FOREIGN GIFTS AND CONTRACTS DISCLOSURE POLICY

Policy Summary

Departments, offices, schools or other units receiving gifts of any value from a foreign source promptly must report such gifts to the Office of the Vice President for Development and Alumni Relations in accordance with the Gift Processing Policy, and promptly must report all contracts of any dollar value with foreign sources to Financial Reporting in the Office of the Controller.

Related Regulations

The Higher Education Act of 1965, as amended (HEA) requires institutions that receive a gift from or enter 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, to file a disclosure report with the Department of Education. Failure to file a disclosure report could result in civil action and assessment of costs against the university by the federal government.

Who is Governed by this Policy

Faculty and Staff

Policy

The university must submit a foreign source gift and contract disclosure report to the Secretary of the Department of Education’s Federal Student Aid (FSA) Case Management Team no later than January 31 or July 31 (whichever is sooner) following the receipt of the foreign gift of money or property or execution of a contract
with a foreign source valued at $250,000 or more. A gift or contract meets the $250,000 threshold either alone or when considered in combination with all other gifts from or contracts with that foreign source within a calendar year.

To comply with the HEA reporting deadline, all foreign income including grants, contracts and gifts of money and property across the university must be aggregated properly to evaluate whether the reporting threshold has been met. Accordingly, departments, offices, schools or other units receiving gifts of any dollar value from a foreign source promptly must report such gifts to the Office of the Vice President for Development and Alumni Relations at gwgifts@gwu.edu in accordance with the Gift Processing Policy, and promptly must report all contracts of any dollar value with foreign sources to Financial Reporting in the Office of the Controller at financereporting@gwu.edu. In consultation with the Development Division and other appropriate University offices, Financial Reporting will prepare and submit all foreign source gift and contract disclosure reports to FSA.

To enable the university to report accurately to the FSA, the department, office, school or other unit must provide specific information for each gift and contract. Foreign gifts and contracts required information is covered in the Required Information for reporting Foreign Gifts and Contracts.

This policy applies to gifts to the university. Restrictions and requirements regarding gifts to individuals are covered in the Conflict of Interest Policy for Non-faculty Employees and the Policy on Conflicts of Interest and Commitment for Faculty and Investigators.

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**Definitions**

**Contract**
Any agreement for the acquisition by purchase, lease, or barter of property or services by the foreign source for the direct benefit or use of either of the parties.

**Foreign Gift or Contract**
A gift or contract received from or entered into with a Foreign Source.

**Foreign Source**
A foreign source may be any of the following: A foreign government or any agency thereof; a legal entity (governmental or otherwise) created under the laws of a foreign state; an individual who is not a citizen or national of the United States or a trust territory or protectorate thereof; or an agent acting on behalf of a foreign source.

**Gift**
Per 20 U.S.C. §1011f, the term gift means any gift of money or property to the university. Gifts may be unconditional/unrestricted, or conditional/restricted.
**Restricted or Conditional Gift or Contract**  
Any endowment, gift, grant, contract, award, present or property of any kind which includes provisions regarding:

1) the employment, assignment or termination of faculty;
2) the establishment of departments, centers, research or lecture programs, or new faculty positions;
3) the selection or admission of students; or
4) the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion.

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**Related Information**

**Required Information for reporting Foreign Gifts and Contracts**

**A Brief Primer on Doing Business Abroad: U.S. Laws that Affect GW’s International Activities**

**Anti-Money Laundering Policy**

**Conflict of Interest Policy for Non-Faculty Employees**

**Gift Acceptance Policy**

**Gift Processing Policy**

**Policy on Conflicts of Interest and Commitment for Faculty and Investigators**

**Grants and Contracts Funding Definition**

**Signing of Contracts and Agreements Policy**

**Higher Education Act of 1965, as amended**

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**Contacts**

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<tr>
<th>Contact</th>
<th>Telephone</th>
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<tbody>
<tr>
<td>Financial Reporting</td>
<td>571-553-3559</td>
<td><a href="mailto:financereporting@gwu.edu">financereporting@gwu.edu</a></td>
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</tbody>
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*Reporting of non-compliance with this policy can be done through the Office of Ethics, Compliance, and Privacy website.*