

1                   A bill to be entitled  
2           An act relating to foreign influence; creating s.  
3           286.101, F.S.; providing definitions; requiring any  
4           state agency or political subdivision to disclose  
5           certain gifts or grants received from any foreign  
6           source to the Department of Financial Services within  
7           a specified timeframe; providing an exception;  
8           requiring any entity that applies for a certain grant  
9           or proposes a certain contract to disclose to a state  
10          agency or political subdivision any current or prior  
11          interest of, contract with, or grant or gift received  
12          from a foreign country of concern under certain  
13          circumstances; specifying information to be included  
14          in the disclosure; requiring such entity to provide a  
15          copy of such disclosure to the department within a  
16          specified timeframe before applying for any grant or  
17          proposing any contract; requiring such entity to  
18          revise its disclosure within a specified timeframe  
19          under certain circumstances; providing exceptions to  
20          disclosure requirements; requiring the Department of  
21          Management Services to periodically screen certain  
22          vendors; requiring certain notification on the online  
23          procurement system; requiring the Department of  
24          Financial Services to establish and maintain an  
25          Internet website to publish the disclosures;

26 | authorizing the department to establish an online  
27 | system for making such disclosures; authorizing the  
28 | Department of Management Services to coordinate with  
29 | the Department of Financial Services to establish such  
30 | online system; requiring the Department of Financial  
31 | Services to investigate allegations of certain  
32 | violations under certain circumstances; authorizing  
33 | the department or specified persons to request certain  
34 | records; providing for the assessment of fines and  
35 | penalties under certain circumstances; requiring the  
36 | department to include and maintain a list of  
37 | ineligible entities on a certain Internet website;  
38 | providing that certain information relating to a gift  
39 | or grant from a foreign source is not confidential or  
40 | exempt from public records requirements; authorizing  
41 | rulemaking; creating s. 288.860, F.S.; providing  
42 | definitions; prohibiting certain agencies and entities  
43 | from participating in agreements with or accepting  
44 | grants received from foreign countries of concern  
45 | under certain circumstances; prohibiting such agencies  
46 | and entities from accepting anything of value as a  
47 | condition for participation in certain programs or  
48 | endeavors that promote the language or culture of  
49 | foreign countries of concern; creating s. 1010.25,  
50 | F.S.; providing definitions; requiring institutions of

51 higher education to semiannually report to certain  
52 entities regarding certain gifts they received  
53 directly or indirectly from a foreign source;  
54 authorizing the report to be consolidated with  
55 affiliate organizations; requiring such institutions  
56 to provide certain information regarding such gifts;  
57 requiring random annual inspections or audits of gifts  
58 or gift agreements by certain inspectors general;  
59 providing requirements for such inspections or audits;  
60 requiring the Board of Governors or State Board of  
61 Education, as applicable, to sanction institutions  
62 that fail to report certain gifts within a specified  
63 timeframe; providing for a civil penalty for willful  
64 violations; requiring that the proceeds from such  
65 penalty be deposited in a specified fund; authorizing  
66 the Attorney General or the Chief Financial Officer to  
67 bring a civil action under certain circumstances;  
68 providing for attorney fees and costs; authorizing a  
69 whistle-blower to report an undisclosed foreign gift  
70 to the Attorney General or the Chief Financial  
71 Officer; providing that such whistle-blower retains  
72 certain protections and is entitled to a reward;  
73 authorizing the Chief Financial Officer to incur  
74 expenditures to provide such reward from the penalty  
75 recovery; authorizing payment of such reward through

