



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

September 15, 2026

President Vincent E. Price
Office of the President
Duke University
207 Allen Building
Box 90001
Durham, NC 27708-0001
president@duke.edu

Via electronic and certified mail

Re: Notice of 20 U.S.C. §1011f Investigation and Records Request

Dear President Price:

Pursuant to Section 117 of the Higher Education Act of 1965 (20 U.S.C. §1011f)¹ (“Sec. 117”), Duke University (“DU”), as a postsecondary institutional recipient of federal financial assistance, has an ongoing statutory disclosure obligation for qualifying foreign source gifts and contracts, the value of which is at least \$250,000 (alone or combined) or more annually.²

Sec. 117 foreign funding disclosures must be submitted semiannually to the Secretary of Education (“Secretary” or “Department”). Failure to provide timely and accurate reports to the Secretary may result in civil action by the U.S. Department of Justice (“DOJ”) (including action for the full reimbursement of the costs associated with the Department’s and DOJ’s investigation and enforcement efforts).

The Department’s review of DU’s Sec. 117 foreign funding disclosures reveals that incomplete, inaccurate, and untimely disclosures may have been submitted by DU, in possible violation of its foreign source funding statutory disclosure obligations.

¹ See [U.S.C. Title 20 - EDUCATION](#).

² For purposes of this investigation, “DU” includes all related entities including all affiliated entities operating substantially under its control or for its benefit.

DU, an “R1” private research institution,³ notes significant total research expenditures of \$1.5 billion in FY24, including \$863 million in federally sponsored research funding from the U.S. Departments of Defense, Energy, Agriculture, the National Science Foundation, the National Aeronautics and Space Administration,⁴ and the National Institutes of Health.⁵ Nearly one third of Duke’s total institutional revenue appears to derive from federal funding.⁶

DU has extensive international research collaborations, including the Duke Kunshan University (“DKU”) in Kunshan, Jiangsu (China), established in 2013 pursuant to an agreement between DU and China’s Wuhan University (“WU”).⁷ DKU appears to be one of only three Sino-American partnerships classified as a Sino-Foreign Cooperative University, the highest level of foreign academic partnership in China.

Duke’s partner, WU, is one of China’s prominent research universities overseen by China’s State Administration of Science, Technology and Industry for National Defense (“SASTIND”) and the Ministry of Education (“MOE”), where WU plays a key role in China’s “national defense science and technology innovation system.”⁸ In fact, WU is deeply involved in China’s military-related research and, as such, is jointly supervised by the MOE and SASTIND, the latter of which oversees China’s military research and nuclear weapons programs.⁹

As DU is aware, China’s Ministry of Education now requires that the governance of joint venture universities, such as DKU, must include a “party-run [CCP] unit [to] monitor operations and have a say over big administrative tasks. Foreign-invested universities and institutes will need to show co-operation....”¹⁰

³ See <https://carnegieclassifications.acenet.edu/institution/duke-university/> (last accessed on Sept. 11, 2026).

⁴ See <https://research.duke.edu/about-ori/ori-annual-report-2023-2024#funding> (last accessed on Sept. 11, 2026).

⁵ In FY24, Duke University received approximately \$623 million in funding <https://report.nih.gov/award/index.cfm?ot=&fy=2025&state=NC&ic=&fm=&orgid=2221101&distr=&rfa=&om=n&pid=&view=state> (last accessed on September 11, 2026).

⁶ See https://resources.finance.duke.edu/resources/docs/Financial_Reports2023-24.pdf (last accessed on Sept. 11, 2026).

⁷ See <https://www.dukekunshan.edu.cn/> (last accessed on Sept. 11, 2026).

⁸ See <https://web.archive.org/web/20190814011517/https://news.whu.edu.cn/info/1002/46364.htm> (last accessed on Sept. 11, 2026).

⁹ See Wuhan University Joins Universities Co-Established by the National Defense Science and Technology Industry Bureau and the Ministry of Education, Wuhan University (June 27, 2016), <https://web.archive.org/web/20190814011517/https://news.whu.edu.cn/info/1002/46364.htm> (last accessed on Sept. 11, 2026).

