

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 HOUSE BILL NO. 1181

By: McCall and Lepak of the  
House

6 and

7 Dahm of the Senate

8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to education; creating the Research  
11 and Education Protection Act of 2024; providing short  
12 title; providing purpose; defining terms; requiring  
13 public schools and institutions of higher education  
14 to disclose certain gifts received after certain  
15 date; providing manner of disclosure; requiring  
16 submitted information to be forwarded to the Office  
17 of Management and Enterprise Services (OMES);  
18 requiring information to be disclosed on certain  
19 website; directing the State Auditor and Inspector to  
20 inspect or audit certain gifts upon certain request;  
21 requiring public schools and institutions of higher  
22 education to disclose offering of certain gifts;  
23 providing manner of disclosure; requiring submitted  
24 information to be forwarded to OMES to issue a final  
decision on whether certain gift may be accepted;  
directing OMES to develop certain forms and maintain  
certain website; making certain indirect gifts  
subject to certain approval process; directing the  
State Auditor and Inspector to inspect or audit  
certain gifts upon certain request; requiring public  
schools and institutions of higher education to  
disclose certain contracts from certain foreign  
sources entered into after certain date; providing  
manner of disclosure; requiring certain information  
to be submitted to OMES; requiring information to be  
disclosed on certain website; directing the State  
Auditor and Inspector to inspect or audit certain  
contracts upon certain request; requiring public

1 schools and institutions of higher education to  
2 disclose certain proposed contracts; requiring  
3 submitted information to be forwarded to OMES to  
4 issue a final decision on whether a school or  
5 institution may enter into certain contract;  
6 directing OMES to develop certain forms and maintain  
7 certain website; making certain contracts subject to  
8 certain approval process; directing the State Auditor  
9 and Inspector to inspect or audit certain contracts  
10 upon certain request; providing civil penalty for  
11 certain failure to disclose certain information;  
12 providing for deposit of funds; providing for  
13 administrative enforcement of penalty; allowing  
14 certain entities to bring civil action for certain  
15 enforcement; providing for attorney fees; providing  
16 immunity from employment discipline and civil  
17 liability to certain employees who make certain  
18 reports; providing for reward amount; providing for  
19 confidentiality of certain information; prohibiting  
20 public schools and institutions of higher education  
21 from participating in certain agreements with certain  
22 foreign sources; requiring certain cultural exchange  
23 agreements to be shared with certain federal and  
24 state agencies; providing manner of sharing  
information; requiring the Oklahoma State Regents for  
Higher Education and the State Board of Education to  
submit certain annual report by certain date;  
providing contents of report; prohibiting certain  
associations from accepting certain gifts or grants  
or entering into certain contracts; requiring public  
schools and institutions of higher education that  
establish certain program or agreement to adopt  
certain prioritizing policy; requiring institutions  
of higher education with certain research budget to  
screen certain applicants and students; directing  
boards of regents to require submission of certain  
materials from certain individuals; directing  
presidents of institutions of higher education to  
designate a research integrity office; providing  
purpose of office; requiring certain review prior to  
interviewing for or offering certain positions;  
allowing an individual to not be employed for failure  
to disclose certain information; requiring a research  
integrity office to report certain information  
regarding an individual who was rejected for  
employment on certain basis; directing institutions  
of higher education to adopt a policy of prioritizing

1 certain foreign researchers; requiring institutions  
2 of higher education with certain research budget to  
3 establish certain travel approval and monitoring  
4 program; providing criteria for certain preapproval;  
5 requiring maintenance of certain records of foreign  
6 travel requests and approvals for certain time  
7 period; requiring submission of certain annual  
8 report; requiring certain operation audit by certain  
9 date; allowing certain academic partnerships to be  
10 entered into or renewed under certain conditions;  
11 directing the Governor to appoint certain individual  
12 to submit certain report; providing contents of  
13 report; providing for severability; providing for  
14 codification; providing an effective date; and  
15 declaring an emergency.