76 | an intermediary attorney or trustee designated by the  
77 | whistle-blower; providing that certain information  
78 | relating to a gift from a foreign source is not  
79 | confidential or exempt from public records  
80 | requirements; providing exceptions; authorizing the  
81 | Board of Governors and State Board of Education to  
82 | adopt regulations and rules, respectively; creating s.  
83 | 1010.35, F.S.; requiring certain state universities  
84 | and other entities to screen certain foreign  
85 | applicants seeking employment in specified research  
86 | positions; requiring such applicants to provide  
87 | additional specified information as part of the  
88 | application process; requiring screening to be  
89 | completed before an interview or offer of employment;  
90 | requiring the president or chief administrative  
91 | officer of the state university or entity to designate  
92 | a research integrity office to verify certain  
93 | information contained in such applications, search  
94 | certain public databases, and submit certain  
95 | information to specified federal agencies; specifying  
96 | the conditions under which a state university may  
97 | approve a hire based on a risk-based determination;  
98 | prohibiting the employment of an applicant who fails  
99 | to make certain disclosures; providing an exception;  
100 | requiring certain records to be maintained by the

101 research integrity office; requiring such office to  
102 report the identity of any applicant who was rejected  
103 for employment to certain law enforcement agencies;  
104 requiring certain inspectors general or the Auditor  
105 General to perform an operational audit by a specified  
106 date; creating s. 1010.36, F.S.; requiring certain  
107 state universities and other entities to establish an  
108 international travel approval and monitoring program;  
109 providing requirements for such program; providing  
110 requirements for preapproval and screening for  
111 employment-related foreign travel and employment-  
112 related foreign activities engaged in by faculty,  
113 researchers, and research department staff; requiring  
114 state universities and entities to maintain certain  
115 records relating to foreign travel and activities for  
116 at least 3 years; requiring a state university or  
117 entity to provide a certain annual report to the Board  
118 of Governors or the governing board of the applicable  
119 entity; requiring certain inspectors general or the  
120 Auditor General to perform an operational audit by a  
121 specified date; providing an effective date.

122  
123 Be It Enacted by the Legislature of the State of Florida:  
124

125 Section 1. Section 286.101, Florida Statutes, is created  
126 to read:

127 286.101 Foreign gifts and contracts.-

128 (1) As used in this section, the term:

129 (a) "Contract" means any agreement for the direct benefit  
130 or use of any party to such agreement, including an agreement  
131 for the sale of commodities or services.

132 (b) "Foreign country of concern" means the People's  
133 Republic of China, the Russian Federation, the Islamic Republic  
134 of Iran, the Democratic People's Republic of Korea, the Republic  
135 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
136 Arab Republic, including any agency of or any other entity under  
137 significant control of such foreign country of concern.

138 (c) "Foreign government" means the government of any  
139 country, nation, or group of nations, or any province or other  
140 political subdivision of any country or nation, other than the  
141 government of the United States or the government of a state or  
142 political subdivision, including any agent of such foreign  
143 government.

144 (d) "Foreign source" means any of the following:

145 1. A foreign government or an agency of a foreign  
146 government.

147 2. A legal entity, governmental or otherwise, created  
148 solely under the laws of a foreign state or states.

149        3. An individual who is not a citizen or a national of the  
150 United States or a territory or protectorate of the United  
151 States.

152        4. An agent, including a subsidiary or an affiliate of a  
153 foreign legal entity, acting on behalf of a foreign source.

154        (e) "Gift" means any transfer of money or property from  
155 one entity to another without compensation.

156        (f) "Grant" means a transfer of money for a specified  
157 purpose, including a conditional gift.

158        (g) "Interest" in an entity means any direct or indirect  
159 investment in or loan to the entity valued at 5 percent or more  
160 of the entity's net worth or any form of direct or indirect  
161 control exerting similar or greater influence on the governance  
162 of the entity.

163        (h) "State agency" means any agency or unit of state  
164 government created or established by law.

165        (2) Any state agency or political subdivision that  
166 receives directly or indirectly any gift or grant with a value  
167 of \$50,000 or more from any foreign source shall disclose such  
168 gift or grant to the Department of Financial Services within 30  
169 days after receiving such gift or grant. Such disclosure shall  
170 include the date of the gift or grant, the amount of the gift or  
171 grant, and the name and country of residence or domicile of the  
172 foreign source. Disclosure is not required if such gift or grant  
173 is disclosed under s. 1010.25.

