVING THE CONFIDENTIALITY OR PRIVILEGED NATURE OF SUCH INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS ELECTRONIC MAIL TRANSMISSION AND THEREBY RECEIVED THIS ELECTRONIC MAIL TRANSMISSION IN ERROR, PLEASE IMMEDIATELY DELETE IT FROM YOUR COMPUTER SYSTEM WITHOUT COPYING IT. IN ADDITION, PLEASE NOTIFY THE SENDER BY REPLY E-MAIL OR BY CALLING THE SENDER AT (505) 272-2377. THIS WAY, WE CAN CORRECT OUR ADDRESS FOR THE INTENDED RECIPIENT.

From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Friday, June 23, 2023 8:11 AM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: RE: Section 117 Investigation - University of New Mexico

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Hi Ari—

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Have a nice weekend!

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reporting. We would kindly request an extension of time to file our response to your request to Monday, July 10th.

We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
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Subject: Section 117 Investigation - University of New Mexico

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Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
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We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
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Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education

400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
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Email: Leah.Travis@ed.gov

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From: Travis, Leah
Subject: RE: Section 117 Investigation - University of New Mexico
To: Ariadna Vazquez
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: July 28, 2023 11:18 AM (UTC-04:00)
Attached: Attachment to UNM Email 7.28.23 PRIVILEGED.CONFIDENTIAL.docx

CONTROLLED UNCLASSIFIED INFORMATION

Good morning, Ari—

Thank you again for providing UNM's supplemental response and documentation. We have completed our review of the information provided by UNM in response to the Department's preliminary inquiry letter; the supplemental response and documentation provided in response to our June 22, 2023 request for information; and UNM's updated Section 117 disclosure reporting.

We have identified some areas for clarification concerning UNM's Section 117 procedures, as well as UNM's Section 117 disclosure reporting. As detailed in the attached document, we are requesting some follow-up information related to UNM's Section 117 procedures and disclosure reporting. The attached document also identifies an area for correction in UNM's Draft Policy: Reporting Foreign Gifts and Contracts at University of New Mexico.

We believe UNM's response will help clarify the questions that we have and allow us a better understanding of UNM's compliance. We respectfully request your full response by **August 11, 2023**. If this is not possible, please let us know your expected submission date by **August 4, 2023**.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions. We would be happy to have a follow-up call with you soon if that would be helpful.

Thanks,
Leah

Sensitive in accordance with 32 CFR 2002
Controlled by Department of Education, Office of the General Counsel, Leah Travis

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Monday, July 10, 2023 6:01 PM
To: Travis, Leah <Leah.Travis@ed.gov>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
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Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
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Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>

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We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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From: Greenwald, Alyssa
Subject: RE: Section 117 - Yale University
To: Lozupone, Kristina; Hanson, Christopher
Cc: Harris, Lisa (OGC); Rosenfelt, Phil
Sent: July 31, 2023 4:44 PM (UTC-04:00)

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Kristina,

Yale is working on the requests detailed in your message below.

I see you requested that Yale respond by August 14, 2023. Would it be possible to extend that date just slightly to August 18th, 2023? Members of our team are traveling earlier in August and this minor extension would be very helpful.

Best,
Alyssa

From: Lozupone, Kristina <Kristina.Lozaupone@ed.gov>
Sent: Monday, July 10, 2023 7:42 AM
To: Greenwald, Alyssa <alyssa.greenwald@yale.edu>; Hanson, Christopher <christopher.hanson@yale.edu>; Gold, Stephanie J. <stephanie.gold@hoganlovells.com>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: Section 117 - Yale University

Hello Alyssa, Chris, and Stephanie –

Thank you again for speaking with us regarding Yale's request to amend the Department's follow up requests. Our apologies for the delay in providing a response to Yale's request. The Department has been diligently working on addressing Yale's concerns and maintaining consistency in the Department's Section 117 investigations. The Department has considered Yale's request and amended our follow up requests in a manner designed to address Yale's concerns while also resulting in information necessary to the Department's assessment of Yale's compliance with Section 117. The Department respectfully requests the following:

- A list of all gifts, contracts and/or restricted or conditional gifts or contracts from or with a foreign source for the periods from January 1, 2021 through the present (i.e. through the July 2023 reporting deadline).
 - Please include the following information in your list: (1) the foreign source's name (if a foreign source is not the direct party but still has control or influence over the transaction, then please indicate both the direct party and the foreign source), (2) the foreign source's country, (3) the type of transaction (gift or contract), (4) the transaction amount, (5) the receipt or start date, (6) if the transaction is conditional or restricted (if so, what the conditions or restrictions are), (7) a brief summary of what the transaction is for (could be as short as one sentence), (8) the contract end date, (9) any amendments/extensions to the transaction (this includes the date, any change to the transaction amount, and any changes to the terms that make the transaction conditional/restricted), and (10) whether the transaction was reported (and if yes, when).
 - This request also includes information for transactions that Yale has previously withheld, claiming confidentiality, in its original Section 117 submission.
- Clarification regarding how Yale handles reporting clinical trials to ensure Section 117 compliance.
- An explanation concerning how Yale determines if a party is acting as an agent for a foreign source, pursuant to Section 117 guidelines.

- Documentation confirming that the requests submitted to the Department on March 4, 2021 and January 2022 to withdraw inaccurate Section 117 disclosures were completed and that any corrected reporting necessary as a result was also completed.
- A copy of the most recent version of Yale's Section 117 compliance procedures.

After you have had time to review the Department's amended requests, we would be happy to schedule a follow up call to discuss any questions Yale may have. To move Yale's Section 117 investigation along, we request that Yale provide a response to the Department's requests by August 14, 2023. Please feel free to contact Lisa or me if you have any concerns with responding by this date. We also encourage you to submit information on a rolling basis, as you compile it. Thank you for your cooperation and we look forward to speaking with you again soon.

Thank you,

Kristina Lozupone

General Attorney

U.S. Department of Education

Office of the General Counsel

Business and Administrative Law Division

400 Maryland Avenue, SW

Washington, DC 20202-2110

Cell: (b)(6)

E-mail: Kristina.Loizupone@ed.gov

From: Lozupone, Kristina
Subject: RE: Section 117 - Yale University
To: Greenwald, Alyssa; Hanson, Christopher
Cc: Harris, Lisa (OGC); Rosenfelt, Phil; Sweeney, Alexandra
Sent: August 1, 2023 8:05 AM (UTC-04:00)

Alyssa,

Thank you and your colleagues for working on addressing the Department's requests. Extending the deadline to August 18, 2023 is fine. Please let me know if you find that you need more time.

Thank you,

Kristina Lozupone

General Attorney
U.S. Department of Education
Office of the General Counsel
Business and Administrative Law Division
400 Maryland Avenue, SW
Washington, DC 20202-2110
Cell: 301-875-6094
E-mail: Kristina.Lozupone@ed.gov

From: Greenwald, Alyssa <alyssa.greenwald@yale.edu>
Sent: Monday, July 31, 2023 4:44 PM
To: Lozupone, Kristina <Kristina.Lozupone@ed.gov>; Hanson, Christopher <christopher.hanson@yale.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: RE: Section 117 - Yale University

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Kristina,

Yale is working on the requests detailed in your message below.

I see you requested that Yale respond by August 14, 2023. Would it be possible to extend that date just slightly to August 18th, 2023? Members of our team are traveling earlier in August and this minor extension would be very helpful.

Best,
Alyssa

From: Lozupone, Kristina <Kristina.Lozupone@ed.gov>
Sent: Monday, July 10, 2023 7:42 AM
To: Greenwald, Alyssa <alyssa.greenwald@yale.edu>; Hanson, Christopher <christopher.hanson@yale.edu>; Gold, Stephanie J. <stephanie.gold@hoganlovells.com>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: Section 117 - Yale University

Hello Alyssa, Chris, and Stephanie –

Thank you again for speaking with us regarding Yale's request to amend the Department's follow up requests. Our apologies for the delay in providing a response to Yale's request. The Department has been diligently working on addressing Yale's concerns and maintaining consistency in the Department's Section 117 investigations. The Department has considered Yale's request and amended our follow up requests in a manner designed to address Yale's concerns while also resulting in information necessary to the Department's assessment of Yale's compliance with Section 117. The Department respectfully requests the following:

- A list of all gifts, contracts and/or restricted or conditional gifts or contracts from or with a foreign source for the periods from January 1, 2021 through the present (i.e. through the July 2023 reporting deadline).
 - Please include the following information in your list: (1) the foreign source's name (if a foreign source is not the direct party but still has control or influence over the transaction, then please indicate both the direct party and the foreign source), (2) the foreign source's country, (3) the type of transaction (gift or contract), (4) the transaction amount, (5) the receipt or start date, (6) if the transaction is conditional or restricted (if so, what the conditions or restrictions are), (7) a brief summary of what the transaction is for (could be as short as one sentence), (8) the contract end date, (9) any amendments/extensions to the transaction (this includes the date, any change to the transaction amount, and any changes to the terms that make the transaction conditional/restricted), and (10) whether the transaction was reported (and if yes, when).
 - This request also includes information for transactions that Yale has previously withheld, claiming confidentiality, in its original Section 117 submission.
- Clarification regarding how Yale handles reporting clinical trials to ensure Section 117 compliance.
- An explanation concerning how Yale determines if a party is acting as an agent for a foreign source, pursuant to Section 117 guidelines.
- Documentation confirming that the requests submitted to the Department on March 4, 2021 and January 2022 to withdraw inaccurate Section 117 disclosures were completed and that any corrected reporting necessary as a result was also completed.
- A copy of the most recent version of Yale's Section 117 compliance procedures.

After you have had time to review the Department's amended requests, we would be happy to schedule a follow up call to discuss any questions Yale may have. To move Yale's Section 117 investigation along, we request that Yale provide a response to the Department's requests by August 14, 2023. Please feel free to contact Lisa or me if you have any concerns with responding by this date. We also encourage you to submit information on a rolling basis, as you compile it. Thank you for your cooperation and we look forward to speaking with you again soon.