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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 24-162 of Title 70, unless there  
is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Research  
and Education Protection Act of 2024". The purpose of the act is to  
protect research and educational system operations in this state  
from malicious influence from foreign countries of concern.

B. As used in this act:

1. "Affiliate organization" means any entity under the control  
of or established for the benefit of an organization required to  
report pursuant to this section including a direct-support  
organization;

1        2. "Agreement" means a written or spoken statement of mutual  
2 interest in cultural exchange or academic or research collaboration;

3        3. "Allied countries" means:

4            a. nations currently party to any bilateral mutual  
5            defense treaties including the North Atlantic Treaty,  
6            the Agreement between the United States and Australia  
7            and New Zealand, the Philippine Treaty, the Southeast  
8            Asia Treaty, the Japanese Treaty, the Republic of  
9            Korea Treaty, or the Rio Treaty,

10           b. any nation currently designated as a Major Non-North  
11           Atlantic Treaty Organization (NATO) Ally by the United  
12           States Department of State, or

13           c. the Republic of China;

14        4. "Contract" means any agreement for the acquisition by  
15 purchase, lease, or barter of property or services for the direct  
16 benefit or use of either of the parties;

17        5. "Country of concern" means the People's Republic of China,  
18 the Russian Federation, the Islamic Republic of Iran, the Democratic  
19 People's Republic of Korea, the State of Qatar, the Republic of  
20 Cuba, the Venezuelan regime of Nicolas Maduro, the Syrian Arab  
21 Republic, or any foreign terrorist organization designated by the  
22 United States Secretary of State in accordance with the Immigration  
23 and Naturalization Act, as amended, including any agent of or any  
24 other entity under significant control of such foreign country of

1 concern or any other entity deemed by the Governor in consultation  
2 with the Oklahoma Office of Homeland Security;

3 6. "Direct-support organization" means an organization that is  
4 organized and operated to receive, hold, invest, and administer  
5 property and to make expenditures to or for the benefit of an  
6 institution of higher education or for the benefit of a research and  
7 development park or research and development authority affiliated  
8 with an institution of higher education;

9 7. "Foreign government" means the government of any country,  
10 nation, group of nations, or any province or political subdivision  
11 of any country, nation, or group of nations other than the  
12 government of the United States including any agent of such foreign  
13 government;

14 8. "Foreign source" means:

15 a. a foreign government or an agency of a foreign  
16 government,

17 b. a legal entity, governmental or otherwise, created  
18 solely under the laws of a foreign state or states,  
19 c. an individual who is not a citizen or a national of  
20 the United States or a territory or protectorate of  
21 the United States,

22 d. a partnership, association, corporation, organization,  
23 or any other combination of persons organized under  
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1 the laws of or having its principal place of business  
2 in a country of concern of subsidiary of such entity,  
3 e. an agent including a subsidiary or an affiliate of a  
4 foreign legal entity acting on behalf of a foreign  
5 source,

6 f. a political party or a member of a political party.

7 For the purposes of this subparagraph, the term  
8 "political party" means an organization or combination  
9 of individuals whose aim or purpose is, or who is  
10 engaged in any activity devoted in whole or in part  
11 to, the establishment, administration, control, or  
12 acquisition of administration or control of a  
13 government of a country of concern or a subdivision  
14 thereof or the furtherance or influencing of the  
15 political or public interest, policies, or relations  
16 of a government of a country of concern or subdivision  
17 thereof, or

18 g. a program operated for the benefit of a government or  
19 political party of a country of concern including, but  
20 not limited to, the Thousand Talents Program, any  
21 program affiliated with United Front operations, or  
22 any program affiliated with a country of concern's  
23 ministry of education;

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1       9. "Gift" means any gift, grant, endowment, award, or donation  
2 of money or property of any kind, or any combination thereof,  
3 including a conditional or unconditional pledge of such gift,  
4 endowment, award, or donation. For the purposes of this paragraph,  
5 pledge means a promise, an agreement, or an expressed intention to  
6 give a gift, and grant means a transfer of money for a specified  
7 purpose including a conditional gift;