174       (3) (a) Any entity that applies to a state agency or  
175 political subdivision for a grant or proposes a contract having  
176 a value of \$100,000 or more shall disclose to the state agency  
177 or political subdivision any current or prior interest of, any  
178 contract with, or any grant or gift received from a foreign  
179 country of concern if such interest, contract, or grant or gift  
180 has a value of \$50,000 or more and such interest existed at any  
181 time or such contract or grant or gift was received or in force  
182 at any time during the previous 5 years. Such disclosure shall  
183 include the name and mailing address of the disclosing entity,  
184 the amount of the contract or grant or gift or the value of the  
185 interest disclosed, the applicable foreign country of concern  
186 and, if applicable, the date of termination of the contract or  
187 interest, the date of receipt of the grant or gift, and the name  
188 of the agent or controlled entity that is the source or interest  
189 holder. Within 1 year before applying for any grant or proposing  
190 any contract, such entity must provide a copy of such disclosure  
191 to the Department of Financial Services.

192       (b) Disclosure under this subsection is not required with  
193 respect to:

194           1. A proposal to sell commodities through the online  
195 procurement program established pursuant to s. 287.057(22);

196           2. A proposal to sell commodities to a university pursuant  
197 to Board of Governors Regulation 18.001;



198 3. An application or proposal from an entity that  
199 discloses foreign gifts or grants under subsection (2) or s.  
200 1010.25;

201 4. An application or proposal from a foreign source that,  
202 if granted or accepted, would be disclosed under subsection (2)  
203 or s. 1010.25; or

204 5. An application or proposal from a public or not-for-  
205 profit research institution with respect to research funded by  
206 any federal agency.

207 (c) A disclosure published online pursuant to subsection  
208 (5) is deemed disclosed to every state agency and political  
209 subdivision for purposes of paragraph (a). From the time a  
210 disclosure is made under paragraph (a) through the term of any  
211 awarded state grant or contract, the entity must revise its  
212 disclosure within 30 days after entering into a contract with or  
213 receiving a grant or gift from a foreign country of concern or  
214 within 30 days after the acquisition of any interest in the  
215 entity by a foreign country of concern.

216 (4) At least once every 5 years, the Department of  
217 Management Services shall screen each vendor of commodities  
218 participating in the online procurement system if such vendor  
219 has the capacity to fill an order of \$100,000 or more. Screening  
220 must be conducted through federal agencies responsible for  
221 identifying persons and organizations subject to trade  
222 sanctions, embargoes, or other restrictions under federal law.

223 If a vendor is identified as being subject to any such  
224 sanctions, embargoes, or other restrictions, the vendor must  
225 make the disclosures required under subsection (3) until such  
226 restriction expires. A notification regarding the applicability  
227 of the disclosure requirement in subsection (3) to the vendor  
228 must be included on the online procurement system when  
229 applicable. The Department of Management Services must ensure  
230 that purchasers through the online procurement system may easily  
231 access all disclosures made by vendors participating in the  
232 system.

233 (5) The Department of Financial Services must establish  
234 and maintain an Internet website to publish the disclosures  
235 required under this section. The Department of Financial  
236 Services may establish an online system for making such  
237 disclosures. The Department of Management Services may  
238 coordinate with the Department of Financial Services to  
239 establish the online system.

240 (6) (a) Upon receiving a referral from an inspector general  
241 or other compliance officer of a state agency or political  
242 subdivision or any sworn complaint based upon substantive  
243 information and reasonable belief, the Department of Financial  
244 Services must investigate an allegation of a violation of this  
245 section.

246 (b) The Department of Financial Services, an inspector  
247 general, or any other agent or compliance officer authorized by

248 a state agency or political subdivision may request records  
249 relevant to any reasonable suspicion of a violation of this  
250 section. An entity must provide the required records within 30  
251 days after such request or at a later time agreed to by the  
252 investigating state agency or political subdivision.