Thank you,

Kristina Lozupone

General Attorney

U.S. Department of Education

Office of the General Counsel

Business and Administrative Law Division

400 Maryland Avenue, SW

Washington, DC 20202-2110

Cell: (b)(6)

E-mail: Kristina.Loizupone@ed.gov

From: Ariadna Vazquez
Subject: RE: Section 117 Investigation - University of New Mexico
To: Travis, Leah
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: August 3, 2023 2:50 PM (UTC-04:00)

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Leah,

We will be happy to provide clarification and further information regarding your questions on our procedures and processes. I'm responding a bit belatedly as I was on annual leave last week and part of this week, due to the fact that the department tasked with overseeing the Section 117 reporting process has a number of reporting requirements that are coming due in the next two weeks, would it be possible for us to send you our response no later than August 18, 2023? We will also make sure that we update the draft policy with your recommendation.

In addition, as we refine and try to improve our training and in doing my own research one query I suspect we may get from our university counterparts that work in these areas is whether items that are nominal or de minimis in value (e.g., a free pen, notebook, mug, tote bag) that are received from or provided by a foreign source when attending a conference or a meeting are reportable? I was unable to find any formal or informal guidance on such a question, noting that our current training says that all gifts are reportable regardless of value, I'm wondering if you have any guidance or insight for how to address those questions if we get them?

Thank you in advance for your consideration of our requests above, do let me know if you need any further information from me at this time,

Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
505-277-4154 (fax)



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From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Friday, July 28, 2023 9:18 AM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: RE: Section 117 Investigation - University of New Mexico

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Good morning, Ari—

Thank you again for providing UNM's supplemental response and documentation. We have completed our review of the information provided by UNM in response to the Department's preliminary inquiry letter; the supplemental response and documentation provided in response to our June 22, 2023 request for information; and UNM's updated Section 117 disclosure reporting.

We have identified some areas for clarification concerning UNM's Section 117 procedures, as well as UNM's Section 117 disclosure reporting. As detailed in the attached document, we are requesting some follow-up information related to UNM's Section 117 procedures and disclosure reporting. The attached document also identifies an area for correction in UNM's Draft Policy: Reporting Foreign Gifts and Contracts at University of New Mexico.

We believe UNM's response will help clarify the questions that we have and allow us a better understanding of UNM's compliance. We respectfully request your full response by **August 11, 2023**. If this is not possible, please let us know your expected submission date by **August 4, 2023**.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions. We would be happy to have a follow-up call with you soon if that would be helpful.

Thanks,
Leah

Sensitive in accordance with 32 CFR 2002
Controlled by Department of Education, Office of the General Counsel, Leah Travis

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Monday, July 10, 2023 6:01 PM
To: Travis, Leah <Leah.Travis@ed.gov>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: Section 117 Investigation - University of New Mexico

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Leah,
Attached for your review and consideration is the supplemental response and documentation that you requested in your latest communication, including a cover letter and three attachments. We appreciate you granting us an extension to file this response and have provided all of the information requested. Please do not hesitate to reach to me should you have any questions or need any additional information. We look forward to resolving this matter.

Thank you in advance,
Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
505-277-4154 (fax)



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From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Friday, June 23, 2023 8:11 AM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: RE: Section 117 Investigation - University of New Mexico

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Hi Ari—

There is absolutely no need to apologize! We were not expecting you to provide any of this information until we had sent out a follow-up email restating the requests we had made during our phone call. Apologies on our end for taking this long to send the follow-up email. We appreciate that UNM has been proactive and filed updated disclosure reports in the meantime. Based on the fact that UNM has already filed updated disclosure reports, we revised the requests we had made during our meeting to indicate that, at this time, we are only requesting information about how UNM identifies a gift or contract as restricted or conditional, and a copy of UNM's Section 117 policies or procedures. An extension until July 10th is reasonable, and please feel free to reach out if you have any questions or need additional time.

Have a nice weekend!

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Thursday, June 22, 2023 6:29 PM
To: Travis, Leah <Leah.Travis@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,
Thank you for reaching out, with apologies, we understood during our February call that UNM would be filing the reports we had previously disclosed through your system right away and that you would be sending us a data request for other information. We will be happy to provide information regarding the two additional items you've included in your email and, again, we apologize we did not provide that information soon after our call.

We will start gathering the information as soon as possible, however, with the summer break it will take a bit of time to consolidate the information from across our campus and departments that provide the documentation related to this reporting. We would kindly request an extension of time to file our response to your request to Monday, July 10th.

We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Thursday, June 22, 2023 1:23 PM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: Section 117 Investigation - University of New Mexico

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Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
- A description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117 and confirmation as to how UNM's procedures are designed to lead to proper reporting of restricted and conditional gifts or contracts (including disclosure of the terms that make the gift or contract restricted or conditional within the meaning of Section 117); and
- A copy of any policies or procedures that UNM has developed for complying with Section 117, including both any prior policies or procedures and the most recent version; as well as a description of any related training that

UNM has provided to university employees, as noted in the April 2021 response to the Department's preliminary inquiry letter.

Since we last spoke, it appears as if UNM has filed new disclosure reports disclosing previously unreported gift and contract transactions meeting the Section 117 threshold. We are currently in the process of reviewing UNM's new disclosure reports to determine whether we have any remaining questions related to UNM's Section 117 reporting. In the meantime, we are requesting only the following: (1) a description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117, and (2) a copy of any policies or procedures that UNM has developed for complying with Section 117, as well as a description of any training that UNM has provided to university employees. We would appreciate a response by June 30, 2023, if possible.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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From: Travis, Leah
Subject: RE: Section 117 Investigation - University of New Mexico
To: Ariadna Vazquez
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: August 4, 2023 9:26 AM (UTC-04:00)

Good morning, Ari—

Thank you for your response. It is fine for you to send a response to our questions by August 18, 2023.

As for your question about whether items of nominal or de minimis value that are received from or provided by a foreign source when attending a conference are reportable, we will look into this and get back to you shortly with guidance.

Please feel free to reach out with any additional questions.

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Thursday, August 3, 2023 2:50 PM
To: Travis, Leah <Leah.Travis@ed.gov>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,

We will be happy to provide clarification and further information regarding your questions on our procedures and processes. I'm responding a bit belatedly as I was on annual leave last week and part of this week, due to the fact that the department tasked with overseeing the Section 117 reporting process has a number of reporting requirements that are coming due in the next two weeks, would it be possible for us to send you our response no later than August 18, 2023? We will also make sure that we update the draft policy with your recommendation.

In addition, as we refine and try to improve our training and in doing my own research one query I suspect we may get from our university counterparts that work in these areas is whether items that are nominal or de minimis in value (e.g., a free pen, notebook, mug, tote bag) that are received from or provided by a foreign source when attending a conference or a meeting are reportable? I was unable to find any formal or informal guidance on such a question, noting that our current training says that all gifts are reportable regardless of value, I'm wondering if you have any guidance or insight for how to address those questions if we get them?

Thank you in advance for your consideration of our requests above, do let me know if you need any further information from me at this time,

Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001

505-277-3443 (office)

505-277-4154 (fax)



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From: Travis, Leah <Leah.Travis@ed.gov>

Sent: Friday, July 28, 2023 9:18 AM

To: Ariadna Vazquez <AriVazquez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Subject: RE: Section 117 Investigation - University of New Mexico

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Good morning, Ari—

Thank you again for providing UNM's supplemental response and documentation. We have completed our review of the information provided by UNM in response to the Department's preliminary inquiry letter; the supplemental response and documentation provided in response to our June 22, 2023 request for information; and UNM's updated Section 117 disclosure reporting.

We have identified some areas for clarification concerning UNM's Section 117 procedures, as well as UNM's Section 117 disclosure reporting. As detailed in the attached document, we are requesting some follow-up information related to UNM's Section 117 procedures and disclosure reporting. The attached document also identifies an area for correction in UNM's Draft Policy: Reporting Foreign Gifts and Contracts at University of New Mexico.

We believe UNM's response will help clarify the questions that we have and allow us a better understanding of UNM's compliance. We respectfully request your full response by **August 11, 2023**. If this is not possible, please let us know your expected submission date by **August 4, 2023**.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions. We would be happy to have a follow-up call with you soon if that would be helpful.

Thanks,
Leah

Sensitive in accordance with 32 CFR 2002
Controlled by Department of Education, Office of the General Counsel, Leah Travis

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Monday, July 10, 2023 6:01 PM
To: Travis, Leah <Leah.Travis@ed.gov>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: Section 117 Investigation - University of New Mexico

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Leah,

Attached for your review and consideration is the supplemental response and documentation that you requested in your latest communication, including a cover letter and three attachments. We appreciate you granting us an extension to file this response and have provided all of the information requested. Please do not hesitate to reach to me should you have any questions or need any additional information. We look forward to resolving this matter.

Thank you in advance,
Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
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From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Friday, June 23, 2023 8:11 AM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Subject: RE: Section 117 Investigation - University of New Mexico

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Hi Ari—

There is absolutely no need to apologize! We were not expecting you to provide any of this information until we had sent out a follow-up email restating the requests we had made during our phone call. Apologies on our end for taking this long to send the follow-up email. We appreciate that UNM has been proactive and filed updated disclosure reports in the meantime. Based on the fact that UNM has already filed updated disclosure reports, we revised the requests we had made during our meeting to indicate that, at this time, we are only requesting information about how UNM identifies a gift or contract as restricted or conditional, and a copy of UNM's Section 117 policies or procedures. An extension until July 10th is reasonable, and please feel free to reach out if you have any questions or need additional time.

Have a nice weekend!

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>

Sent: Thursday, June 22, 2023 6:29 PM

To: Travis, Leah <Leah.Travis@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>

Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,

Thank you for reaching out, with apologies, we understood during our February call that UNM would be filing the reports we had previously disclosed through your system right away and that you would be sending us a data request for other information. We will be happy to provide information regarding the two additional items you've included in your email and, again, we apologize we did not provide that information soon after our call.

We will start gathering the information as soon as possible, however, with the summer break it will take a bit of time to consolidate the information from across our campus and departments that provide the documentation related to this reporting. We would kindly request an extension of time to file our response to your request to Monday, July 10th.