8       10. "Institution of higher education" means an institution of  
9 higher education within The Oklahoma State System of Higher  
10 Education or a private institution of higher learning located within  
11 this state and accredited pursuant to Section 4103 of Title 70 of  
12 the Oklahoma Statutes;

13       11. "Interest" in an entity means any direct or indirect  
14 investment in or loan to an entity valued at five percent (5%) or  
15 more of the entity's net worth or any form of direct or indirect  
16 control exerting similar or greater influence on the governance of  
17 the entity;

18       12. "Partnership" means a faculty or student exchange program,  
19 a study abroad program, a matriculation program, a recruiting  
20 program, or a dual degree program; and

21       13. "Public school" means a public school district, public  
22 charter school, or public statewide virtual charter school.

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1 SECTION 2. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 24-163 of Title 70, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. 1. Any public school or institution of higher education  
5 that has received directly or indirectly any gift with any value  
6 from any foreign source from a country of concern after December 31,  
7 2013, shall disclose such gifts in the following manner:

8 a. public schools shall disclose such gifts to the State  
9 Board of Education and the State Department of  
10 Education within sixty (60) days after the effective  
11 date of this act, and

12 b. institutions of higher education shall disclose such  
13 gifts to the Oklahoma State Regents for Higher  
14 Education within sixty (60) days after the effective  
15 date of this act.

16 2. Unless otherwise prohibited or deemed confidential under  
17 state or federal law, disclosure required by this subsection shall  
18 include the date the gift was received; the amount of the gift; the  
19 purpose of the gift; the identification of the persons the gift was  
20 explicitly intended to benefit; any applicable conditions,  
21 requirements, restrictions, or terms made part of the gift; the name  
22 and country of residence or domicile of the foreign source; the name  
23 and mailing address of the disclosing entity; and, as applicable,  
24 the date of termination of the gift.



1           3. Information submitted pursuant to paragraph 1 of this  
2 subsection shall be forwarded to the Office of Management and  
3 Enterprise Services (OMES), which shall maintain a public web portal  
4 to disclose information on past gifts from countries of concern.

5           4. Upon a request from the Governor, the President Pro Tempore  
6 of the Senate, or the Speaker of the House of Representatives, the  
7 State Auditor and Inspector shall inspect or audit a past gift or  
8 gift agreement.

9           B. 1. Any public school or institution of higher education  
10 that has been offered directly or indirectly any gift with any value  
11 from a foreign source from a country of concern after the effective  
12 date of this act shall disclose such gift in the following manner:

- 13           a. public schools shall disclose such gifts to the State  
14           Board of Education and the State Department of  
15           Education before accepting such gifts, and
- 16           b. institutions of higher education shall disclose such  
17           gifts to the Oklahoma State Regents for Higher  
18           Education before accepting such gifts.

19           2. Unless otherwise prohibited or deemed confidential under  
20 state or federal law, disclosure required by this subsection shall  
21 include the date the gift was offered; the amount of the gift; the  
22 purpose of the gift; the identification of the persons the gift was  
23 explicitly intended to benefit; any applicable conditions,  
24 requirements, restrictions, or terms made part of the gift; the name

1 and country of residence or domicile of the foreign source; the name  
2 and mailing address of the disclosing entity; and, as applicable,  
3 the date of termination of the gift.

4 3. Information submitted pursuant to paragraph 1 of this  
5 subsection shall be forwarded to OMES. Within thirty (30) days of  
6 receiving the disclosure of an offered gift, OMES shall issue a  
7 final decision to the public school or institution of higher  
8 education on whether and under what conditions the public school or  
9 institution of higher education may accept the gift. OMES shall:

10 a. develop disclosure forms, rules, and procedures for  
11 deciding whether to allow a public school or  
12 institution of higher education to accept gifts from  
13 countries of concern, and

14 b. maintain a public web portal disclosing proposed gifts  
15 from countries of concern with the final decision from  
16 OMES on whether to allow the public school or  
17 institution of higher education to accept the gift.