253 (7) (a) Failure to make a disclosure required under this  
254 section or failure to provide records requested under paragraph  
255 (6) (b) constitutes a civil violation punishable upon a final  
256 order of the Department of Financial Services by an  
257 administrative fine of \$5,000 for a first violation or \$10,000  
258 for any subsequent violation.

259 (b) In addition to any fine assessed under paragraph (a),  
260 a final order determining a third or subsequent violation by a  
261 state agency or political subdivision must include a  
262 determination of the identity of the officer responsible for  
263 acceptance of the undisclosed grant or gift. Such order must  
264 also include a referral by the Department of Financial Services  
265 to the Governor or other officer authorized to suspend or remove  
266 the officer responsible for acceptance of the undisclosed grant  
267 or gift from public office. A copy of such referral must be  
268 provided to the President of the Senate and the Speaker of the  
269 House of Representatives for oversight of such suspension and  
270 removal authority.

271 (c) In addition to any fine assessed under paragraph (a),  
272 a final order determining a third or subsequent violation by an

273 entity other than a state agency or political subdivision shall  
274 automatically disqualify the entity from eligibility for any  
275 grant or contract funded by a state agency or any political  
276 subdivision until such ineligibility is lifted by the  
277 Administration Commission for good cause. The Department of  
278 Financial Services shall include and maintain an active and  
279 current list of such ineligible entities on the Internet website  
280 maintained under subsection (5).

281 (8) Information disclosed under subsections (2) and (3) is  
282 not confidential or exempt from s. 119.07(1) and s. 24(a), Art.  
283 I of the State Constitution.

284 (9) (a) The Department of Management Services may adopt  
285 rules necessary to carry out its responsibilities under this  
286 section. The rules may identify the federal agencies to be  
287 consulted under subsection (4) and the procedure for notifying a  
288 vendor of the disclosure requirements under this section when  
289 applicable. The Department of Management Services may also adopt  
290 rules providing for the application of this section to the  
291 online procurement system.

292 (b) The Department of Financial Services may adopt rules  
293 necessary to carry out its responsibilities under this section.

294 (c) Any rules necessary to implement this section must be  
295 published by December 31, 2021, unless the applicable department  
296 head certifies in writing that a delay is necessary and the date  
297 by which the proposed rules will be published. Such

298 certification must be published in the Florida Administrative  
299 Register and a copy provided to the Joint Administrative  
300 Procedures Committee.

301 Section 2. Section 288.860, Florida Statutes, is created  
302 to read:

303 288.860 International cultural agreements.—

304 (1) As used in this section, the term:

305 (a) "Foreign country of concern" means the People's  
306 Republic of China, the Russian Federation, the Islamic Republic  
307 of Iran, the Democratic People's Republic of Korea, the Republic  
308 of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian  
309 Arab Republic, including any agency of or any other entity under  
310 significant control of such foreign country of concern.

311 (b) "Political subdivision" has the same meaning as in s.  
312 1.01(8) and includes any entity under the control of or  
313 established for the benefit of the political subdivision.

314 (c) "Public school" means any education institution under  
315 the supervision of a school district and any entity under the  
316 control of or established for the benefit of a public school or  
317 school district.

318 (d) "State agency" means any agency or unit of state  
319 government created or established by law and any entity under  
320 the control of or established for the benefit of a state agency.

321 (e) "State college" means any postsecondary education  
322 institution under the supervision of the State Board of

323 Education, including any entity under the control of or  
324 established for the benefit of a state college.

325 (f) "State university" means any state university under  
326 the supervision of the Board of Governors, including any entity  
327 under the control of or established for the benefit of a state  
328 university.

