

Foreign Gift, Other Support and Contract Reporting Guidelines & Decision Tree

Identified departments/units in the Purdue University System should implement the following processes for reporting of foreign gifts and contracts as required by federal and state law. Effective June 1, 2025, all departments/units should begin evaluating the corporate structure of the entity you have or plan to receive support from to determine if the gift, other support or contract is from/with a foreign adversary government, business entity headquartered in or organized under the laws of a foreign adversary, or is a U.S. subsidiary of a foreign business entity, or an individual who is a citizen or national of a foreign adversary.

Definitions

Reportable gifts and other sources of support – transactions \$1 or greater from all foreign sources, including cash, in-kind gifts, and pledges.

Reportable Contracts – agreements \$1 or greater from all foreign sources.

- Sponsored program grants and agreements
- Class projects
- Facility use agreements
- Recharge operations
- Membership
- Short course
- Conference
- Academic programs
- On-line programs
- Licenses
- Royalties
- Sponsorships
- Leases
- Sales
- Tuition payments (if payment made by a third-party payer)

Reportable purchases: transactions made by contract or purchase order \$1 or greater with a Foreign Adversary government or business entity or a subsidiary of a Foreign Adversary business entity.

A **“contract”** means any agreement for the acquisition of property or services by purchase lease, or barter for the direct benefit or use of either of the parties.

A **“foreign source”** is

- A foreign government, including an agency of a foreign government.
- A legal entity (usually a business) created under the laws of a foreign state or states.

- An individual who is not a citizen or national of the United States or its territories or protectorates. A national of the United States is a person who, though not a citizen of the United States, owes permanent allegiance to the United States. An example is a person born in American Samoa.
 - Legal permanent residents or individuals in the United States on a temporary employment or student visa are not citizens or nationals of the United States.
- A partnership, an association, a corporation, an organization, or any other combination of persons, including a subsidiary of an entity described in this subdivision, organized under the laws of, or having its principal place of business in, a foreign adversary.
- An agent, subsidiary, or affiliate of a foreign source and acting on their behalf.
- A political party of a foreign adversary or an individual who is a member of a political party of a foreign adversary

Foreign Adversary Countries are:

- People's Republic of China, including the Hong Kong Special Administrative Region & Macau (China);
- Republic of Cuba (Cuba);
- Islamic Republic of Iran (Iran);
- Democratic People's Republic of Korea (North Korea);
- Russian Federation (Russia); and
- Venezuelan politician Nicola ´s Maduro (Maduro Regime)

Decision Tree

1. Is this a gift of cash, an in-kind gift or a pledge?

If yes, go to question 4.

If no, go to question 2.

2. Is this one of the following?

- A Sponsored program grant or agreements
- A Sponsored Class Project
- A Facility use agreement
- A Recharge Center contract
- An agreement to provide on-line educational programming
- A Membership agreement
- A Short course agreement
- A Conference agreement
- An Academic programs agreement
- A License Agreement
- A Royalty Agreement
- A Sponsorship Agreement

- A Lease Agreement
- A sale or service agreement
- An Agreement for the Purchase or Sale of Real Estate

If yes, go to question 4

If no, go to question 3

3. Is this the purchase of goods or services by contract or purchase agreement?

If yes, go to question 10

If no, STOP you do not have a covered gift or contract.

Gifts, Other Support or contracts

4. Is this a gift, other support or contract with a value of \$1 (include pledges and in-kind gifts toward total value)?

If yes, go to question 5

If no, STOP your agreement is not a covered gift or contract.

5. Is this a gift, other support or contract from a foreign government or an agency of a foreign government?

If yes, the gift, other support or contract is REPORTABLE. There may be additional restrictions. Go to Question 10.

If no, go to question 6.

6. Is this a gift, other support from, contract with an individual who is not a citizen or nationalⁱ of the United States or its territories or protectorates?

If yes, the gift, other support or contract is REPORTABLE. There may be additional restrictions. Go to Question 10.

If no, go to question 7

7. Is this a gift or other support from or a contract with a legal entity (usually a business) created under the laws of a foreign state or states? To find out, utilize the D&B Hoovers search.

If yes, the gift, other support or contract is REPORTABLE. There may be additional restrictions. Go to Question 10

If no, go to question 8.

8. Is this a gift or other support from or a contract with a U.S. subsidiary of a business created under the laws of a foreign state or states? To find out, utilize the D&B Hoovers search.