¹⁰ Emily Feng, “Beijing views for greater control of foreign universities in China; Communist party wants more influence despite academic freedom guarantees,” FINANCIAL TIMES (Nov. 18, 2017),

The Ministry of Education’s requirement to install CCP monitors for joint venture universities is in alignment with the requirements of China’s “National Intelligence Law” which, since it became effective in 2018, compels all Chinese organizations, including joint educational institutions such as DKU, to support, assist, and cooperate with China’s national intelligence services (Article 7 of the National Intelligence Law explicitly requires that “any organization or citizen shall support, assist and cooperate with the state intelligence work in accordance with the [National Intelligence] Law, and keep the secrets of the national intelligence work from becoming known to the public”).¹¹

DKU’s self-governance infrastructure appears designed to accommodate the policy and security directives of China, even though Duke is a private American university. For example, DKU’s Board of Trustees is obligated to “govern and set policies at the university in accordance with the laws and regulations of the People’s Republic of China....”¹²

The Board appears to be comprised of prominent Chinese government and WU officials along with DKU faculty members and Duke officials. Chinese Board members include Wuhan University Vice President, Yufeng Yuan (Vice Chair), Deputy Secretary of the CPC Kunshan Municipal People’s Government Committee and Mayor of Kunshan, Jianqing Fan (Vice Chair), and Dean of the Undergraduate College at Wuhan University, Dan Wu (member), among other members.¹³

In a recent letter to DU, Chairman John Moolenaar (U.S. House Select Committee on the Chinese Communist Party) and Chairman Tim Walberg (House Education and Workforce Committee), noted that WU “operates multiple national defense research laboratories, conducts research in at least five designated defense research areas, trains People’s Liberation Army (PLA) cyber warfare specialists, and plays a central role in China’s Beidou satellite system, which supports missile guidance and military intelligence operations. *This is the university Duke has chosen as a partner* (emphasis added).”¹⁴

<https://www.ft.com/content/09ecaae2-ccd0-11e7-b781-794ce08b24dc> (last accessed on Sept. 11, 2026).

¹¹ National Intelligence Law of the People’s Republic of China (promulgated by the Standing Committee of the National People’s Congress, June 27, 2017, effective June 28, 2017).

¹² See www.dukekunshan.edu.cn (last accessed on Sept. 11, 2026).

¹³ See <https://www.dukekunshan.edu.cn/about/board-of-trustees/> (last accessed on Sept. 11, 2026).

¹⁴ See <https://selectcommitteeontheccp.house.gov/sites/evo-subsites/selectcommitteeontheccp.house.gov/files/evo-media-document/Moolenaar%20Walberg%20Letter%20to%20Duke%20University-compressed.pdf> (last accessed on Sept. 11, 2026).

In response to these congressional concerns, DU replied that it would work “to further educate Congress about Duke’s global education mission.”¹⁵ DU’s apparent defiance, even as it receives substantial federal funding from U.S. taxpayers, stands in contrast to the responses of other American research universities which voluntarily ended their joint institutes with Chinese institutions of concern (*i.e.*, Oakland University, Georgia Institute of Technology, University of California, Berkeley, and the University of Michigan).

Despite WU’s undeniable role in the development of critical research in support of the PLA’s weapons systems, DU has remained unshakable in its commitment to the DKU partnership. DU’s misplaced zeal was on full display during a recent DKU Board meeting at which DU Provost Alec Gallimore declared that “Duke is enormously proud to have been a part of launching DKU [with WU], which was a milestone in the university’s engagement with the world beyond our campus. We look forward to continuing our partnership with the city of Kunshan and Wuhan University and building on the growth and success of this unique institution in China.”¹⁶

According to your official biography, as DU President you “oversaw the launch of the undergraduate program at Duke Kunshan University” and your leadership is driven by the goals of “forging partnerships” and “engaging a global network.”¹⁷ DU’s decision to closely align itself and its research efforts with a university so indisputably involved in China’s military research activities predictably raises serious concerns on the part of the American people and their elected representatives.

DU’s foreign funding compliance *capabilities* appear to be well-resourced, with an Office of Counsel, an Office of Research and Innovation, an Office of Audit, Risk and Compliance, an Office of Research Support, an Office of Research Administration, and an Office of Global Affairs. DU’s Office of Alumni Engagement & Development even includes a fundraising component dedicated solely to the DKU and China.