We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>

Sent: Thursday, June 22, 2023 1:23 PM

To: Ariadna Vazquez <AriVazquez@salud.unm.edu>; Loretta Martinez <LPMartinez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>

Subject: Section 117 Investigation - University of New Mexico

Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
- A description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117 and confirmation as to how UNM's procedures are designed to lead to proper reporting of restricted and conditional gifts or contracts (including disclosure of the terms that make the gift or contract restricted or conditional within the meaning of Section 117); and
- A copy of any policies or procedures that UNM has developed for complying with Section 117, including both any prior policies or procedures and the most recent version; as well as a description of any related training that UNM has provided to university employees, as noted in the April 2021 response to the Department's preliminary inquiry letter.

Since we last spoke, it appears as if UNM has filed new disclosure reports disclosing previously unreported gift and contract transactions meeting the Section 117 threshold. We are currently in the process of reviewing UNM's new disclosure reports to determine whether we have any remaining questions related to UNM's Section 117 reporting. In the meantime, we are requesting only the following: (1) a description of how UNM identifies a gift or contract as restricted or conditional within the meaning of Section 117, and (2) a copy of any policies or procedures that UNM has developed for complying with Section 117, as well as a description of any training that UNM has provided to university employees. We would appreciate a response by June 30, 2023, if possible.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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From: Ariadna Vazquez
Subject: RE: Section 117 Investigation - University of New Mexico
To: Travis, Leah
Cc: Harris, Lisa (OGC); Sweeney, Alexandra; Rosenfelt, Phil; Loretta Martinez
Sent: August 4, 2023 11:42 AM (UTC-04:00)

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Leah,

We very much appreciate the additional time to respond and look forward to sending you more information and to receive whatever guidance you are able to provide.

Thank you and enjoy your weekend,
Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
505-277-4154 (fax)



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From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Friday, August 4, 2023 7:26 AM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: RE: Section 117 Investigation - University of New Mexico

[[-- External - this message has been sent from outside the University --]]

Good morning, Ari—

Thank you for your response. It is fine for you to send a response to our questions by August 18, 2023.

As for your question about whether items of nominal or de minimis value that are received from or provided by a foreign source when attending a conference are reportable, we will look into this and get back to you shortly with guidance.

Please feel free to reach out with any additional questions.

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Thursday, August 3, 2023 2:50 PM
To: Travis, Leah <Leah.Travis@ed.gov>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,

We will be happy to provide clarification and further information regarding your questions on our procedures and processes. I'm responding a bit belatedly as I was on annual leave last week and part of this week, due to the fact that the department tasked with overseeing the Section 117 reporting process has a number of reporting requirements that are coming due in the next two weeks, would it be possible for us to send you our response no later than August 18, 2023? We will also make sure that we update the draft policy with your recommendation.

In addition, as we refine and try to improve our training and in doing my own research one query I suspect we may get from our university counterparts that work in these areas is whether items that are nominal or de minimis in value (e.g., a free pen, notebook, mug, tote bag) that are received from or provided by a foreign source when attending a conference or a meeting are reportable? I was unable to find any formal or informal guidance on such a question, noting that our current training says that all gifts are reportable regardless of value, I'm wondering if you have any guidance or insight for how to address those questions if we get them?

Thank you in advance for your consideration of our requests above, do let me know if you need any further information from me at this time,

Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
505-277-4154 (fax)



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From: Travis, Leah <Leah.Travis@ed.gov>

Sent: Friday, July 28, 2023 9:18 AM

To: Ariadna Vazquez <AriVazquez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Subject: RE: Section 117 Investigation - University of New Mexico

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CONTROLLED UNCLASSIFIED INFORMATION

Good morning, Ari—

Thank you again for providing UNM's supplemental response and documentation. We have completed our review of the information provided by UNM in response to the Department's preliminary inquiry letter; the supplemental response and documentation provided in response to our June 22, 2023 request for information; and UNM's updated Section 117 disclosure reporting.

We have identified some areas for clarification concerning UNM's Section 117 procedures, as well as UNM's Section 117 disclosure reporting. As detailed in the attached document, we are requesting some follow-up information related to UNM's Section 117 procedures and disclosure reporting. The attached document also identifies an area for correction in UNM's Draft Policy: Reporting Foreign Gifts and Contracts at University of New Mexico.

We believe UNM's response will help clarify the questions that we have and allow us a better understanding of UNM's compliance. We respectfully request your full response by **August 11, 2023**. If this is not possible, please let us know your expected submission date by **August 4, 2023**.

We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions. We would be happy to have a follow-up call with you soon if that would be helpful.

Thanks,
Leah

Sensitive in accordance with 32 CFR 2002
Controlled by Department of Education, Office of the General Counsel, Leah Travis

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>

Sent: Monday, July 10, 2023 6:01 PM

To: Travis, Leah <Leah.Travis@ed.gov>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Subject: Section 117 Investigation - University of New Mexico

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Leah,

Attached for your review and consideration is the supplemental response and documentation that you requested in your latest communication, including a cover letter and three attachments. We appreciate you granting us an extension to file this response and have provided all of the information requested. Please do not hesitate to reach to me should you have any questions or need any additional information. We look forward to resolving this matter.

Thank you in advance,

Ari

Ariadna Vazquez
Deputy University Counsel – Interim Privacy Officer
Office of the University Counsel
University of New Mexico
MSC 05 3440
1 University of New Mexico
Albuquerque, NM 87131-0001
505-277-3443 (office)
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From: Travis, Leah <Leah.Travis@ed.gov>

Sent: Friday, June 23, 2023 8:11 AM

To: Ariadna Vazquez <AriVazquez@salud.unm.edu>

Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>

Subject: RE: Section 117 Investigation - University of New Mexico

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Hi Ari—

There is absolutely no need to apologize! We were not expecting you to provide any of this information until we had sent out a follow-up email restating the requests we had made during our phone call. Apologies on our end for taking this long to send the follow-up email. We appreciate that UNM has been proactive and filed updated disclosure reports in the meantime. Based on the fact that UNM has already filed updated disclosure reports, we revised the requests we had made during our meeting to indicate that, at this time, we are only requesting information about how UNM identifies a gift or contract as restricted or conditional, and a copy of UNM's Section 117 policies or procedures. An extension until July 10th is reasonable, and please feel free to reach out if you have any questions or need additional time.

Have a nice weekend!

Thanks,
Leah

From: Ariadna Vazquez <AriVazquez@salud.unm.edu>
Sent: Thursday, June 22, 2023 6:29 PM
To: Travis, Leah <Leah.Travis@ed.gov>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: RE: Section 117 Investigation - University of New Mexico

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Leah,

Thank you for reaching out, with apologies, we understood during our February call that UNM would be filing the reports we had previously disclosed through your system right away and that you would be sending us a data request for other information. We will be happy to provide information regarding the two additional items you've included in your email and, again, we apologize we did not provide that information soon after our call.

We will start gathering the information as soon as possible, however, with the summer break it will take a bit of time to consolidate the information from across our campus and departments that provide the documentation related to this reporting. We would kindly request an extension of time to file our response to your request to Monday, July 10th.

We look forward to continuing to collaborate and will be happy to provide all of the information needed to finalize your review, thank you,
Ari

From: Travis, Leah <Leah.Travis@ed.gov>
Sent: Thursday, June 22, 2023 1:23 PM
To: Ariadna Vazquez <AriVazquez@salud.unm.edu>; Loretta Martinez <LPMartinez@salud.unm.edu>
Cc: Harris, Lisa (OGC) <Lisa.Harris@ed.gov>; Sweeney, Alexandra <Alexandra.Sweeney@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Subject: Section 117 Investigation - University of New Mexico

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Good afternoon, Ms. Martinez and Ms. Vazquez –

We hope that all is well. We are following up with you from our call on February 1, 2023. We appreciated the

ED 24-814 (Jun 2024) 149

opportunity to meet both of you and to discuss the status of the UNM Section 117 investigation with you.

In our February 1, 2023 meeting, we requested the following:

- The filing of new, updated, or amended disclosure reports, as appropriate, for the periods covering January 1, 2019 through the present that disclose all previously unreported gift and contract transactions meeting the Section 117 threshold, including the eight transactions that UNM identified in its April 2021 response to the Department's preliminary inquiry, as well as other transactions that UNM may have since identified;
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- A copy of any policies or procedures that UNM has developed for complying with Section 117, including both any prior policies or procedures and the most recent version; as well as a description of any related training that UNM has provided to university employees, as noted in the April 2021 response to the Department's preliminary inquiry letter.

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We appreciate your continuing cooperation, and please feel free to contact me or Lisa if you have any questions.

Thanks,
Leah

Leah Travis (she/her)
General Attorney
Division of Business and Administrative Law
Office of the General Counsel
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202
Work: (202) 987-1187
Cell: (b)(6)
Email: Leah.Travis@ed.gov

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February 11, 2021

The Honorable Philip H. Rosenfelt
Acting Secretary of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Acting Secretary Rosenfelt,

On behalf of the higher education associations listed below, I am writing to request a meeting with the Department of Education to discuss requirements for foreign gift and contract reporting under Section 117 (Sec. 117) of the Higher Education Act of 1965 (HEA) and ways to improve reporting compliance. We appreciate the need for complete and accurate reporting under Sec. 117, and take seriously the risk of illicit technology transfer and undue foreign influence. Colleges and universities are committed to working with the Department to meet these obligations, and we believe the best way to accomplish that is through a constructive collaboration between the Department and stakeholders.

Unfortunately, despite repeated pleas over the past two years, the Department has refused to engage with the higher education community regarding Sec. 117. In January 2019, we wrote the Department to address confusion and specific concerns about Sec. 117 compliance.¹ The Department never responded. Instead, it sent a letter to ACE in July 2019² indicating that institutions did not need additional guidance.

In addition, instead of engaging in remediation efforts with colleges and universities to correct insufficient or inaccurate Sec. 117 reporting, the Department launched expansive and burdensome investigations of 19 major public and private universities that far exceeded the requirements of Sec. 117 foreign gift or contract reporting. Several of the institutions investigated had diligently tried to comply with Sec. 117 for many years. Other investigations targeted institutions that contacted the Department to update and self-correct records after discovering reporting oversights, as is clearly permitted under the law. The Department's continuing punitive and non-responsive actions towards Sec. 117 compliance have resulted in many institutions being afraid to ask the Department for guidance on reporting obligations and for help correcting errors. This runs counter to the goal of enhanced transparency of foreign gift and contract reporting.

