

September 17, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Annual Report on Foreign Gifts and/or Donations

Summary

In 2010, the Legislature enacted policy for the "Disclosure of Donations to Higher Education Institutions". The law requires the Board of Regents to annually report to the Legislature certain donations of "foreign gifts", as cited below:

53B-1-202. Disclosure of foreign gifts to higher education institutions.

(1) (a) Except as provided in Subsection (1)(c), on or before July 31 of each year, a higher education institution shall disclose to the board, by filing a disclosure report described in Subsection (2), a gift received by the higher education institution of \$50,000 or more from a foreign person, considered alone or in combination with all other gifts from the foreign person, during the period beginning July 1 and ending on June 30 immediately preceding the July 31 deadline.

(b) A higher education institution may rely on the following address of a foreign person to determine the citizenship or nationality of the foreign person if the citizenship or nationality is unknown:

- (i) for a foreign person that is an individual, the principal residence; and
- (ii) for a foreign person that is not an individual, the principal place of business.

(c) The \$50,000 amount described in Subsection (1)(a) is increased to \$250,000 if the gift, considered alone or in combination with all other gifts, described in Subsection (1)(a) is from a foreign person:

- (i) with a principal residence or principal place of business located in the United States; and
- (ii) with a permanent resident status:

- (A) under Section 245 of the Immigration and Nationality Act; and
- (B) for 10 years or more.

The required foreign donations report is included as an attachment to this memorandum. The report shows the University of Utah and Utah State University receiving a total of \$243,856 in foreign donations; no other USHE institution received a foreign donation that fit the statutory requirements.

Commissioner's Recommendation

This is an information item only; no action is needed.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/DAM
Attachment

Overview

In 2010, the Legislature enacted HB 114. Entitled "Disclosure of Donations to Higher Education Institutions;" the bill went into effect on May 11, 2010. The law— Utah Code 53B-1-201— requires that the Board of Regents report annually to the Legislature: any donations that are of \$50,000 or more in a given year made to USHE institutions from a foreign person or entity. The \$50,000 is increased to \$250,000 or more if the gift is from a permanent resident of the United States as defined by Section 245 of the Immigration and Nationality Act and who has been a resident for 10 years or more. This is the fifth annual report as required by law.

Summary

As per Regent's Policy R545— Disclosure of Foreign Donations— all higher education institutions have reported to the Commissioner's Office on foreign donations or gifts received. For the 2013-14 fiscal year, only the University of Utah and Utah State University have reportable donations to disclose. The table below summarizes these donation totals. Also attached is the detailed information provided by the University of Utah and Utah State University.

USHE Institution	Reportable Foreign Donations FY 2013-14
*University of Utah	\$ 63,981
*Utah State University	\$ 179,875
Weber State University	None
Southern Utah University	None
Snow College	None
Dixie State University	None
Utah Valley University	None
Salt Lake Community College	None
Total	\$ 243,856

A Gift from a Foreign Person Aggregating \$50,000 or More - OR - from a Permanent Resident of the U.S. for at Least 10 Years Aggregating \$250,000 or More.

**Details are found in the following table.*

Disclosure of Foreign Donations FY 2013-14
University of Utah and Utah State University

University of Utah

Name of the Foreign Person/Individual	Country of Citizenship or Principal Residence	The Date Received	\$ Amount of Each Gift	Aggregate \$ Amount per Foreign Person	If a Gift is Conditional - Describe Conditions/Restrictions
Gravitude AS	Norway	4/17/2014	\$ 63,981	\$ 63,981	Unrestricted Grant in Electromagnetics
Total			\$ 63,981		

Utah State University

Name of the Foreign Person/Individual	Country of Citizenship or Principal Residence	The Date Received	\$ Amount of Each Gift	Aggregate \$ Amount per Foreign Person	If a Gift is Conditional - Describe Conditions/Restrictions
Fethi Simsek	Turkey	08/09/13	\$ 54,910	\$ 109,875	Research grant
		03/17/14	\$ 54,965		Research grant
Ardeshir Zahedi	Switzerland	12/06/13	\$ 20,000	\$ 70,000	Ardeshir Zahedi Endowment
		12/06/13	\$ 10,000		President Stan L. Albrecht Agriculture Endowment
		6/20/14	\$ 20,000		Ardeshir Zahedi Endowment
		6/20/14	\$ 20,000		President Stan L. Albrecht Agriculture Endowment
Total			\$ 179,875		