18 4. For the purposes of this section, a gift received by a  
19 public school or institution of higher education from a foreign  
20 source through an intermediary shall be considered an indirect gift  
21 and shall be subject to the approval process provided for in this  
22 subsection.

23 5. Upon the request of the Governor, the President Pro Tempore  
24 of the Senate, or the Speaker of the House of Representatives, the

1 State Auditor and Inspector shall inspect or audit a gift or gift  
2 agreement.

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 24-164 of Title 70, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. A public school or institution of higher education that has  
7 entered directly or indirectly into any contract with any value from  
8 any foreign source from a country of concern after December 31,  
9 2013, shall disclose such contracts in the following manner:

10 1. Public schools shall disclose such contracts to the State  
11 Board of Education and the State Department of Education within  
12 sixty (60) days after the effective date of this act; and

13 2. Institutions of higher education shall disclose such  
14 contracts to the Oklahoma State Regents for Higher Education within  
15 sixty (60) days after the effective date of this act.

16 B. Unless otherwise prohibited or deemed confidential under  
17 state or federal law, disclosure required by subsection A of this  
18 section shall include the date of the contract; the amount of the  
19 contract; the purpose of the contract; the identification of the  
20 persons the contract was explicitly intended to benefit; any  
21 applicable conditions, requirements, restrictions, or terms made  
22 part of the contract; a copy of the contract; the name and country  
23 of residence or domicile of the foreign source; the name and mailing  
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1 address of the disclosing entity; and, as applicable, the date of  
2 termination of the contract.

3 C. For the purposes of this section, a contract entered into  
4 with a foreign source through an intermediary or affiliate  
5 organization shall be considered an indirect contract to the public  
6 school or institution of higher education and shall be subject to  
7 the disclosure process provided for in this section.

8 D. Information submitted pursuant to subsection A of this  
9 section shall be forwarded to the Office of Management and  
10 Enterprise Services (OMES), which shall maintain a public web portal  
11 to disclose information on past proposed and entered into contracts  
12 with countries of concern.

13 E. Upon the request of the Governor, the President Pro Tempore  
14 of the Senate, or the Speaker of the House of Representatives, the  
15 State Auditor and Inspector shall inspect or audit a past contract.

16 F. Any public school or institution of higher education that  
17 has been offered or has proposed directly or indirectly any contract  
18 with any value from or with a foreign source from a country of  
19 concern after the effective date of this act shall disclose such  
20 proposed contract in the following manner:

21 1. Public schools shall disclose such contract to the State  
22 Board of Education and the State Department of Education before  
23 entering into such contract; and

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1           2. Institutions of higher education shall disclose such  
2 contract to the State Regents.

3           G. Unless otherwise prohibited or deemed confidential under  
4 state or federal law, disclosure required by subsection F of this  
5 section shall include the date of the contract; the amount of the  
6 contract; the purpose of the contract; the identification of the  
7 persons the contract was explicitly intended to benefit; any  
8 applicable conditions, requirements, restrictions, or terms made  
9 part of the contract; a copy of the contract; the name and country  
10 of residence or domicile of the foreign source; the name and mailing  
11 address of the disclosing entity; and, as applicable, the date of  
12 termination of the contract.

13           H. Information submitted pursuant to subsection F of this  
14 section shall be forwarded to OMES. Within thirty (30) days of  
15 receiving the disclosure of the offered or proposed contract, OMES  
16 shall issue a final decision to the public school or institution of  
17 higher education on whether and under what conditions the public  
18 school or institution of higher education may enter into the  
19 contract. OMES shall:

20           1. Develop disclosure forms, rules, and procedures for deciding  
21 whether to allow a public school or an institution of higher  
22 education to enter into a contract with a country of concern; and

23           2. Maintain a public web portal disclosing proposed or offered  
24 contracts with countries of concern with the final decision from

1 OMES on whether to allow the public school or institution of higher  
2 education to enter into the contract.

3 I. For the purposes of this section, a contract proposed from a  
4 foreign source through an intermediary or affiliate organization  
5 shall be considered an indirect contract with the public school or  
6 institution of higher education and shall be subject to the approval  
7 process provided for in subsection H of this section.