Moreover, in public communications and a recently released report on these

¹ <https://www.acenet.edu/Documents/Letter-to-Dept-of-Education-Regarding-Section-117-of-HEA.pdf>

² <https://www.acenet.edu/Documents/ED-Section-117-Letter-to-ACE.pdf>

investigations, the Department deceptively asserted that there is vast and deliberate underreporting by colleges and universities of foreign gifts and contracts that threatens our national security.³ These claims are false and inconsistent with the actions of the higher education community in addressing national security concerns and, more recently, issues of malign foreign influence. Over the past several years, higher education associations and institutions have worked to respond to concerns from the administration and Congress, as well as actively engaged with a number of national security and science agencies on these critical issues. Regrettably, the Department of Education is the only federal agency that is unwilling to address compliance concerns. This is not in the best interests of colleges and universities, the Department of Education, or the country.

We would like to meet with the appropriate staff at the Department to discuss Sec. 117 foreign gift and contract reporting requirements as soon as possible. This is especially timely as the next reporting deadline is in July, and many of our institutions continue to struggle with the latest confusing Information Collection Request (ICR) put in place by the previous administration.

Thank you for your prompt attention to this important matter.

Sincerely,

(b)(6)

Ted Mitchell
President

On behalf of:

American Association of State Colleges and Universities
American Council on Education
American Dental Education Association
Association of American Colleges and Universities
Association of American Universities
Association of Catholic Colleges and Universities
Association of Governing Boards of Universities and Colleges
Association of Independent Colleges and Universities in Pennsylvania
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
Connecticut Conference of Independent Colleges
Council for Advancement and Support of Education
Council on Governmental Relations
EDUCAUSE
Hispanic Association of Colleges and Universities

³ <https://www2.ed.gov/policy/highered/leg/institutional-compliance-section-117.pdf>

NASPA - Student Affairs Administrators in Higher Education
National Association of College and University Business Officers
National Association of College Stores
National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators

From: Emerson, Taylor
Sent: Fri, 3 Feb 2023 16:20:42 +0000
To: Bureau, Lisa; Desmond, William; Loewenstein, Roy; McGinnis, Colleen
Cc: Levitan, Rachel; Barry, Allison; Vivaldi Lanauze, Carlos; Blaut, Jacob; Rodriguez, Jennifer; Dixon, Troi
Subject: RE: Meeting on Sec. 117

Thanks, Rachel. Ideally this 60-meeting will happen next week. I have bbced Donna, Scott, Matt, Claire, Joann, and Melanie.

@Bureau, Lisa @Desmond, William @Loewenstein, Roy @McGinnis, Colleen, please let me know when works best for you of these times below:

@Barry, Allison @Dixon, Troi @Rodriguez, Jennifer @Vivaldi Lanauze, Carlos @Blaut, Jacob, please let me know when works best for your principal:

Wednesday 2/8

- 11-12 PM
- 12-1 PM

Thursday 2/9

- 12-1 PM
- 3-4 PM
- 3:30-4:30 PM

Friday 2/10

- 12-1 PM
- 12:30-1:30 PM
- 3-4 PM
- 4-5 PM

Thank you, everyone.



Taylor Emerson

Confidential Assistant
Office of the Secretary
U.S. Department of Education
(b)(6) taylor.emerson@ed.gov

Pronouns: She/Her/Hers

From: Levitan, Rachel <Rachel.Levitan@ed.gov>
Sent: Monday, January 30, 2023 11:17 AM
To: McGinnis, Colleen <Colleen.McGinnis@ed.gov>; Bureau, Lisa <lisa.bureau@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Desmond, William <William.Desmond@ed.gov>; Harris-Aikens, Donna <Donna.Harris-Aikens@ed.gov>; Sargrad, Scott <Scott.Sargrad@ed.gov>; Viall, Claire <Claire.Viall@ed.gov>; Loewenstein, Roy <Roy.Loewenstein@ed.gov>; Martinez-Shriver, Joann

<JoAnn.Martinez-Shriver@ed.gov>; Robinson, Matt (OGC) <Matthew.N.Robinson@ed.gov>
Cc: Emerson, Taylor <Taylor.Emerson@ed.gov>
Subject: Meeting on Sec. 117

Hi all—

Putting us all together to coordinate on Sec. 117 and plans moving forward.

Taylor Emerson will follow up to get a meeting for us all scheduled for next week.

Please ping me if you have any questions/ want to discuss.

Thank you,

Rachel Levitan
Senior Advisor to the Secretary
Office of the Secretary
U.S. Department of Education

From: Levitan, Rachel
Sent: Mon, 13 Mar 2023 17:33:19 +0000
To: Harris-Aikens, Donna
Subject: FW: Deliberative - Draft Section 117 Letter
Attachments: Ltr to ED Penn-Biden.pdf, U Penn Complaint - OGC Response.pdf, Response to Committee Foxx Banks re Section 117_DELIBERATIVE DOCUMENT (3.10.2023 DRAFT).docx, image00001.png

Levitan, Rachel has shared a OneDrive for Business file with you. To view it, click the link below.

 Response to Committee Foxx Banks re Section 117_DELIBERATIVE DOCUMENT (3.10.2023 DRAFT).docx

From: Desmond, William <William.Desmond@ed.gov>
Sent: Friday, March 10, 2023 8:55 AM
To: Levitan, Rachel <Rachel.Levitan@ed.gov>; Robinson, Matt (OGC) <Matthew.N.Robinson@ed.gov>
Subject: Deliberative - Draft Section 117 Letter

Hi Rachel,

As promised, I'm sharing a draft response to the February 2023 letter from Chairwoman Foxx. I'm also attaching the incoming letter and proposed enclosures regarding the University of Pennsylvania.

(b)(5)

(b)(5) but welcome any thoughts or reactions you might have before then.

Thanks,
Will



Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

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(b)(5)

of the Freedom of Information and Privacy Act

MAJORITY MEMBERS:

VIRGINIA FOXX, NORTH CAROLINA,
Chairwoman

JOE WILSON, SOUTH CAROLINA
GLENN THOMPSON, PENNSYLVANIA
TIM WALBERG, MICHIGAN
GLENN GROTHMAN, WISCONSIN
ELISE M. STEFANIK, NEW YORK
RICK W. ALLEN, GEORGIA
JIM BANKS, INDIANA
JAMES COMER, KENTUCKY
LLOYD SMUCKER, PENNSYLVANIA
BURGESS OWENS, UTAH
BOB GOOD, VIRGINIA
LISA C. MCCLAIN, MICHIGAN
MARY E. MILLER, ILLINOIS
MICHELLE STEEL, CALIFORNIA
RON ESTES, KANSAS
JULIA LETLOW, LOUISIANA
KEVIN KILEY, CALIFORNIA
AARON BEAN, FLORIDA
ERIC BURLISON, MISSOURI
NATHANIEL MORAN, TEXAS
JOHN JAMES, MICHIGAN
LORI CHAVEZ-DEREMER, OREGON
BRANDON WILLIAMS, NEW YORK
ERIN HOUGHIN, INDIANA



COMMITTEE ON
EDUCATION AND THE WORKFORCE
U.S. HOUSE OF REPRESENTATIVES
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February 24, 2023

Dear Secretary Cardona,

We write to you regarding the recent revelations surrounding classified documents held at the Penn Biden Center for Diplomacy and Global Engagement ("Center").¹ We are concerned with the University of Pennsylvania's (UPenn) involvement in the matter and whether the institution violated section 117 of the *Higher Education Act of 1965*,² breaking the barrier between academic freedom and national security.

Coincidentally, less than a month prior to Attorney General Garland's appointment of a special counsel to investigate the matter,³ your Department of Education (Department) announced it was abandoning robust scrutiny of section 117 violations and was moving section 117 enforcement efforts from the Office of the General Counsel (OGC) to the Office of Federal Student Aid (FSA).⁴ FSA was never designed to handle such serious matters and it does not have the capability or expertise needed to do so. The relocation of the enforcement activities to FSA was done despite the fact that enforcement efforts undertaken by the OGC led to the reporting of \$6.5 billion in previously undisclosed foreign contributions, including foreign contributions made to UPenn.⁵ Indeed, following the Center's launch in 2017, UPenn saw a nearly 400 percent increase in reportable gifts and contracts.⁶ This alarming spike in foreign donations also included approximately \$22 million in anonymous donations from China.⁷

Your actions in light of these revelations are yet another example of this administration's failure to protect students, institutions, and taxpayers against threats posed by our foreign adversaries on college campuses. As the Committee responsible for oversight of your Department's inaction, we request the following information no later than two weeks after the date of this letter:

1. Any and all communications or documents associated with the decision to move the enforcement of section 117 from OGC to FSA;

¹ <https://www.nytimes.com/2023/01/11/us/politics/biden-classified-documents.html>

² See Higher Education Act of 1965 §117, 20 U.S.C. §1011f (1998).

³ <https://www.cnn.com/2023/01/12/politics/joe-biden-classified-documents-counsels-office/index.html>

⁴ <https://www.federalregister.gov/documents/2022/12/27/2022-28119/agency-information-collection-activities-comment-request-foreign-gifts-and-contracts-disclosures>

⁵ <https://content.govdelivery.com/accounts/USED/bulletins/27b7801>

⁶ <https://oversight.house.gov/wp-content/uploads/2023/01/2023-01-18-Letter-UPenn-Penn-Biden-Center.pdf>

⁷ <https://www.nlpc.org/government-integrity-project/foreign-agent-probe-of-hunter-biden-should-include-upenn-and-nonprofit-group/>

2. All documents turned over by UPenn to the Department through its section 117 enforcement efforts; and
3. Any and all communications with or about, and documents provided to, the Department by UPenn since January 20, 2021.

Thank you for your prompt attention to this matter.