329 (2) A state agency, political subdivision, public school,  
330 state college, or state university authorized to expend state-  
331 appropriated funds or levy ad valorem taxes may not participate  
332 in any agreement with or accept any grant from a foreign country  
333 of concern, or any entity controlled by a foreign country of  
334 concern, which:

335 (a) Constrains the freedom of contract of such public  
336 entity;

337 (b) Allows the curriculum or values of a program in the  
338 state to be directed or controlled by the foreign country of  
339 concern; or

340 (c) Promotes an agenda detrimental to the safety or  
341 security of the United States or its residents. Prior to the  
342 execution of any cultural exchange agreement with a foreign  
343 country of concern, the substance of the agreement shall be  
344 shared with federal agencies concerned with protecting national  
345 security or enforcing trade sanctions, embargoes, or other  
346 restrictions under federal law. If such federal agency provides  
347 information suggesting that such agreement promotes an agenda

348 detrimental to the safety or security of the United States or  
349 its residents, the public entity may not enter into the  
350 agreement.

351 (3) A state agency, political subdivision, public school,  
352 state college, or state university may not accept anything of  
353 value conditioned upon participation in a program or other  
354 endeavor to promote the language or culture of a foreign country  
355 of concern.

356 Section 3. Section 1010.25, Florida Statutes, is created  
357 to read:

358 1010.25 Foreign gift reporting.-

359 (1) As used in this section, the term:

360 (a) "Affiliate organization" means any entity under the  
361 control of or established for the benefit of an organization  
362 required to report under this section, including a direct-  
363 support organization.

364 (b) "Contract" means any agreement for the acquisition by  
365 purchase, lease, or barter of property or services by the  
366 foreign source, for the direct benefit or use of either of the  
367 parties, and any purchase, lease, or barter of property or  
368 services from a foreign country of concern as defined in s.  
369 286.101(1)(b).

370 (c) "Direct-support organization" has the same meaning as  
371 provided in ss. 1004.28(1)(a), 1004.70(1)(a), and 1004.71(1)(a).

372        (d) "Foreign government" means the government of any  
373 country, nation, or group of nations, or any province or other  
374 political subdivision of any country or nation, other than the  
375 government of the United States or the government of a state or  
376 political subdivision, including any agent of such foreign  
377 government.

378        (e) "Foreign source" means any of the following:

379        1. A foreign government or an agency of a foreign  
380 government.

381        2. A legal entity, governmental or otherwise, created  
382 solely under the laws of a foreign state or states.

383        3. An individual who is not a citizen or a national of the  
384 United States or a territory or protectorate of the United  
385 States.

386        4. An agent, including a subsidiary or an affiliate of a  
387 foreign legal entity, acting on behalf of a foreign source.

388        (f) "Gift" means any contract, gift, grant, endowment,  
389 award, or donation of money or property of any kind, or any  
390 combination thereof, including a conditional or an unconditional  
391 pledge of such contract, gift, grant, endowment, award, or  
392 donation. For purposes of this paragraph, the term "pledge"  
393 means a promise, an agreement, or an expressed intention to give  
394 a gift.

395        (g) "Institution of higher education" means a state  
396 university, an entity listed in subpart B of part II of chapter



397 1004 that has its own governing board, a Florida College System  
398 institution, an independent nonprofit college or university that  
399 is located in and chartered by the state and grants  
400 baccalaureate or higher degrees, any other institution that has  
401 a physical presence in the state and is required to report  
402 foreign gifts or contracts pursuant to 20 U.S.C. s. 1011f, or an  
403 affiliate organization of an institution of higher education.

404 (2) Each institution of higher education must semiannually  
405 report, each January 31 and July 31, any gift received directly  
406 or indirectly from a foreign source with a value of \$50,000 or  
407 more during the fiscal year. If a foreign source provides more  
408 than one gift directly or indirectly to an institution of higher  
409 education in a single fiscal year and the total value of those  
410 gifts is \$50,000 or more, all gifts received from that foreign  
411 source must be reported. For purposes of this subsection, a gift  
412 received from a foreign source through an intermediary shall be  
413 considered an indirect gift to the institution of higher  
414 education. An institution of higher education may consolidate  
415 its report with that of all its affiliate organizations. A  
416 report required under this subsection must be made to the  
417 following entities:

418 (a) The Board of Governors, if the recipient is a state  
419 university, an entity listed in subpart B of part II of chapter  
420 1004 that has its own governing board, or an affiliate  
421 organization of such university or entity.