8 J. Upon the request of the Governor, the President Pro Tempore  
9 of the Senate, or the Speaker of the House of Representatives, the  
10 State Auditor and Inspector shall inspect or audit a contract  
11 entered into pursuant to this section.

12 SECTION 4. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 24-165 of Title 70, unless there  
14 is created a duplication in numbering, reads as follows:

15 A. A public school or institution of higher education that  
16 knowingly, willfully, or negligently fails to disclose the  
17 information required by the Research and Education Protection Act of  
18 2024 shall be subject to a civil penalty of one hundred and five  
19 percent (105%) of the amount of the undisclosed gift or contract,  
20 payable only from non-state funds. The recovered funds shall be  
21 deposited into the General Revenue Fund. The State Board of  
22 Education or the Oklahoma State Regents for Higher Education may  
23 administratively enforce the penalty provided for in this section as  
24 an administrative penalty.

1 B. In the absence of enforcement by the State Board of  
2 Education or the State Regents, the Attorney General or the Office  
3 of the State Treasurer may bring a civil action to enforce the  
4 provisions of the Research and Education Protection Act of 2024. If  
5 such action is successful, the Attorney General or the Office of the  
6 State Treasurer shall be entitled to reasonable attorney fees and  
7 costs.

8 C. An employee of a public school or an institution of higher  
9 education who in good faith reports an undisclosed foreign gift or  
10 contract to the Attorney General or the Office of the State  
11 Treasurer shall be immune from employment discipline or civil  
12 liability. The reporting employee shall be entitled to receive a  
13 reward in the amount of twenty-five percent (25%) of any penalty  
14 recovered by the State Board of Education, the State Regents, the  
15 Attorney General, or the Office of the State Treasurer.

16 D. Information reported pursuant to Sections 2 and 3 of this  
17 act shall not be deemed confidential except as provided for in the  
18 Oklahoma Open Records Act.

19 E. The State Board of Education and the State Regents may adopt  
20 promulgate rules to implement the provisions of this section.

21 SECTION 5. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 24-166 of Title 70, unless there  
23 is created a duplication in numbering, reads as follows:

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1       A. A public school or institution of higher education shall not  
2 participate in any cultural exchange agreement with a foreign source  
3 from a country of concern, or any entity controlled by a country of  
4 concern, which:

5       1. Constrains the freedom of contract of such public school or  
6 institution of higher education;

7       2. Allows the curricula or values of a program in this state to  
8 be directed, controlled, or influenced by a country of concern; or

9       3. Promotes an agenda detrimental to the safety or security of  
10 this state, its residents, or the United States.

11       B. Prior to the execution of a cultural exchange agreement with  
12 a foreign source from a country of concern, the substance of the  
13 agreement shall be shared with:

14       1. Federal agencies concerned with protecting national security  
15 or enforcing trade sanctions, embargoes, or other restrictions under  
16 federal law. If any federal agency provides information suggesting  
17 that such an agreement promotes an agenda detrimental to the safety  
18 or security of this state, the United States, or its residents, the  
19 public school or institution of higher education may not enter into  
20 the agreement; and

21       2. The Office of Management and Enterprise Services (OMES). If  
22 OMES provides information suggesting that such an agreement promotes  
23 an agenda detrimental to the safety or security of this state, the  
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1 United States, or its residents, the public school or institution of  
2 higher education may not enter into the agreement.

3 C. By July 1, 2025, and by each July 1 thereafter, each public  
4 school shall submit the information required by subsection B of this  
5 section to the State Board of Education, and each institution of  
6 higher education shall submit the information required by subsection  
7 B of this section to the Oklahoma State Regents for Higher  
8 Education.

