

Congress of the United States

Washington, DC 20515

May 14, 2026

VIA ELECTRONIC TRANSMISSION

Mr. Rich Lyons
Chancellor
University of California, Berkeley
200 California Hall #1500
Berkeley, CA 94720

Dear Chancellor Lyons:

We write to you regarding reported financial transactions by University of California, Berkeley with counterparties of concern as defined by the Department of War's 1286 List to the Department of Education (DeptEd).¹ The 1286 List was created under Section 1286 of the FY2019 National Defense Authorization Act to identify entities that are "confirmed to have engaged in activities that increased the likelihood of Department of War-funded (DoW) research and development efforts being misappropriated, which can lead to adversarial government interference that **threatens America's security as well as its economic, research, and scientific integrity.**"²

Section 117 of the *Higher Education Act of 1965* requires universities to disclose gifts or contracts from foreign sources worth \$250,000 or more in a calendar year.³ Unfortunately, many universities fail to report on time or provide complete documentation. As a result, DeptEd has worked to expose potential foreign influence in higher education by making Section 117 enforcement a priority.⁴ For example, DeptEd's newly updated foreign funding portal allows taxpayers to see exactly how much money American universities are getting from countries of concern.

As you know, American universities conduct highly sensitive, critical research with direct military applications. Therefore, it is very alarming that countries of concern could be gaining access to research with national security implications at your institution by way of gifts and donations.

The Chinese government explicitly directs its universities to leverage international research collaboration to advance commercial interests and military capabilities as part of its Military-Civil Fusion (军民融合). The national strategy emphasizes "[an] efficient fusion between new-quality

¹ *Section 117 Foreign Gift & Contract Public Transparency Dashboard*, U.S. Department of Education (2026), <https://www.foreignfundinghighered.gov/>.

² *DOD Releases Updated List of Foreign Institutions Engaging in Problematic Activities to Counter Unauthorized Technology Transfer*, U.S. Department of Defense (July 19, 2024), <https://www.war.gov/News/Releases/Release/Article/3844699/dod-releases-updated-list-of-foreign-institutions-engaging-in-problematic-activ/>.

³ 20 U.S.C. § 1011f.

⁴ *U.S. Department of Education Releases Latest Foreign Funding Disclosures from Federally-Funded American Universities*, U.S. Department of Education (February 11, 2026), <https://www.ed.gov/about/news/press-release/us-department-of-education-releases-latest-foreign-funding-disclosures-federally-funded-american-universities>.

productive forces and new-quality combat effectiveness” (新质生产力同新质战斗力高效融合).⁵ China's 14th Five-Year Plan directs “two-way conversion and application of military-local scientific research results” across artificial intelligence, quantum science, aerospace, and other critical dual-use domains.⁶ A 2018 policy document on China’s “Double First-Class” university plan further instructs the country's top universities to “integrate into the military-civil fusion system,” and “advance the two-way transfer and transformation of military and civilian technological achievements” — with international collaboration and foreign talent recruitment identified as key enablers.⁷

Ample evidence exists that financial partnerships with countries of concern expose American universities to intellectual property theft and threaten national security as shown by recent reports from the House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party (House Select Committee on China) and the House Committee on Education and Workforce.⁸ In one striking example, documents attributed to the Chinese Academy of Engineering credited such collaboration with “leading China to develop new materials and technologies for cutting-edge defense weapons and equipment.”⁹ In 2023, the House Select Committee on China sent a letter to the University of California-Berkeley regarding a concerning research partnership with Tsinghua University. Not only was this partnership giving China easy access to Berkeley’s research, but Tsinghua’s U.S.-based 501(c)(3), the Tsinghua Education Foundation North America (TEFNA), agreed to “provide Berkeley with millions of dollars” to establish the research partnership, which was never properly disclosed under Section 117 requirements.¹⁰

⁵ 中共中央 国务院 中央军委印发《关于经济建设和国防建设融合发展的意见》, Chinese Communist Party Central Committee, State Council, and Central Military Commission. (July 2016), https://www.gov.cn/xinwen/2016-07/21/content_5093488.htm.