Sincerely,



Virginia Foxx
Chairwoman
U.S. House Committee on
Education & the Workforce



Jim Banks
Member of Congress



James Comer
Member of Congress



Michelle Steele
Member of Congress



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

Peter Flaherty, Chairman
Paul D. Kamenar, Counsel
National Legal and Policy Center
107 Park Washington Court
Falls Church, VA 22046

via electronic mail

June 18, 2020

Dear Chairman Flaherty and Counsel Kamenar:

The U.S. Department of Education (“Department”) is in receipt of your letter, dated May 20, 2020, regarding Section 117 of the Higher Education Act of 1965, 20 U.S.C. § 1011f, the University of Pennsylvania, and the Biden Center for Diplomacy and Global Engagement. *See Exhibit 1.*

The Department shares your concerns regarding the potentially adverse impact of money from certain undisclosed foreign sources on teaching, research, academic freedom, campus political climate, and national security. For example, a recent bipartisan Congressional investigation of the Chinese Communist Party’s “Confucius Centers” found these foreign-funded propaganda operations on U.S. campuses were part of “China’s broader, long-term strategy” to promote “complacency towards China’s pervasive, long-term initiatives against both government critics at home and businesses and academic institutions abroad.” *See* <https://www.hsgac.senate.gov/imo/media/doc/2019-11-18%20PSI%20Staff%20Report%20-%20China's%20Talent%20Recruitment%20Plans%20Updated2.pdf>

Since June 2019, the Department has initiated multiple Section 117 investigations of taxpayer-funded universities which have failed to make statutorily required disclosures of gifts, contracts, and/or restricted conditional gifts or contracts, from or with a statutorily defined foreign source(s). Section 117 does *not* authorize anonymized reporting of foreign source gifts and contracts. To the contrary, universities are required to identify the sources of qualifying foreign gifts and contracts. Unfortunately, the Department has discovered massive failures by universities to identify foreign sources (frequently identifying the sources as “anonymous,” in violation of the statutory requirement to identify foreign sources). Our records suggest universities have anonymized the foreign sources of approximately \$8.4 billion qualifying gifts and contracts. Since 2010, for example, universities anonymized the foreign donors of gifts and contracts worth over \$1.147 billion from the People’s Republic of China (\$599 million), Qatar (\$268 million), Saudi Arabia (\$205 million), and Russia (\$75 million).

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202-1100
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

The Department is committed to the enforcement of Section 117's clear statutory requirement that taxpayer-funded American universities disclose the identities of foreign donors for qualifying gifts and contracts. Whether involving qualifying foreign source gifts and contracts and the University of Pennsylvania or any other university, universities have a statutory duty to identify foreign donors pursuant to Section 117 disclosure obligations to the Department. The Department anticipates issuance of an Electronic Announcement on or about June 22, 2020, reminding universities of the ongoing foreign source disclosure obligation (disclosed on the Department's Section 117 reporting system at <https://partners.ed.gov/ForeignGifts>).

The Department believes full and timely Section 117 compliance is a matter of urgent importance to the national security and educational integrity of our universities. The national security concerns created by universities' concealment of foreign source identities for gifts to or contracts with domestic or international policy "centers" and other persons or entities that might serve as instruments of or platforms for foreign influence and/or propaganda efforts ought to be self-evident. Here especially students, parents, taxpayers, and policy makers need and deserve universities' compliance with law, transparency, and accountability.

The Department appreciates the Center's concern that universities meet their statutory disclosure obligations. However, the information you have provided to the Department is currently insufficient to justify further investigation. The Department, however, will continue to consider and evaluate information relating to disclosure failures involving the University of Pennsylvania or other American universities.

Sincerely,

(b)(6)

Paul R. Moore
Chief Investigative Counsel
Office of the General Counsel
(202) 230-0059
Paul.Moore@ed.gov

cc: Reed D. Rubinstein
Principal Deputy General Counsel delegated
the Authority and Duties of the General Counsel

EXHIBIT 1

National Legal and Policy Center

"promoting ethics in public life"



Co-Founder
Ken Boehm 1949-2018

Board of Directors
Peter Flaherty, Chairman
Kurt Christensen, Vice-Chairman
Michael Falcone
Richard F. LaMountain
David Wilkinson

Since 1991

May 20, 2020

The Honorable Betsy DeVos
Secretary, Department of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Via Email

Paul R. Moore, Esq.
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., S.W.,
Room 6E300 Washington, D.C. 20202
Paul.Moore@ed.gov

Re: Investigation of University of Pennsylvania and the Penn Biden Center for Diplomacy and Global Engagement for Failing to Disclose Anonymous Gifts and Contracts from China in violation of Section 117 of the Higher Education Act and Referral to the Department of Justice for Enforcement Action and Payment of Investigation Costs

Dear Secretary DeVos and Mr. Moore:

The National Legal and Policy Center (NLPC) hereby requests that the Department of Education conduct a full Investigation and Records Request of all monetary gifts and contracts that have been received by the University of Pennsylvania and its Penn Biden Center for Diplomacy and Global Engagement from China sources, many of which are listed as Anonymous in their semi-annual reports, and thus is in clear violation of Section 117 of the Higher Education Act, 20 U.S.C. 1011f, that all gifts or contracts exceeding \$250,000 must disclose the foreign ownership and control of the gift or contract.

Moreover, NLPC requests that the Department obtain and inspect all copies of the monetary gifts and contracts, whether or not listed as Anonymous, in order to determine what if any conditions or restrictions were or are placed on those gifts or contracts, which is also required to be disclosed by federal law and to release them to the public as required by 20 U.S.C. 1011f(e).

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703-237-1970 • fax 703-237-2090 • www.nlpc.org

Finally, NLPC requests that the Secretary refer to the Attorney General a civil enforcement action in federal court pursuant to 20 U.S.C. 1001f(f)(1) to obtain a court order seeking payment to the U.S. Treasury of “the full costs to the United States of obtaining compliance, including all associated costs of investigation and enforcement” because the violations were clearly knowing and willful.

NLPC. Founded in 1991, NLPC is a non-profit public interest organization based in the Washington, D.C. area that promotes ethics in public life and government and corporate accountability through research, investigation, education, and legal action. See www.nlpc.org. In particular, NLPC’s Corporate Integrity Project recently requested BlackRock’s President Larry Fink to divest its portfolio of Chinese companies in response to China’s coverup of the coronavirus and human rights abuses. <https://nlpc.org/2020/05/12/larry-fink-asked-to-divest-blackrock-from-chinese-companies-in-response-to-coronavirus-human-rights-abuses/>

Systematic Reporting Violations by the University of Pennsylvania of China Monetary Gifts and Contracts

Over 30 years ago, Congress enacted Section 117 of the Higher Education Act of 1965 (HEA) in light of concerns about the growing financial relationship between U.S. universities and foreign sources. Congress balanced academic freedom and national security by mandating financial transparency through required reporting of contracts with and gifts from a foreign source that, alone or combined, are valued at \$250,000 or more in a calendar year.

The law could not be any clearer: universities must disclose the source of the monetary gifts and contracts over \$250,000 in a calendar year. 20 U.S.C. 1011f provides in relevant part:

(a) Disclosure report

Whenever any institution is owned or controlled by a foreign source or receives a gift from or enters into a contract with a foreign source, the value of which is \$250,000 or more, considered alone or in combination with all other gifts from or contracts with that foreign source within a calendar year, the institution shall file a disclosure report with the Secretary on January 31 or July 31, whichever is sooner.

(b) Contents of report

Each report to the Secretary required by this section shall contain the following:

(1) For gifts received from or contracts entered into with a foreign source other than a foreign government, the aggregate dollar amount of such gifts and contracts attributable to a particular country. The country to which a gift is attributable is the country of citizenship, or if unknown, the principal residence for a foreign source who is a natural person, and the country of incorporation, or if unknown, the principal place of business, for a foreign source which is a legal entity.

(2) For gifts received from or contracts entered into with a foreign government, the aggregate amount of such gifts and contracts received from each foreign government.

(3) In the case of an institution which is owned or controlled by a foreign source, the identity of the foreign source, the date on which the foreign source assumed ownership or control, and any changes in program or structure resulting from the change in ownership or control.

(c) Additional disclosures for restricted and conditional gifts

Notwithstanding the provisions of subsection (b), whenever any institution receives a restricted or conditional gift or contract from a foreign source, the institution shall disclose the following:

(1) For such gifts received from or contracts entered into with a foreign source other than a foreign government, the amount, the date, and a description of such conditions or restrictions. The report shall also disclose the country of citizenship, or if unknown, the principal residence for a foreign source which is a natural person, and the country of incorporation, or if unknown, the principal place of business for a foreign source which is a legal entity.

(2) For gifts received from or contracts entered into with a foreign government, the amount, the date, a description of such conditions or restrictions, and the name of the foreign government.

Nevertheless, in spite of this clear statutory requirement, the University of Pennsylvania, since at least October 30, 2013 through June 30, 2019, has knowingly and willfully violated 20 U.S.C. 1011f multiple times by listing many such gifts over \$250,000 only as “Anonymous” as evidenced on the Department’s database of all foreign donations.¹

From 2013-2019, the University of Pennsylvania received more than \$67 million from China sources. More significantly, after the Penn Biden Center opened here in Washington,

¹ <https://studentaid.gov/data-center/school/foreign-gifts>. A copy of the China gifts and contracts to the University of Pennsylvania from October 30, 2013 through September 30, 2019 is attached hereto into two sets of spread sheets: the first from October 30, 2013 through September 30, 2019, and the second overlapping set from March 27, 2017 through December 31, 2019. The gifts or contracts that are labeled as Anonymous are highlighted in yellow. Note, there are several contracts listed in the second set that do not list the name of the donor nor does it list it as “Anonymous.” Instead, they are listed as 6-digit numbers in gifts in July 2019 and August 2019 and elsewhere. NLPC does not know whether those are Anonymous gifts or whether the Department has the name of the donor that matches the number. In any event, the name of the donor is required by law to be disclosed, not just a number.

D.C., in February 2018,² the China gifts poured in all the more, and continued after Biden announced his candidacy of the presidency on April 25, 2019:

2017: Total: \$7,734,790 Anonymous: \$500,000

2018: Total: \$27,104,246 Anonymous: \$15,800,000

2019: Total: \$26,947,074 Anonymous: \$6,004,975

The purpose of the disclosure requirement by Congress was to ensure that our universities are not beholden to foreign governments and entities in their educational activities and programs. The Senate Permanent Subcommittee on Investigations described foreign spending on U.S. schools as “a black hole” because colleges and universities “routinely” fail to comply with the law, and reported foreign money can come with strings attached that might compromise academic freedom.