422 (b) Unless already reported to the Board of Governors  
423 pursuant to paragraph (a), the State Board of Education, if the  
424 recipient is any other institution of higher education or an  
425 affiliate organization of such institution.

426 (3) For each gift subject to the reporting requirement in  
427 subsection (2), the report of the institution of higher  
428 education must provide all of the following information, unless  
429 otherwise prohibited or deemed confidential under federal law  
430 having no exemption applicable to such reporting:

431 (a) The amount of the gift and the date it was received.

432 (b) The contract start and end date if the gift is a  
433 contract.

434 (c) The name of the foreign source and, if not a foreign  
435 government, the country of citizenship, if known, and the  
436 country of principal residence or domicile of the foreign  
437 source.

438 (d)1. A copy of a gift agreement between the foreign  
439 source and the institution of higher education, signed by the  
440 foreign source and the chief administrative officer of the  
441 institution of higher education, or their respective designees,  
442 which must include a detailed description of the purpose for  
443 which the gift will be used by the institution of higher  
444 education, the identification of the persons for whom the gift  
445 is explicitly intended to benefit, and any applicable  
446 conditions, requirements, restrictions, or terms made a part of

447 the gift regarding the control of curricula, faculty, student  
448 admissions, student fees, or contingencies placed upon the  
449 institution of higher education to take a specific public  
450 position or to award an honorary degree. With respect to an  
451 agreement containing information protected from disclosure under  
452 s. 1004.22(2), an abstract and redacted copy providing all  
453 required information that is not so protected may be submitted  
454 in lieu of a copy of the agreement.

455 2. Beginning July 1, 2022, the Inspector General of the  
456 Board of Governors or the Inspector General of the Department of  
457 Education, as applicable, shall annually, within existing  
458 resources, randomly inspect or audit at least 5 percent of the  
459 total number of gifts disclosed by or gift agreements received  
460 from institutions of higher education pursuant to this paragraph  
461 during the previous year to determine an institution's  
462 compliance with the requirements of this section with respect to  
463 the gifts and gift agreements reviewed.

464 3. Upon the request of the Governor, the President of the  
465 Senate, or the Speaker of the House of Representatives, the  
466 Inspector General of the Board of Governors or the Inspector  
467 General of the Department of Education, as applicable, must  
468 inspect or audit a gift or gift agreement.

469 (4) The State Board of Education or the Board of  
470 Governors, as applicable, shall exercise the authority provided  
471 pursuant to s. 1008.32 or s. 1008.322, respectively, to sanction

472 an institution of higher education that fails to report a  
473 reportable gift within 60 days after the reporting deadlines  
474 established in subsection (2).

475 (5) (a) An institution of higher education that knowingly,  
476 willfully, or negligently fails to disclose the information  
477 required by this section shall be subject to a civil penalty of  
478 105 percent of the amount of the undisclosed gift, payable only  
479 from nonstate funds of the institution of higher education or  
480 the affiliate organization that received such gift. The  
481 recovered funds must be deposited into the General Revenue Fund.  
482 The Board of Governors and the State Board of Education, as  
483 applicable, may administratively enforce this section and impose  
484 the civil penalty as an administrative penalty.

485 (b) In the absence of enforcement by the Board of  
486 Governors or the State Board of Education, as applicable, the  
487 Attorney General or the Chief Financial Officer may bring a  
488 civil action to enforce this section. If such action is  
489 successful, the Attorney General or the Chief Financial Officer,  
490 as applicable, is entitled to reasonable attorney fees and  
491 costs.

492 (c) A whistle-blower who reports an undisclosed foreign  
493 gift to the appropriate inspector general may also report such  
494 undisclosed foreign gift to the Attorney General or the Chief  
495 Financial Officer and retain whistle-blower protection under s.  
496 112.3188. Such whistle-blower shall be entitled to receive a

497 reward in the amount of 25 percent of any penalty recovered by  
498 the Board of Governors, the State Board of Education, the  
499 Attorney General, or the Chief Financial Officer under this  
500 section. The Chief Financial Officer is authorized to incur  
501 expenditures to provide such reward from the penalty recovery.  
502 The reward may be paid through an intermediary attorney or  
503 trustee designated by the whistle-blower.