9 D. By December 1, 2025, and each December 1 thereafter, the  
10 State Regents and the State Board of Education shall each  
11 electronically submit a report to the Governor, the President Pro  
12 Tempore of the Senate, and the Speaker of the House of  
13 Representatives relating to partnerships and agreements of  
14 institutions of higher education and public schools, respectively,  
15 made with educational institutions or other institutions based in  
16 countries of concern. The report shall include at a minimum the  
17 following information for the previous fiscal year:

18 1. Data reflecting any grant program, agreement, partnership,  
19 or contract between an institution of higher education and any  
20 college, university, or entity that is based in or controlled by a  
21 country of concern or between a public school and any private or  
22 public school that is based in or controlled by a country of  
23 concern;

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1           2. Data reflecting any office, campus, or physical location  
2 used or maintained by an institution of higher education in a  
3 country of concern; and

4           3. The date on which any such grant program, agreement,  
5 partnership, or contract reported pursuant to paragraph 1 of this  
6 subsection is expected to terminate.

7           E. 1. No students' or scholars' association affiliated with  
8 any public school or institution of higher education may accept any  
9 gift or grant from a foreign source in a country of concern or enter  
10 into any contract or agreement with a foreign source in a country of  
11 concern. For the purposes of this subsection, member dues or fees  
12 shall not be considered a gift or grant from a foreign source in a  
13 country of concern.

14           2. A violation of the provisions of paragraph 1 of this  
15 subsection shall result in the public school or institution of  
16 higher education ending any affiliation with the students' or  
17 scholars' association.

18           F. Each public school or institution of higher education that  
19 has established or will establish an exchange program or  
20 international cultural agreement concerning the Mandarin dialect of  
21 the Chinese language or culture shall adopt a policy of prioritizing  
22 partnerships with foreign sources from the Republic of China over  
23 partnerships with foreign sources from the People's Republic of  
24 China.

1 G. The State Board of Education and the State Regents may adopt  
2 regulations and rules to implement the provisions of this section.

3 SECTION 6. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 24-167 of Title 70, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. Each institution of higher education or affiliate thereof  
7 that has a research budget of Ten Million Dollars (\$10,000,000.00)  
8 or more shall screen:

9 1. Applicants seeking employment in research or research-  
10 related support positions;

11 2. Graduate and undergraduate students applying for research or  
12 research-related support positions; and

13 3. Applicants for positions of visiting researcher who are:

14 a. citizens of a foreign country and who are not  
15 permanent residents of the United States, or

16 b. citizens and permanent residents of the United States  
17 who have any affiliation with an institution or  
18 program or at least one year of prior employment or  
19 training in a country of concern, with the exception  
20 of employment or training by an agency of the United  
21 States government.

22 Screening required by this subsection shall be required prior to  
23 interviewing such applicants or offering an applicant a position of  
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1 employment or of visiting researcher. An institution of higher  
2 education may screen other applicants for such positions.

3 B. In addition to satisfying all employment and enrollment  
4 qualifications imposed by federal law, the governing board of  
5 regents for each institution of higher education shall:

6 1. Require a foreign applicant to submit a complete copy of his  
7 or her passport and most recently submitted Online Nonimmigrant Visa  
8 Application, DS-160. After extraction and submission of all  
9 information relevant to the requirements of this section, an  
10 institution of higher education may destroy or return the copy of  
11 the DS-160;

12 2. Require all individuals described in subsection A of this  
13 section to submit:

14 a. a complete resume and curriculum vitae including every  
15 institution of higher education attended,

16 b. all previous employment since the applicant reached  
17 the age of eighteen,

18 c. a list of all published material for which the  
19 applicant received credit as an author, a researcher,  
20 or otherwise to which the applicant contributed  
21 significant research, writing, or editorial support,

22 d. a list of the applicant's current and pending research  
23 funding from any source including the source of funds,  
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1 the amount, the applicant's role on the project, and a  
2 brief description of the research, and

3 e. a full disclosure of non-institution of higher  
4 education professional activities including any  
5 affiliation with an institution of higher education or  
6 program in a country of concern; and

7 3. An institution of higher education may require individuals  
8 described in subsection A of this section who have been continually  
9 employed or enrolled in an institution of higher education in the  
10 United States for twenty (20) years or more to submit employment  
11 history prior to the most recent twenty (20) years.

