



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

January 15, 2021

President John E. Thrasher
211 Westcott Building
Florida State University
Tallahassee, FL 32306-1470

Via Electronic Mail

Re: Preliminary Inquiry Regarding Potential Violations of 20 U.S.C. § 1011f

Dear President Thrasher:

Section 117 of the Higher Education Act of 1965, 20 U.S.C. § 1011f, requires Florida State University (“FSU”) to disclose gifts, contracts, and/or restricted and conditional gifts or contracts from or with a foreign source to the U.S. Department of Education (“Department”). These reports are posted at <https://studentaid.ed.gov/sa/about/data-center/school/foreign-gifts>.

FSU is [classified](#) as a “Carnegie Research-1” or “R-1” institution and ranked 82nd in the nation by total R&D expenditures according to [data reported](#) by the National Science Foundation. The NSF reported FSU’s 2017 R&D expenditures at \$282,000,000. Carnegie R-1 institutions conduct the bulk of U.S. academic research and are collectively entrusted with billions of dollars in taxpayer funds each year. They also tend to collaborate closely with foreign sources, accounting for over eighty-five percent of all funds [reported](#) to the Department. FSU’s self-described engagement with foreign sources includes “[international agreements](#) with over 100 outstanding international universities in over 35 countries” and supporting researchers [to collaborate](#) with foreign sources. FSU apparently operates “study centers” in Europe and a “branch campus” in Panama.

However, it appears FSU has never filed a Section 117 report. In fact, on July 22, 2020, FSU affirmatively represented to the Department it had no reportable transactions. Notably, FSU’s Office of Research Compliance has a [program](#) to manage concerns relating to foreign influence and provides information on Section 117 reporting although FSU has never actually filed a Section 117 report. Given this and FSU’s self-described extensive engagement with foreign sources, we are opening a preliminary inquiry, directed by the Department’s Office of the General Counsel with support from the Office of Federal Student Aid, regarding FSU’s Section 117 violations, if any. Please arrange for FSU’s general counsel to contact Paul R. Moore, Chief Investigative Counsel, and/or Kevin D. Slupe, Special Counsel, at his or her earliest convenience. Also, FSU should produce the following records within twenty-one days:

A. True copies of all gift or donation agreements and/or contracts, whether restricted and conditional or otherwise, by and between FSU and any “foreign source” as defined at 20 U.S.C. § 1011f(h)(2). The relevant time for this request is January 1, 2016 to the present.

B. All records in FSU’s possession or control relating or referring to Section 117 compliance activities and obligations. The relevant time for this request is January 1, 2016 to the present.

Thank you in advance for your cooperation.

Sincerely yours,

Reed D. Rubinstein
Principal Deputy General Counsel delegated
the Authorities and Duties of the General Counsel

cc: Paul R. Moore
Chief Investigative Counsel
Office of the General Counsel
U.S. Department of Education
paul.moore@ed.gov

Kevin D. Slupe
Special Counsel
Office of the General Counsel
U.S. Department of Education
kevin.slupe@ed.gov