504 (6) Information reported under subsection (3) is not  
505 confidential or exempt from s. 119.07(1) and s. 24(a), Art. I of  
506 the State Constitution, except as provided in s. 1004.22(2) or  
507 unless protected by any statute as a trade secret as defined in  
508 s. 688.002 or s. 812.081(1)(c).

509 (7) The Board of Governors may adopt regulations, and the  
510 State Board of Education may adopt rules, to implement this  
511 section.

512 Section 4. Section 1010.35, Florida Statutes, is created  
513 to read:

514 1010.35 Screening foreign researchers.—

515 (1) Each state university or entity listed in subpart A or  
516 subpart B of part II of chapter 1004 that receives state  
517 appropriations or state tax revenue and has a research budget of  
518 \$10 million or more must screen applicants seeking employment in  
519 research or research-related support positions, graduate and  
520 undergraduate students applying for research or research-related  
521 support positions, and applicants for positions of visiting

522 researcher who are citizens of a foreign country and who are not  
523 permanent residents of the United States, or who are citizens or  
524 permanent residents of the United States who have any  
525 affiliation with an institution or program, or at least 1 year  
526 of prior employment or training, excepting employment or  
527 training by an agency of the United States government, in a  
528 foreign country of concern as defined in s. 286.101. Such  
529 screening is required prior to interviewing such applicant or  
530 offering to such applicant a position of employment or of  
531 visiting researcher. At the discretion of the university or  
532 entity, other applicants for such positions may be screened.

533 (2) In addition to satisfying all employment and  
534 enrollment qualifications imposed by federal law, the Board of  
535 Governors or the governing board of the applicable entity must  
536 require the following of applicants included in subsection (1):

537 (a) A foreign applicant must submit a complete copy of the  
538 applicant's passport and most recently submitted Online  
539 Nonimmigrant Visa Application, DS-160. After extraction of all  
540 information relevant to the requirements of this section, a  
541 university or entity may destroy or return the copy of the DS-  
542 160 submitted by an applicant.

543 (b) All applicants described in subsection (1) must submit  
544 a complete resume and curriculum vitae, including every  
545 institution of higher education attended; all previous  
546 employment since the applicant's 18th birthday; a list of all

547 published material for which the applicant received credit as an  
548 author, a researcher, or otherwise or to which the applicant  
549 contributed significant research, writing, or editorial support;  
550 a list of the applicant's current and pending research funding  
551 from any source, including funder, amount, applicant's role on  
552 the project, and brief description of the research; and a full  
553 disclosure of nonuniversity professional activities, including  
554 any affiliation with an institution or program in a foreign  
555 country of concern. For applicants who have been continually  
556 employed or enrolled in a postsecondary education institution in  
557 the United States for 20 years or more, the resume may, but need  
558 not, include employment history before the most recent 20 years.

559 (3) The president or chief administrative officer of the  
560 state university or applicable entity shall designate a research  
561 integrity office to review all materials required in subsection  
562 (2) and take reasonable steps to verify all attendance,  
563 employment, publications, and contributions listed in the  
564 application required in subsection (2) prior to any interview of  
565 or offer of a position to the applicant. Reasonable steps  
566 include searching public databases for research publications and  
567 presentations and public conflict of interest records to  
568 identify any research publication or presentation that may have  
569 been omitted from the application, contacting all employers of  
570 the most recent 10 years to verify employment, contacting all  
571 institutions of higher education attended to verify enrollment

572 and educational progress, searching public listings of persons  
573 subject to sanctions or restrictions under federal law,  
574 submitting the applicant's name and other identifying  
575 information to the Federal Bureau of Investigation or any  
576 federal agency reasonably willing to scrutinize such applicant  
577 for national security or counterespionage purposes, and any  
578 other steps deemed appropriate to the office. The state  
579 university or applicable entity may also direct the office to  
580 approve applicants for hire based on a risk-based determination  
581 considering the nature of the research and the background and  
582 ongoing affiliations of the applicant.