12 C. The president of each institution of higher education or  
13 affiliate thereof shall designate a research integrity office to  
14 review all materials submitted pursuant to subsection B of this  
15 section and take reasonable steps to verify all attendance,  
16 employment, publications, and contributions included in the  
17 submitted materials. Reasonable steps shall include but not be  
18 limited to searching public databases for research publications,  
19 presentations, and public conflict of interest records to identify  
20 any research publication or presentation that may have been omitted  
21 from the materials submitted pursuant to subsection B of this  
22 section; contacting all employers of the most recent ten (10) years  
23 to verify employment; contacting all institutions of higher  
24 education attended to verify enrollment and educational progress;

1 searching public listings of persons subject to sanctions or  
2 restrictions under federal law; submitting the applicant's name and  
3 other identifying information to the Federal Bureau of Investigation  
4 or any federal agency reasonably willing to scrutinize such  
5 applicant for national security or counterespionage purposes; and  
6 any other steps deemed appropriate. The institution of higher  
7 education or affiliate thereof may also direct the research  
8 integrity office to approve applicants for hire based on a risk-  
9 based determination considering the nature of the research and  
10 background and ongoing affiliations of the applicant.

11 D. The provisions of this section shall be completed before an  
12 institution of higher education or an affiliate thereof interviews  
13 or offers a position to an individual described in subsection A of  
14 this section in any research or research-related support position  
15 and before granting such individual any access to research data or  
16 activities or other sensitive data. An individual described in  
17 subsection A of this section may not be employed in any research or  
18 research-related support position if he or she fails to disclose a  
19 substantial educational, employment, or research-related activity,  
20 publication, or presentation at the time of submitting materials  
21 required by subsection B of this section unless an institution of  
22 higher education department head or his or her designee certifies in  
23 writing the substance of the nondisclosure and the reasons for  
24 disregarding such failure to disclose. A copy of such certification

1 shall be kept in the investigative file of the research integrity  
2 office and shall be submitted to the nearest Federal Bureau of  
3 Investigation field office.

4 E. An institution of higher education's research integrity  
5 office designated pursuant to subsection C of this section shall  
6 report to the nearest Federal Bureau of Investigation field office,  
7 any law enforcement agency designated by the Governor, and the board  
8 of regents of the institution of higher education or affiliate  
9 thereof the identity of the individual who was rejected for  
10 employment based on the scrutiny required by this section or other  
11 risk-based screening.

12 F. Each institution of higher education shall adopt a policy of  
13 prioritizing foreign researchers from allied nations and joint  
14 research projects with allied nations in the following order of  
15 prioritization:

16 1. Members of the Five Eyes Intelligence Oversight and Review  
17 Council;

18 2. Current signatories of the North Atlantic Treaty;

19 3. The State of Israel, the Republic of China, the People's  
20 Republic of Korea, Japan, the Philippines, and the Republic of  
21 India; and

22 4. All other countries including remaining nations designated  
23 as a Major Non-North Atlantic Treaty Organization (NATO) Ally by the  
24 United States Department of State and remaining allied countries.

1 G. By July 1, 2025, each institution of higher education or  
2 affiliate thereof that has a research budget of Ten Million Dollars  
3 (\$10,000,000.00) or more shall establish an international travel  
4 approval and monitoring program. The program shall require  
5 preapproval and screening by an institution of higher education's  
6 research integrity office designated pursuant to subsection C of  
7 this section, in addition to any other travel approval process  
8 requirements applicable to the institution of higher education.

