

610.1 Foreign Contracts and Payments Reporting

HEA Section 117

Section 117 of the US Higher Education Act requires colleges and universities to report to the US Department of Education (USDE) and amounts received from foreign entities through contracts or gifts, if the amounts received from any one source exceed \$250,000. Filing with the USDE is required twice each year, on January 31 and July 31, for any reportable amounts received since the previous report. (20 US Code 1011f)

In September 2019, the Department of Education published, in the Federal Register, proposed new rules which significantly increase these reporting requirements. Under the proposed rules, reporting would include:

- Reporting of foreign gifts and contracts, regardless of amount
- Details of the name and address of each foreign entity
- A true copy of each gift agreement or contract

As of January 2, 2020, these rules had not been finalized. A number of higher education organization have expressed [concerns](#) regarding the proposed changes.

IRS Form 990

IRS Form 990, Schedule F requires reporting of all activities outside the United States. Reporting includes:

- Region of the World where the activity occurred
- Type of activity (program services, fundraising, investments, or grants to recipients)
- Total expenditures for each type of activity and region
- Total amount of investment in each region