583 (4) The requirements of this section must be completed  
584 before interviewing or offering any position to an individual  
585 described in subsection (1) in any research or research-related  
586 support position and before granting such individual any access  
587 to research data or activities or other sensitive data. An  
588 applicant who must be screened under this section may not be  
589 employed in any research or research-related support position if  
590 he or she fails to disclose a substantial educational,  
591 employment, or research-related activity or publication or  
592 presentation at the time of submitting the application required  
593 in subsection (2), unless the department head, or a designee,  
594 certifies in writing the substance of the nondisclosure and the  
595 reasons for disregarding such failure to disclose. A copy of  
596 such certification must be kept in the investigative file of the



597 research integrity office and must be submitted to the nearest  
 598 Federal Bureau of Investigation field office.

599 (5) The research integrity office must report to the  
 600 nearest Federal Bureau of Investigation field office, and to any  
 601 law enforcement agency designated by the Governor or the Board  
 602 of Governors and the governing board of the applicable entity  
 603 described in subsection (1), the identity of any applicant who  
 604 was rejected for employment based on the scrutiny required by  
 605 this section or other risk-based screening.

606 (6) By July 1, 2025, the Inspector General of the Board of  
 607 Governors, the inspector general of an entity described in  
 608 subsection (1), or the Auditor General must perform an  
 609 operational audit regarding the implementation of this section.

610 Section 5. Section 1010.36, Florida Statutes, is created  
 611 to read:

612 1010.36 Foreign travel; research institutions.-

613 (1) By January 1, 2022, each state university or entity  
 614 listed in subpart A or subpart B of part II of chapter 1004 that  
 615 receives state appropriations or state tax revenue and has a  
 616 research budget of \$10 million or more must establish an  
 617 international travel approval and monitoring program. The  
 618 program must require preapproval and screening by a research  
 619 integrity office designated by the president or chief  
 620 administrative officer of the state university or entity for any  
 621 employment-related foreign travel and employment-related foreign

622 activities engaged in by all faculty, researchers, and research  
623 department staff. Such requirement is in addition to any other  
624 travel approval process applicable to the state university or  
625 entity.

626 (2) (a) Preapproval by the research integrity office must  
627 be based on the applicant's review and acknowledgement of  
628 guidance published by the employing state university or entity  
629 which relates to countries under sanctions or other restrictions  
630 of the state or the United States government, including any  
631 federal license requirement; customs rules; export controls;  
632 restrictions on taking state university or entity property,  
633 including intellectual property, abroad; restrictions on  
634 presentations, teaching, and interactions with foreign  
635 colleagues; and other subjects important to the research and  
636 academic integrity of the state university or entity.

637 (b) Preapproval must be based on the binding commitment of  
638 the individual traveler not to violate the state university's or  
639 entity's limitations on travel and activities abroad and to obey  
640 all applicable federal laws.

641 (3) The state university or entity must maintain records  
642 of all foreign travel requests and approvals; expenses  
643 reimbursed by the university or entity during such travel,  
644 including for travel, food, and lodging; and payments and  
645 honoraria received during such travel and activities, including  
646 for travel, food, and lodging. The state university or entity

647 must also keep records of the purpose of the travel and any  
648 records related to the foreign activity review. Such records  
649 must be retained for at least 3 years or any longer period of  
650 time required by any other applicable state or federal law.

651 (4) The state university or entity must provide an annual  
652 report of foreign travel to countries of concern listing  
653 individual travelers, foreign locations visited, and foreign  
654 institutions visited to the Board of Governors or the governing  
655 board of the applicable entity.

656 (5) By July 1, 2025, the Inspector General of the Board of  
657 Governors, the inspector general of an entity described in  
658 subsection (1), or the Auditor General must perform an  
659 operational audit regarding the implementation of this section.

660 Section 6. This act shall take effect July 1, 2021.