The University of Pennsylvania and the Penn Biden Center are particularly vulnerable to China government influences due to the large amounts of China donations and contracts. For example, at the height of the Chinese coverup of the pandemic, Penn Global³ sponsored the **2020 Penn China Research Symposium** on January 31, 2020, that included opening remarks by Ambassador Huang Ping, Consul-General of the People’s Republic of China in New York. At least one of the panelists at the symposium was from the Penn Biden Center.⁴ Moreover, the University of Pennsylvania since 2015 has established a Penn China Research and Engagement Fund where university funds are awarded for research projects about China.⁵

While the Penn Biden Center has yet to criticize China for its pandemic coverup for the coronavirus, it has publicly attacked both Hungary and Poland, U.S. NATO Allies, for the efforts those countries have taken to control the spread of the virus as being undemocratic even though United States governors have exercised similar emergency powers and issued stay-at-home orders.⁶

² Philadelphia Tribune, *Penn opens Biden Center for Diplomacy in Washington D.C.* (Feb. 14, 2018) https://www.phillytrib.com/penn-opens-biden-center-for-diplomacy-in-washington-d-c/article_bf91aac7-35c4-551d-a063-d99cb4126963.html

³ *Penn Global is comprised of the following seven divisions: the Office of the Vice Provost for Global Initiatives, **Penn Biden Center for Diplomacy and Global Engagement**, Perry World House, Penn Abroad, International Student and Scholar Services (ISSS), Global Support Services, and Penn Global Finance and Administration.*

⁴ <https://global.upenn.edu/global-initiatives/event/2020-penn-china-research-symposium>

⁵ <https://global.upenn.edu/global-initiatives/penn-china-research-and-engagement-fund>

⁶ <https://twitter.com/PennBiden/status/1256273201958653953>

Joe Biden's affiliation with the Penn Biden Center further raises concerns of foreign influence not unlike those raised when the Clinton Foundation received millions of dollars in donations while Hillary Clinton was running for president.⁷

Particularly troubling is that the Chairman of the Board of Trustees of the University of Pennsylvania, David L. Cohen, a political lobbyist and Democratic fundraiser, was a major fundraiser for Barack Obama and now for Joe Biden. As publicly reported:

2009: Cohen becomes chairman of the University of Pennsylvania Board of Trustees.

June 30, 2011: Hosts a fundraiser catered by Stephen Starr for President Barack Obama and the Democratic National Committee, with tickets ranging from \$10,000 to \$38,500.

2012: Cohen raises more than \$500,000 for Obama's reelection.

April 25, 2019: On his first day as a declared presidential candidate, Joe Biden visits Cohen's home for a fundraiser with 150 guests.

John Duchneskie, Philadelphia Inquirer, *Lawyer, corporate mover, political power broker: A look at David L. Cohen's career* (updated Dec. 5, 2019)⁸

CONCLUSION

For the foregoing reasons, NLPC requests that the Department of Education immediately begin its investigation of the numerous reporting violations of the University of Pennsylvania and its Penn Biden Center, refer the matter to the Department of Justice for civil enforcement in federal court, and seek recoupment of all costs to the U.S. government for investigating and enforcing the reporting and disclosure laws of China monetary gifts and contracts.

Sincerely yours,

/s/ Peter Flaherty

Peter Flaherty

Chair of NLPC

/s/ Paul D. Kamenar

Paul D. Kamenar

Counsel to NLPC

1629 K Street, NW

Washington, DC 20006

paul.kamenar@gmail.com

(301) 257-9435

⁷ <https://www.nytimes.com/2016/08/21/us/politics/hillary-clinton-presidential-campaign-charity.html>

⁸ <https://www.inquirer.com/news/david-cohen-career-penn-philadelphia-comcast-20191205.html>

10/30/2013	\$300,000.00	Monetary Gift	CHINA	Arrail Group
09/27/2013	\$1,000,000.00	Monetary Gift	CHINA	Anonymous
09/27/2013	\$2,000,000.00	Monetary Gift	CHINA	Anonymous
09/27/2013	\$1,000,000.00	Monetary Gift	CHINA	Anonymous
04/18/2014	\$511,232.00	Monetary Gift	CHINA	China Minsheng Banking Co., Ltd.
04/14/2014	\$821,500.00	Monetary Gift	CHINA	E-House (China) Holdings Limited
04/23/2014	\$252,400.00	Contract	CHINA	Chifeng city rong Jitang Pharmaceut
04/19/2014	\$890,000.00	Monetary Gift	CHINA	Beijing Longfor Properties Co., Ltd
08/11/2014	\$725,999.00	Monetary Gift	CHINA	Shanghai Noah Investment Management
10/27/2014	\$661,000.00	Monetary Gift	CHINA	State Administration Foreign Expert
07/06/2015	\$260,000.00	Monetary Gift	CHINA	KWG Property Holding Limited Guangz
09/01/2015	\$818,593.00	Monetary Gift	CHINA	Industrial Bank Co. Ltd. (China Ind
09/07/2015	\$275,000.00	Monetary Gift	CHINA	China Zheshang Bank Co., Ltd.
09/17/2015	\$250,680.00	Monetary Gift	CHINA	Guanghua School of Management (Peki
09/24/2015	\$1,445,495.00	Monetary Gift	CHINA	E-House (China) Holdings Limited
10/12/2015	\$579,450.00	Monetary Gift	CHINA	State Administration Foreign Expert
11/12/2015	\$532,745.00	Monetary Gift	CHINA	Ping An Bank Co., Ltd.
11/16/2015	\$531,000.00	Monetary Gift	CHINA	China Minsheng Banking Co., Ltd.

12/18/2015	\$270,000.00	Monetary Gift	CHINA	Shanghai Institute of International
04/10/2016	\$252,200.00	Monetary Gift	CHINA	Bank of Communications
03/23/2016	\$500,000.00	Monetary Gift	CHINA	Anonymous
05/15/2016	\$1,573,972.00	Monetary Gift	CHINA	Ping An Bank Co., Ltd.
06/27/2016	\$413,992.00	Monetary Gift	CHINA	China Zheshang Bank Co., Ltd.
06/29/2016	\$300,000.00	Monetary Gift	CHINA	Anonymous
08/14/2016	\$831,170.00	Monetary Gift	CHINA	Shanghai Real Estate Education & Te
07/31/2016	\$426,311.00	Monetary Gift	CHINA	China Minsheng Banking Co., Ltd.
08/29/2016	\$532,500.00	Monetary Gift	CHINA	Hainan Airlines Co., Ltd.
09/09/2016	\$926,802.00	Monetary Gift	CHINA	E-House (China) Holdings Limited
09/04/2016	\$500,322.00	Monetary Gift	CHINA	Shanghai Automotive Industry Corpor
10/17/2016	\$598,850.00	Monetary Gift	CHINA	State Administration Foreign Expert
03/27/2017	\$536,340.00	Monetary Gift	CHINA	Shanghai Real Estate Education & Te
06/12/2017	\$634,996.00	Monetary Gift	CHINA	China Construction Bank Corporation
07/12/2017	\$579,200.00	Monetary Gift	CHINA	Nanjing Sample Technology Co., Ltd.
07/14/2017	\$500,000.00	Monetary Gift	CHINA	Anonymous
08/07/2017	\$512,063.00	Monetary Gift	CHINA	Hainan Airlines Co., Ltd.

08/21/2017	\$617,000.00	Monetary Gift	CHINA	Guangzhou Pearl River Enterprises G
09/17/2017	\$491,840.00	Monetary Gift	CHINA	Shanghai Automotive Industry Corpor
09/17/2017	\$324,800.00	Monetary Gift	CHINA	China Everbright Group
08/29/2017	\$538,500.00	Monetary Gift	CHINA	China Minsheng Banking Co., Ltd.
10/16/2017	\$633,550.00	Monetary Gift	CHINA	Bank of Communications
10/16/2017	\$502,750.00	Monetary Gift	CHINA	State Administration Foreign Expert
11/18/2017	\$1,863,751.00	Monetary Gift	CHINA	E-House (China) Holdings Limited
04/01/2018	\$535,000.00	Monetary Gift	CHINA	China Minsheng Banking Co., Ltd.
03/20/2018	\$300,000.00	Monetary Gift	CHINA	Anonymous
03/15/2018	\$250,000.00	Monetary Gift	CHINA	Anonymous
03/15/2018	\$500,000.00	Monetary Gift	CHINA	Anonymous
03/15/2018	\$250,000.00	Monetary Gift	CHINA	Anonymous
04/18/2018	\$1,228,885.00	Monetary Gift	CHINA	E-House (China) Holdings Limited
04/18/2018	\$416,150.00	Monetary Gift	CHINA	Shanghai Real Estate Education & Te
04/18/2018	\$718,650.00	Monetary Gift	CHINA	Guangzhou R&F Properties
04/19/2018	\$950,000.00	Monetary Gift	CHINA	China Merchants Bank
04/18/2018	\$304,504.00	Monetary Gift	CHINA	KWG Property Holding Limited Guangz
05/29/2018	\$14,500,000.00	Monetary Gift	CHINA	Anonymous

07/25/2018	\$378,891.00	Contract	CHINA	SHANGHAI REAL ESTATE EDUCATION TECH
07/16/2018	\$2,937,158.00	Contract	CHINA	CHINA MERCHANTS BANK
08/08/2018	\$393,343.00	Contract	CHINA	SHANGHAI ADVANCED INSTITUTE OF FINA
08/21/2018	\$330,000.00	Contract	CHINA	GUANGZHOU R&F PROPERTIES CO., LTD.
10/09/2018	\$390,250.00	Contract	CHINA	SAIC MOTOR HK INVESTMENT LIMITED
10/01/2018	\$1,032,745.00	Contract	CHINA	GUANGDONG PEARL RIVER INVESTMENT HO
10/01/2018	\$622,120.00	Contract	CHINA	CHINA MINSHENG BANK CO. LTD.
10/12/2018	\$332,250.00	Contract	CHINA	CHINA EVERBRIGHT GROUP
12/10/2018	\$734,300.00	Contract	CHINA	MARY KAY (CHINA) CO., LTD.
01/01/2019	\$167,500.00	Contract	CHINA	MOELIS &COMPANY
01/01/2019	\$258,000.00	Contract	CHINA	GUANGZHOU TIMES PROPERTY HOLDING L
01/09/2019	\$1,000,000.00	Monetary Gift	CHINA	Anonymous
01/09/2019	\$1,000,000.00	Monetary Gift	CHINA	Anonymous
01/24/2019	\$107,100.00	Contract	CHINA	SHANGHAI ADVANCED INSTITUTE OF FIN

