



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF THE GENERAL COUNSEL

January 15, 2021

President Keith E Whitfield  
University of Nevada, Las Vegas  
4505 S. Maryland Pkwy.  
Las Vegas, NV 89154

*Via Electronic Mail*

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

Dear President Whitfield:

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

UNLV is [classified](#) as a “Carnegie Research-1” or “R-1” institution and ranked 176<sup>th</sup> in the nation by total R&D expenditure according to [data reported](#) by the National Science Foundation. The NSF reported UNLV’s 2017 R&D expenditures at \$66,000,000. Carnegie R-1 institutions conduct the bulk of U.S. academic research and are collectively entrusted with billions 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.

UNLV’s self-described engagement with foreign sources includes initiatives supported by the [Office of International Programs](#) and the [International Gaming Institute](#) (“IGI”). [This IGI webpage](#) says that IGI research is frequently presented to, “government, community and industry organizations” and “has been presented on all six inhabited continents.” The IGI is [available for contracted research](#) and currently appears to have [extensive engagement with Japan](#). The IGI has a [funding policy](#), though we were unable to locate public disclosure of funding sources on its website. Historically, in connection with UNLV’s international gaming activities, it appears the university had a [partnership with the Singapore Institute of Technology](#) from 2006 to 2013.

However, UNLV has never filed a Section 117 report. Given UNLV’s extensive self-described engagement with foreign sources, the Department is therefore concerned UNLV may be violating Section 117. Consequently, we are opening this preliminary inquiry, directed by the Department’s Office of the General Counsel with support from the Office of Federal Student Aid,

to determine the nature and extent of UNLV's Section 117 violations, if any. Please arrange for UNLV's general counsel to contact Paul R. Moore, Chief Investigative Counsel, and/or Kevin D. Slupe, Special Counsel, at his or her earliest convenience to discuss Auburn's Section 117 compliance in more detail. Also, UNLV 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 UNLV 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 UNLV'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,

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

cc: Paul R. Moore  
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