

Congress of the United States
House of Representatives
Washington, DC 20515-4305

January 19, 2023

Dr. Miguel Cardona
Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Cardona:

I am concerned with the Department of Education's decision to omit crucial information on foreign donors from its online database. Under previous administrations, your agency has included information on foreign gifts and contracts in public records that list a donor's name, the date of the donation, and the donor's country. The Biden Administration has consistently failed to include donor names since President Biden took office in 2021. This new policy of hiding the identities of foreign entities that financially influence American universities raises concerns of malign foreign influence and encourages a toxic web of dark money and corruption.

Since President Biden took office, anonymous Chinese contributors have donated millions of dollars to the University of Pennsylvania, the institution connected to the president's think tank, the Penn Biden Center. Between 2021-2022, the University of Pennsylvania received \$51 million in foreign funding, including \$14 million from unnamed donors in China and Hong Kong and \$2.4 million from Saudi Arabia.¹ Recently, classified documents were found at the Penn Biden Center, raising questions about potential foreign influence and funding to the think tank. So far, the White House has failed to be transparent about who had access to the Penn Biden Center and, consequently, the classified documents. This contradicts President Biden's commitment to running an ethical administration that will "restore integrity, transparency, and trust in government."² To corroborate the University of Pennsylvania's claims that the Penn Biden Center has not received donations from foreign entities, the Department of Education should immediately release all details of donor identities since it discontinued the policy October 2020.

As you know, federal law requires American universities receiving government grants to disclose any foreign donors that contribute to their institution. Congress enacted Section 117 of the Higher Education Act in 1965 (HEA) to improve the integrity of the Department of Education by mandating that financial institutions report gifts of \$250,000 or more.³ This law balances academic freedom and national security, and it is our hope that the University of Pennsylvania and other institutions connected to the Biden

¹ Goodman, Alana. "Since Biden Inauguration, Anonymous Chinese Donors Poured Millions Into University That Houses His Think Tank," *The Free Beacon*, January 18, 2023, <https://freebeacon.com/biden-administration/since-biden-inauguration-anonymous-chinese-donors-poured-millions-into-university-that-houses-his-think-tank/>

² "Biden-Harris Administration Reinstates Visitor Log Policy, Will Be First Administration to Post Records from First Full Year in Office," The White House (The United States Government, November 28, 2022), [Biden-Harris Administration Reinstates Visitor Log Policy, Will Be First Administration to Post Records from First Full Year in Office | The White House](https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/28/biden-harris-administration-reinstates-visitor-log-policy-will-be-first-administration-to-post-records-from-first-full-year-in-office/)

³ Higher Education Act of 1965, Pub. L. No. 117-200. 2022.

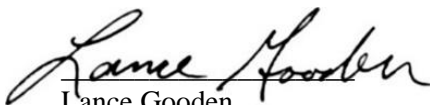
Administration remain transparent so the American people can confidently say the Biden family and this administration is not yielding both the spirit and text of this law to satisfy foreign donors.

To date, the Department of Education has not responded to multiple inquiries and requests for comment on why you have stopped publishing the names of foreign donors. This policy should be reinstated immediately, and information on foreign donations to the Penn Biden Center and its non-governmental organization (NGO) affiliates should be released to the public. Last congress, I introduced H.R.7124, the Think Tank and Nonprofit Foreign Influence Disclosure Act, to require tax-exempt charitable organizations to disclose the names of contributors from foreign governments or political parties donating more than \$50,000.⁴ The American people deserve this level of financial transparency from the Biden Administration and rely on your agency to uphold federal law and collect and publish donations from foreign adversaries. To acquire the necessary information, I request all documents and communications related to the Department of Education's and this administration's decision to stop reporting foreign donations under Section 117 of the Higher Education Act in 1965 (HEA). Additionally, I am requesting all documents and communications between the Department of Education, the University of Pennsylvania, and the Penn Biden Center initiative regarding the contracts and gifts from a foreign source.

Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, or investigation. For purposes of this request, "preserve" means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, and negligent or otherwise reckless handling that could render the information incomplete or inaccessible. This includes preserving any compilation of documents that may have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency.

Finally, I request the Department of Education conduct an investigation into any foreign donations or gifts that are identified as contributions to the University of Pennsylvania and Penn Biden Center. I look forward to your response and working to provide the American people with the transparency they deserve.

Sincerely,


Lance Gooden
Member of Congress

⁴ Think Tank and Nonprofit Foreign Influence Disclosure Act, H.R. 7124, 117th Cong. (2022).
<https://www.congress.gov/117/bills/hr7124/BILLS-117hr7124ih.pdf>.