02/05/2019	\$1,100,000.00	Contract	CHINA	Guangzhou R&F Properties Co., Ltd.
02/12/2019	\$83,750.00	Contract	CHINA	MOELIS & COMPANY
02/13/2019	\$163,461.00	Contract	CHINA	SHANGHAI ADVANCED INSTITUTE OF FIN
02/27/2019	\$60,320.00	Contract	CHINA	SHANGHAI ADVANCED INSTITUTE OF FIN
03/23/2019	\$274,670.00	Contract	CHINA	SAIC MOTOR HK INVESTMENT LIMITED
04/01/2019	\$123,282.00	Contract	CHINA	SHANGHAI ADVANCED INSTITUTE OF FIN
04/01/2019	\$250,000.00	Monetary Gift	CHINA	Hua Medicine
04/05/2019	\$150,000.00	Contract	CHINA	ZHEJIANG UNIVERSITY
04/15/2019	\$258,000.00	Contract	CHINA	GUANGZHOU TIMES PROPERTY HOLDING L
04/15/2019	\$258,000.00	Contract	CHINA	TIMES PROPERTY HOLDINGS LIMITED
04/19/2019	\$447,042.00	Contract	CHINA	Guangzhou R&F Properties Co., Ltd.
05/28/2019	\$150,000.00	Contract	CHINA	ZHEJIANG UNIVERSITY
06/03/2019	\$4,975.00	Monetary Gift	CHINA	Anonymous
06/03/2019	\$400,000.00	Monetary Gift	CHINA	Anonymous
06/03/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
06/11/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
06/13/2019	\$328,500.00	Contract	CHINA	Vipshop (China) Co. Ltd.

06/18/2019	\$1,762,561.00	Contract	CHINA	E-House (China) Holdings Unlimited
06/18/2019	\$651,200.00	Contract	CHINA	E-House (China) Holdings Unlimited
06/25/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
06/26/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
06/26/2019	\$400,000.00	Monetary Gift	CHINA	Anonymous
06/25/2019	\$200,000.00	Monetary Gift	CHINA	AKO FOUNDATION
06/25/2019	\$200,000.00	Monetary Gift	CHINA	Anonymous
06/26/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
06/30/2019	\$500,000.00	Monetary Gift	CHINA	Anonymous
06/30/2019	\$383,279.00	Monetary Gift	CHINA	Anonymous
06/30/2019	\$483,667.00	Monetary Gift	CHINA	Anonymous
06/30/2019	\$416,721.00	Monetary Gift	CHINA	Anonymous
06/30/2019	\$383,054.00	Monetary Gift	CHINA	Anonymous
06/30/2019	\$333,279.00	Monetary Gift	CHINA	Anonymous

99 donations from China between 2013-2019

Sum: \$67,618,610

Largest: \$14.5 million on 5/29/2018

2013: \$4.3 million
2014: \$3.8 million
2015: \$4.9 million
2016: \$6.8 million
2017: \$7.7 million
2018: \$27.3 million
2019: \$12.7 million

Foreign Schools Gift and Contract Report with Date Range 01/01/2014 to 12/31/2019
Grouped by: OPEID, State, Foreign Gift Received Date
Data Source: Postsecondary Education Participation System 3/30/2020

OPEID	Institution Name	City	State	Foreign Gift Received Date	Foreign Gift Amount	Gift Type	Country of Giftor	Giftor Name
23546	00337800 University of Pennsylvania	Philadelphia	PA	03/27/2017	5336,340.00	Monetary Gift	CHINA	Shanghai Real Estate Education & Te
23556	00337800 University of Pennsylvania	Philadelphia	PA	06/17/2017	5634,996.00	Monetary Gift	CHINA	China Construction Bank Corporation
23560	00337800 University of Pennsylvania	Philadelphia	PA	07/17/2017	5579,200.00	Monetary Gift	CHINA	Nanjing Sample Technology Co., Ltd.
23561	00337800 University of Pennsylvania	Philadelphia	PA	07/14/2017	5500,000.00	Monetary Gift	CHINA	Anonymous
23563	00337800 University of Pennsylvania	Philadelphia	PA	08/07/2017	5512,093.00	Monetary Gift	CHINA	Hainan Airlines Co., Ltd
23565	00337800 University of Pennsylvania	Philadelphia	PA	08/21/2017	5617,000.00	Monetary Gift	CHINA	Guangzhou Pearl River Enterprises G
23567	00337800 University of Pennsylvania	Philadelphia	PA	08/29/2017	5538,500.00	Monetary Gift	CHINA	China Everbright Group
23568	00337800 University of Pennsylvania	Philadelphia	PA	09/17/2017	5324,800.00	Monetary Gift	CHINA	China Minsheng Banking Co., Ltd.
23576	00337800 University of Pennsylvania	Philadelphia	PA	09/17/2017	5491,840.00	Monetary Gift	CHINA	Shanghai Automotive Industry Corpor
23577	00337800 University of Pennsylvania	Philadelphia	PA	10/16/2017	5502,750.00	Monetary Gift	CHINA	State Administration Foreign Expert
23584	00337800 University of Pennsylvania	Philadelphia	PA	11/18/2017	5633,550.00	Monetary Gift	CHINA	Bank of Communications
					51,863,751.00	Monetary Gift	CHINA	E-Home (China) Holdings Limited
					57,384,780.00			

Foreign Schools Gift and Contracts Report with Date Range 01/01/2014 to 12/31/2019
Grouped by: OPED, State, Foreign Gift Received Date
Data Source: Postsecondary Education Participation System 3/06/2020

ID	OPED	Institution Name	City	State	Foreign Gift Received Date	Foreign Gift Amount	Gift Type	Country of Gifter	Giftor Name
25-61	0037800	University of Pennsylvania	Philadelphia	PA	07/24/2017	\$500,000.00	Monetary Gift	CHINA	Anonymous

Foreign Schools Gift and Contracts Report with Date Range 01/01/2014 to 12/31/2019
Grouped by: OPEID, State, Foreign Gift Received Date
Data Source: Postsecondary Education Participation System 3/30/2020

ID	OPEID	Institution Name	City	State	Foreign Gift Received Date	Foreign Gift Amount	Gift Type	Country of Giftor	Giftor Name
22609	00337800	University of Pennsylvania	Philadelphia	PA	09/15/2018	\$500,000.00	Monetary Gift	CHINA	Anonymous
22610	00337800	University of Pennsylvania	Philadelphia	PA	09/15/2018	\$250,000.00	Monetary Gift	CHINA	Anonymous
22611	00337800	University of Pennsylvania	Philadelphia	PA	09/15/2018	\$250,000.00	Monetary Gift	CHINA	Anonymous
22612	00337800	University of Pennsylvania	Philadelphia	PA	09/20/2018	\$300,000.00	Monetary Gift	CHINA	Anonymous
22613	00337800	University of Pennsylvania	Philadelphia	PA	04/01/2018	\$535,000.00	Monetary Gift	CHINA	China Minsheng Banking Co., Ltd.
22614	00337800	University of Pennsylvania	Philadelphia	PA	04/18/2018	\$394,504.00	Monetary Gift	CHINA	KWG Property Holding Limited Guangxi
22615	00337800	University of Pennsylvania	Philadelphia	PA	04/18/2018	\$416,150.00	Monetary Gift	CHINA	Shanghai Real Estate Education & E-House (China) Holdings Limited
22616	00337800	University of Pennsylvania	Philadelphia	PA	04/18/2018	\$1,278,885.00	Monetary Gift	CHINA	E-House (China) Holdings Limited
22617	00337800	University of Pennsylvania	Philadelphia	PA	04/19/2018	\$718,650.00	Monetary Gift	CHINA	Suangzhou R&E Promotives
22618	00337800	University of Pennsylvania	Philadelphia	PA	05/29/2018	\$14,500,000.00	Monetary Gift	CHINA	China Merchants Bank
22619	00337800	University of Pennsylvania	Philadelphia	PA	07/16/2018	\$2,927,154.00	Contract	CHINA	Anonymous
22620	00337800	University of Pennsylvania	Philadelphia	PA	07/25/2018	\$378,891.00	Contract	CHINA	CHINA MERCHANTS BANK
22621	00337800	University of Pennsylvania	Philadelphia	PA	08/08/2018	\$393,843.00	Contract	CHINA	SHANGHAI REAL ESTATE EDUCATION TECH
22622	00337800	University of Pennsylvania	Philadelphia	PA	08/31/2018	\$330,800.00	Contract	CHINA	SHANGHAI ADVANCED INSTITUTE OF FINA
22623	00337800	University of Pennsylvania	Philadelphia	PA	10/01/2018	\$1,032,945.00	Contract	CHINA	GUANGZHOU RBF PROPERTIES CO., LTD
22624	00337800	University of Pennsylvania	Philadelphia	PA	10/01/2018	\$652,120.00	Contract	CHINA	GUANGDONG PEARL RIVER INVESTMENT HO
22625	00337800	University of Pennsylvania	Philadelphia	PA	10/01/2018	\$590,250.00	Contract	CHINA	CHINA MINGSHENG BANK CO. LTD.
22626	00337800	University of Pennsylvania	Philadelphia	PA	10/01/2018	\$332,250.00	Contract	CHINA	SALC MOTOR HK INVESTMENT LIMITED
22627	00337800	University of Pennsylvania	Philadelphia	PA	10/17/2018	\$794,300.00	Contract	CHINA	CHINA EVERBRIGHT GROUP
22628	00337800	University of Pennsylvania	Philadelphia	PA	12/19/2018	\$27,104,345.00	Contract	CHINA	MARY KAY (CHINA) CO., LTD

Foreign Schools Gift and Contracts Report with Date Range 01/01/2014 to 12/31/2019
Grouped by: OPEID, State, Foreign Gift Received Date
Data Source: Postsecondary Education Participation System 3/09/2020