⁶ 中华人民共和国国民经济和社会发展第十四个五年规划和 2035 年远景目标纲要, Chapter 58 (March 2021), http://www.locpg.gov.cn/jsdt/2021-03/13/c_1211064250_17.htm. See also 中共中央关于制定国民经济和社会发展第十五个五年规划的建议, Section 55 (November 2024), https://www.gov.cn/zhengce/202510/content_7046050.htm (adopting the formulation “推动新质生产力同新质战斗力高效融合、双向拉动”).

⁷ *The China Defence Universities Tracker*, Australia Strategic Policy Institute (2019, updated 2025), <https://www.aspi.org.au/report/china-defence-universities-tracker/>.

⁸ *Joint Institutes, Divided Loyalties: How the Chinese Communist Party Exploits U.S. University Partnerships to Empower China’s Military and Repression*, The Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party and the Committee on Education and the Workforce (September 2025), https://edworkforce.house.gov/uploadedfiles/2025-10-02_-_joint_institutes_divided_loyalties_final.pdf.

⁹ *Fox in the Henhouse: The U.S. Department of Defense Research and Engineering’s Failures to Protect Taxpayer-Funded Defense Research*, The Select Committee on the Strategic Competition Between the United States and The Chinese Communist Party (September 2025), https://chinaselectcommittee.house.gov/sites/evo-subsites/selectcommitteeontheccp.house.gov/files/evo-media-document/fox-in-the-henhouse_report_final_04sep2025-compressed.pdf.

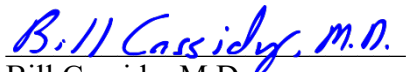
¹⁰ Letter from the Select Committee on China to University of California-Berkeley (July 13, 2023), <https://chinaselectcommittee.house.gov/sites/evo-subsites/selectcommitteeontheccp.house.gov/files/evo-media-document/2023-07-13-berkeley-tbsi-letter.pdf>.


American universities receive billions of taxpayer dollars every year; as such schools have a responsibility to protect the taxpayers' interest. To ensure the safety of the American people and uphold U.S. national security interests, sensitive research and technology must stay out of the hands of our adversaries.


For each question below, please provide all responsive information available, including but not limited to, memoranda of understanding, policies, and correspondence, for the period January 1, 2021, to present no later than **May 28, 2026**:


1. Please provide a list that identifies all gifts, contracts, or financial transactions your university has received from countries concern on DoW's 1286 List in the last five years, including the date received, amount, source, and purpose of each.
2. Please provide all university policies governing foreign research collaborations, including any amendments to such policies, that have been made in the last five years.
3. Have any of these foreign adversaries been granted access to proprietary or federally funded research at your university? If so, please identify:
 - a. The subject matter of the research;
 - b. Whether the research involves emerging technologies (e.g. AI); and
 - c. Any restrictions placed on access to data;
 - d. The estimated time frame the data was accessed.
4. What safeguards does your institution currently have in place to review contracts and other financial transactions from foreign sources for security risks?
 - a. What steps is your institution taking, if any, to review or modify your procedures for vetting research contracts or other financial transactions with foreign sources
5. Describe your institution's policies and procedures for complying with Section 117 of the *Higher Education Act of 1965*.
6. Describe the due diligence conducted by your university on counterparties of concern prior to accepting funding.
7. What are the merits of accepting money from entities that are proven adversaries of the United States?
 - a. Please provide all university policies governing acceptance of foreign funding from these adversaries.
8. Has your institution recently terminated, suspended, or modified any contracts with countries of concern? If so, please share the process and reasoning that factored into the decision to terminate, suspend, or modify that financial relationship.
 - a. Please provide the dates for when each partnership between your institution and a counterparty of concern began (and ended, if applicable).
 - b. At the time each such relationship was initiated, was the counterparty listed on the DoW 1286 List, the Bureau of Industry and Security (BIS) Entity List, or any other federal restricted party list? If the counterparty was subsequently added to such a list, please describe what steps your institution took, and when, in response to that designation.
9. Has your institution received gifts, contracts, or other funding from any U.S.-based entity that is an affiliate, subsidiary, or foundation of a foreign source, including but not limited to entities such as the Tsinghua Education Foundation of North America (TEFNA)? If so, were these transactions reported under Section 117?

Sincerely,


Bill Cassidy, M.D.
Chairman
Senate Committee on Health,
Education, Labor, and Pensions


Tim Walberg
Chairman
House Committee on
Education and Workforce


John Moolenaar
Chairman
Select Committee on China


Jim Banks
U.S. Senator