9 H. 1. Preapproval by an institution of higher education's  
10 research integrity office shall be based on the applicant's review  
11 and acknowledgement of guidance published by the employing  
12 institution of higher education or affiliate thereof which relates  
13 to countries of concern, countries under sanction, or other  
14 restrictions or designations imposed by this state or the United  
15 States government including any federal licensing requirements;  
16 customs rules; export controls; restrictions on taking institutional  
17 property including intellectual property abroad; restrictions on  
18 presentations, teaching, and interactions with foreign colleagues;  
19 and other subjects important to the research and academic integrity  
20 of the institution of higher education.

21 2. Preapproval by an institution of higher education's research  
22 integrity office shall be based on the binding commitment of the  
23 individual traveler not to violate the institution of higher  
24



1 education's limitations on travel and activities abroad and to obey  
2 all applicable federal laws.

3 I. The institution of higher education or affiliate thereof  
4 shall maintain records of all foreign travel requests and approvals;  
5 expenses reimbursed by the institution of higher education or  
6 affiliate thereof during such travel including travel, food, and  
7 lodging; and payments and honoraria received during such travel and  
8 activities including for travel, food, and lodging. The institution  
9 of higher education shall retain the records for at least three (3)  
10 years or any longer period of time required by any applicable state  
11 or federal law.

12 J. The institution of higher education or affiliate thereof  
13 shall provide an annual report of foreign travel to countries of  
14 concerns listing individual travelers, foreign locations visited,  
15 and foreign institutions visited to its board of regents.

16 K. By July 1, 2025, the State Auditor and Inspector shall  
17 perform an operational audit regarding implementation of the  
18 provisions of this section.

19 SECTION 7. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 24-168 of Title 70, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. Subject to the approval of its board of regents, an  
23 institution of higher education shall only enter into a new or renew  
24 an existing academic partnership with an academic or research

1 institution located in a country of concern if the institution of  
2 higher education maintains sufficient structural safeguards to  
3 protect its intellectual property, the security of this state, and  
4 the national security interests of the United States. A board of  
5 regents shall only approve an institution of higher education's  
6 partnership if the board, in consultation with the Office of the  
7 Attorney General, determines the partnership meets the following  
8 safeguard requirements:

9 1. Compliance with all federal requirements including the  
10 requirements of federal research sponsors and federal export control  
11 agencies, regulations regarding international traffic in arms and  
12 export administration, and economic and trade sanctions administered  
13 by the federal Office of Foreign Assets Control of the United States  
14 Department of the Treasury;

15 2. Annual formal institution-level programs for faculty on  
16 conflicts of interest and conflicts of commitment; and

17 3. A formalized foreign visitor process and uniform visiting  
18 scholar agreement.

19 B. The board of regents of an institution of higher education,  
20 in consultation with the Office of the Attorney General, shall have  
21 full discretion to reject or terminate any research partnership  
22 between the institution and an academic or research institution  
23 located in a country of concern at any time and for any purpose.

24

1 SECTION 8. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 24-169 of Title 70, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. No later than ninety (90) days after the effective date of  
5 this act, the Governor shall appoint one qualified person who shall  
6 be responsible for the "Report on Foreign Influence in Higher  
7 Education". The report shall be electronically submitted to the  
8 Governor, the President Pro Tempore of the Senate, and the Speaker  
9 of the House of Representatives and shall be published semi-annually  
10 on a state website.

11 B. The Report on Foreign Influence in Higher Education:

12 1. Shall investigate and provide oversight of all attempted  
13 foreign influence operations in higher education in this state; and

14 2. May include a synthesis of reports from the federal  
15 government and state agencies, new findings and ongoing  
16 investigations, and recommendations for limiting exposure to foreign  
17 influence.

18 SECTION 9. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 24-170 of Title 70, unless there  
20 is created a duplication in numbering, reads as follows:

21 The provisions of the Research and Education Protection Act of  
22 2024 are severable and if any part or provision shall be held void,  
23 the decision of the court so holding shall not affect or impair any  
24

1 of the remaining parts or provisions of the Research and Education  
2 Protection Act of 2024.

3 SECTION 10. This act shall become effective July 1, 2024.

4 SECTION 11. It being immediately necessary for the preservation  
5 of the public peace, health, or safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

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