ID	OPEID	Institution Name	City	State	Foreign Gift Received Date	Foreign Gift Amount	Gift Type	Country of Giftor	Giftor Name
22609	00337000	University of Pennsylvania	Philadelphia	PA	09/15/2018	\$500,000.00	Monetary Gift	CHINA	Anonymous
22610	00337000	University of Pennsylvania	Philadelphia	PA	09/15/2018	\$250,000.00	Monetary Gift	CHINA	Anonymous
22611	00337000	University of Pennsylvania	Philadelphia	PA	09/15/2018	\$250,000.00	Monetary Gift	CHINA	Anonymous
22612	00337000	University of Pennsylvania	Philadelphia	PA	09/29/2018	\$800,000.00	Monetary Gift	CHINA	Anonymous
22638	00337000	University of Pennsylvania	Philadelphia	PA	09/29/2018	\$14,500,000.00	Monetary Gift	CHINA	Anonymous
						\$15,800,000.00			

ID	OPED	Institution Name	City	State	Foreign Gift Received Date	\$0.00	Gift Type	Country of Giftor	Giftor Name
2-3002	00337800	University of Pennsylvania	Philadelphia	PA	11/25/2019	\$329,980.00	Contract	CHINA	AC IMMUNE
2-3005	00337800	University of Pennsylvania	Philadelphia	PA	11/25/2019	\$130,000.00	Contract	CHINA	CITY UNIVERSITY OF HONG KONG
2-3008	00337800	University of Pennsylvania	Philadelphia	PA	11/27/2019	\$29,990.00	Monetary Gift	CHINA	1643212
2-3009	00337800	University of Pennsylvania	Philadelphia	PA	11/27/2019	\$600,000.00	Monetary Gift	CHINA	1643212
2-3011	00337800	University of Pennsylvania	Philadelphia	PA	11/30/2019	\$86,433.00	Contract	CHINA	SHENZHEN GUOSHENGYUAN TRADING CO.
2-3021	00337800	University of Pennsylvania	Philadelphia	PA	12/11/2019	\$514,577.00	Contract	CHINA	GUANGZHOU PEARL RIVER ENTERPRISES
2-3027	00337800	University of Pennsylvania	Philadelphia	PA	12/18/2019	\$1,262,260.00	Contract	CHINA	CHINA MERCHANTS BANK
2-3032	00337800	University of Pennsylvania	Philadelphia	PA	12/24/2019	\$250,000.00	Monetary Gift	CHINA	1437450
2-3033	00337800	University of Pennsylvania	Philadelphia	PA	12/24/2019	\$260,000.00	Monetary Gift	CHINA	1437450
2-3034	00337800	University of Pennsylvania	Philadelphia	PA	12/27/2019	\$191,769.00	Contract	CHINA	MARY KAY CHINA CO. LTD
2-3037	00337800	University of Pennsylvania	Philadelphia	PA	12/31/2019	\$46,533.00	Contract	CHINA	SHENZHEN GUOSHENGYUAN TRADING CO.
						\$36,947,074.00			

Foreign Schools Gift and Contracts Report with Date Range 01/01/2014 to 12/31/2019
Grouped by: OPEID, State, Foreign Gift Received Date
Data Source: Postsecondary Education Participation System 3/06/2020

ID	OPEID	Institution Name	City	State	Foreign Gift Received Date	Foreign Gift Amount	Gift Type	Country of Origin	Giftor Name
22674	00337800	University of Pennsylvania	Philadelphia	PA	01/09/2019	\$1,000,000.00	Monetary Gift	CHINA	Anonymous
22675	00337800	University of Pennsylvania	Philadelphia	PA	01/09/2019	\$1,000,000.00	Monetary Gift	CHINA	Anonymous
22676	00337800	University of Pennsylvania	Philadelphia	PA	06/03/2019	\$4,975.00	Monetary Gift	CHINA	Anonymous
22677	00337800	University of Pennsylvania	Philadelphia	PA	06/03/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
22678	00337800	University of Pennsylvania	Philadelphia	PA	06/03/2019	\$400,000.00	Monetary Gift	CHINA	Anonymous
22679	00337800	University of Pennsylvania	Philadelphia	PA	06/11/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
22680	00337800	University of Pennsylvania	Philadelphia	PA	06/25/2019	\$200,000.00	Monetary Gift	CHINA	Anonymous
22681	00337800	University of Pennsylvania	Philadelphia	PA	06/26/2019	\$100,000.00	Monetary Gift	CHINA	Anonymous
22682	00337800	University of Pennsylvania	Philadelphia	PA	06/26/2019	\$400,000.00	Monetary Gift	CHINA	Anonymous
22683	00337800	University of Pennsylvania	Philadelphia	PA	06/30/2019	\$383,054.00	Monetary Gift	CHINA	Anonymous
22684	00337800	University of Pennsylvania	Philadelphia	PA	06/30/2019	\$500,000.00	Monetary Gift	CHINA	Anonymous
22685	00337800	University of Pennsylvania	Philadelphia	PA	06/30/2019	\$483,667.00	Monetary Gift	CHINA	Anonymous
22686	00337800	University of Pennsylvania	Philadelphia	PA	06/30/2019	\$416,721.00	Monetary Gift	CHINA	Anonymous
22687	00337800	University of Pennsylvania	Philadelphia	PA	06/30/2019	\$333,279.00	Monetary Gift	CHINA	Anonymous
22688	00337800	University of Pennsylvania	Philadelphia	PA	06/30/2019	\$383,279.00	Monetary Gift	CHINA	Anonymous
22689	00337800	University of Pennsylvania	Philadelphia	PA	06/30/2019	\$5,004,975.00	Monetary Gift	CHINA	Anonymous

From: Wiggins, Hunter
Subject: Fwd: Scheduling 117 Briefing for Foxx Office
To: Bureau, Lisa
Sent: November 16, 2023 3:22 PM (UTC-05:00)

Here's what I have received just now from OGC/OUS regarding the upcoming staff briefing for us to think about. I

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Begin forwarded message:

From: "Martinez-Shriver, Joann" <JoAnn.Martinez-Shriver@ed.gov>
Date: November 16, 2023 at 1:53:33 PM CST
To: "Wiggins, Hunter" <Hunter.Wiggins@ed.gov>
Cc: "Robinson, Matt (OGC)" <Matthew.N.Robinson@ed.gov>, "Cekuta, Stephen" <Stephen.Cekuta@ed.gov>
Subject: RE: Scheduling 117 Briefing for Foxx Office

Thanks so much Hunter—that's really helpful. Yes, we'll build in time for a few prep sessions in advance. The Foxx staff sent over the below items, but we'll look more closely into the specifics for the questions cited in the letters they reference. I'll confirm timing with the staff, let you know and start sending you appointments for prep sessions. Thank you again,

-JoAnn

-
Section 117 Briefing. We can work with you on a reasonable time and date the week of November 27 that will work for your Section 117 briefers.

1. FSA staff should be prepared to provide answers at the briefing to the questions and requests mentioned in the April 5, 2023, letter to the Department, and related questions that may be asked.
2. FSA staff should be prepared to provide answers at the briefing to questions related to Section 117 matters involving UC Berkeley.
3. FSA staff should be prepared to discuss the content of the documents requested but not provided, and associated issues, to the Committee staff, in items 1 through 3 of the February 24, 2023, UPenn letter. We do not view the briefing on this topic as an alternative to document production. Rather, it is in addition to.
4. FSA staff should be prepared to discuss Section 117 enforcement.

From: Wiggins, Hunter <Hunter.Wiggins@ed.gov>
Sent: Thursday, November 16, 2023 2:45 PM
To: Martinez-Shriver, Joann <JoAnn.Martinez-Shriver@ed.gov>

Cc: Robinson, Matt (OGC) <Matthew.N.Robinson@ed.gov>; Cekuta, Stephen <Stephen.Cekuta@ed.gov>

Subject: RE: Scheduling 117 Briefing for Foxx Office

Yes, I can make Dec 1 work after 1pm eastern.

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If we can

get any advance questions so that we can address them in the meeting instead of having to tell them repeatedly we'll follow up, I'm sure everyone would appreciate it. Thanks, Hunter

From: Martinez-Shriver, Joann <JoAnn.Martinez-Shriver@ed.gov>

Sent: Wednesday, November 15, 2023 5:50 PM

To: Wiggins, Hunter <Hunter.Wiggins@ed.gov>

Cc: Robinson, Matt (OGC) <Matthew.N.Robinson@ed.gov>; Cekuta, Stephen <Stephen.Cekuta@ed.gov>

Subject: Scheduling 117 Briefing for Foxx Office

Hi Hunter—we were able to push the 117 briefing for the Foxx staff until after Thanksgiving. I've reached out to Melanie Muenzer to check her availability to present on this as well, but I wanted to see if you could you be available for such a briefing in the afternoon on Friday, December 1st. If so, please let me know what time could work for you. I'm thinking it could be 30 or 45 minutes, and virtual of course since you are in the windy city. If you could let me know as soon as possible—that would be helpful. Thank you,

-JoAnn

JoAnn Martinez

Senior Advisor on Oversight | Office of Legislation and Congressional Affairs

U.S. Department of Education

400 Maryland Avenue, SW | Washington, DC 20202

(202) 322-6739 | JoAnn.Martinez-Shriver@ed.gov

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Author: Federal Student Aid

Subject: Reminder – Reporting Deadline for Section 117 of the Higher Education Act of 1965

Section 117 of the *Higher Education Act of 1965*, as amended (20 U.S.C. 1011f), provides that institutions of higher education (IHEs) must file a disclosure report with the Secretary of Education whenever the institution is owned or controlled by a foreign source or receives a gift from or enters into a contract with a foreign source, the value of which is \$250,000 or more, considered alone or in combination with all other gifts from or contracts with that foreign source within a calendar year.

The next date by which IHEs must submit disclosure reports is **Wednesday, Jan. 31, 2024**. The January reporting deadline is established by statute. The failure to comply with the reporting requirement could result in an enforcement action.

- The Section 117 required reporting portal is located [here](#).
- A set of Section 117 Frequently Asked Questions is located [here](#).

Contact Information

For any technical questions or access issues related to the Section 117 reporting portal, contact us by email at ForeignGiftsAccess@ed.gov.

For all other questions related to Section 117, contact us by email at ForeignSourceReporting@ed.gov.

EXECUTIVE MANAGEMENT REPORT

12/13/2023

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EXECUTIVE MANAGEMENT REPORT

12/13/2023

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