If yes, the gift, other support or contract is REPORTABLE. There may be additional restrictions. Go to Question 10.

If no, go to question 9.

9. Is this a gift or other support from or a contract with an agent or fiduciary of a business created under the laws of a foreign state or states?

If yes, the gift, other support or contract is REPORTABLE. There may be additional restrictions. Go to Question 10.

If no, the gift or contract is **not reportable**.

10. Is the gift or contract with a foreign adversary government, business entity headquartered in or organized under the laws of, a U.S. subsidiary of a foreign business entity, or an individual who is a citizen or national of a foreign adversary?

If yes, refer the matter to the Office of Export Control or conduct a Restricted Party Screening. Note Purdue University gift restrictions and requirements under the Foreign Adversary Nations Policy (III.B.7). The gift or contract is REPORTABLE and will require approval. Additional restrictions may apply.

If no, ensure information is maintained for purposes of reporting.

Purchases

11. Is this a purchase of goods or services by contract or purchase order with a value of \$1 or greater?

If yes, go to question 12.

If no, STOP the activity is not a covered purchase.

12. Is this the purchase of goods or services by contract or purchase order from the government of the People's Republic of China, including the Hong Kong Special Administrative Region & Macau (China), the Republic of Cuba (Cuba), the Islamic Republic of Iran (Iran), the Democratic People's Republic of Korea (North Korea); the Russian Federation (Russia); or Venezuela (Maduro Regime)? To find out, utilize the D&B Hoovers search.

If yes, the purchase is REPORTABLE and will require approval.. There may be additional restrictions. Conduct Restricted Party Screening or refer to Office of Export Control. Note Purdue policy requirements under the Foreign Adversary Nations Policy (III.B.7).

If no, go to question 13.

13. Is this the purchase of goods or services by contract or purchase order from business entity headquartered in or formed under the laws of the government of the People's Republic of China, including the Hong Kong Special Administrative Region & Macau (China), the Republic of Cuba

(Cuba), the Islamic Republic of Iran (Iran), the Democratic People’s Republic of Korea (North Korea); the Russian Federation (Russia); or Venezuela (Maduro Regime)? To find out, utilize the D&B Hoovers search.

If yes, the purchase is REPORTABLE and will require approval. There may be additional restrictions. Conduct Restricted Party Screening or refer to Office of Export Control. Note Purdue policy requirements under the Foreign Adversary Nations Policy (III.B.7)..

If no, go to question 14.

14. Is this the purchase of goods or services by contract or purchase order from a U.S. subsidiary of a business entity headquartered in or formed under the laws of the government of the People’s Republic of China, including the Hong Kong Special Administrative Region & Macau (China), the Republic of Cuba (Cuba), the Islamic Republic of Iran (Iran), the Democratic People’s Republic of Korea (North Korea), the Russian Federation (Russia); or Venezuela (Maduro Regime)?

If yes, the purchase is REPORTABLE and will require approval. There may be additional restrictions. Conduct Restricted Party Screening or refer to Office of Export Control. Note Purdue policy requirements under the Foreign Adversary Nations Policy (III.B.7)..

If no, go to question 15.

15. Is this the purchase of goods or services by contract or purchase order from an agent of a business entity headquartered in or formed under the laws of the government of the People’s Republic of China, including the Hong Kong Special Administrative Region & Macau (China), the Republic of Cuba (Cuba), the Islamic Republic of Iran (Iran), the Democratic People’s Republic of Korea (North Korea), the Russian Federation (Russia); or Venezuela (Maduro Regime)?

If yes, the purchase is REPORTABLE and will require approval. There may be additional restrictions. Conduct Restricted Party Screening or refer to the Office of Export Control. Note Purdue policy requirements under the Foreign Adversary Nations Policy (III.B.7)..

If no, the purchase is **not reportable**

Tuition Payments

16. Is this a tuition payment for a specific Purdue University student or students?

If yes, go to question 17

If no, STOP payment is not a covered gift or contract.

17. Is this a tuition payment from a foreign source?

If yes, go to question 18

If no, STOP payment is not a covered gift or contract.

18. Is this tuition payment from a third- party payer accompanied by a written contract?

If yes, the tuition payment is REPORTABLE.

If no, the payment is **not reportable**.

ⁱ A national of the United States is a person who, though not a citizen of the United States, owes permanent allegiance to the United States. An example is a person born in American Samoa.