Unfortunately, the Department’s review of Duke’s Sec. 117 disclosure reports reveals that (1) DU has repeatedly indicated that qualifying foreign funding transactions erroneously identified the counterparty as non-governmental when it was, in fact, governmental, (2) Duke has repeatedly submitted incomplete descriptions for restricted transactions (including descriptions in which no information was provided), (3) since July 2020, Duke has reported 1266 qualifying transactions,

¹⁵ Gregory Svirnovskiy, “House GOP China hawks urge Duke to end its relationship with Chinese university,” POLITICO (May 15, 2025), <https://www.politico.com/news/2025/05/15/china-hawks-duke-relationship-chinese-university-00352889> (last accessed on Sept. 11, 2026).

¹⁶ “Duke Welcomes Duke Kunshan University Board of Trustees to Durham,” DUKE TODAY (Nov 20, 2024), <https://today.duke.edu/2024/11/duke-welcomes-duke-kunshan-university-board-trustees-durham> (last accessed on Sept. 11, 2026).

¹⁷ See <https://president.duke.edu/about/> (last accessed on Sept. 11, 2026).

valued at approximately \$1.014 billion, and (4) Duke appears to engage in systemic reporting errors related to timely disclosure of contracts with foreign sources.

RECORDS REQUEST

To verify the accuracy and completeness of DU's compliance with Sec. 117's disclosure requirements, please provide the following records within thirty (30) calendar days:

1. Tax Records

- a. IRS Form 990 (Return of Organization Exempt from Income Tax).
- b. FinCEN Form 114 (Report of Foreign Bank and Financial Accounts – FBAR) – used to report a financial interest in or signature authority over foreign financial accounts if the aggregate value of the account(s) exceeds \$10,000 at any time during the calendar year.
- c. SEC Form 13F-HR (Report of DU's institutional investment manager filed by DU's Investment Management office (a/k/a DUMAC Inc.) or by any external investment managers on DU's behalf).
- d. The time frame for this request is January 1, 2020, through the present.

2. Sec. 117 Compliance Structure

- a. A true copy of and full written narrative description of the university's written procedures and administrative systems in place to address and achieve compliance with Sec. 117's foreign funding disclosure requirements.
- b. An organizational chart (including the names, titles, and contact information for personnel, including contract personnel) identifying the university administration and management personnel responsible for its Sec. 117 compliance.
- c. A true copy of and full written narrative description of the university's security policies and procedures (*e.g.*, cyber and data security policies, export control and international engagement policies, training and awareness programs, cybersecurity and insider threat training, and incident reporting and enforcement procedures).
- d. A description of DU's treatment, for Sec. 117 reporting purposes, of Declaration of Finances for International Students (undergraduate and graduate), when the home government's financial support is indicated.
- e. The time frame for this request is January 1, 2020, through the present.

3. International Student, Faculty, and Research Personnel Agreements

- a. A true copy of each written agreement with a foreign government, foreign educational institution, foreign non-governmental entity, or foreign corporate entity detailing admissions agreements for international students (undergraduate and graduate), faculty, scholars, and any research personnel.
- b. A true copy of each written agreement with a foreign government, foreign educational institution, foreign non-governmental entity, or foreign corporate entity detailing the participation of non-U.S. individuals or entities in university or university-affiliated research collaborations (and any related agreements).

- c. Identification of all university personnel and contract personnel (name, title, contact information) involved in the creation, administration, or management of any of the agreements identified above.
- d. Identification of university personnel and contract personnel (name, title, contact information) involved in the university's assistance and/or efforts related to F-1 Student Visa (Academic Student), work permits, and travel for international students, faculty, and other personnel.
- e. Identification of university personnel and contract personnel (names, titles, contact information) involved in the university's Student and Exchange Visitor Program (SEVP) and Form I-20 preparation and certification processes.
- f. The time frame for this request is January 1, 2020, through the present.

4. International Research Collaborations

- a. A full and complete identification (name, title, contact information) of all university research personnel and contract personnel (not limited to key personnel), undergraduate and graduate, involved in bilateral or multilateral research collaborations with non-U.S. research institutions (including foreign government agencies, foreign educational institutions, foreign corporations, non-governmental foreign entities, and foreign individuals).
- b. A full and complete identification of each federal award, grant, contract (or other instrument of financial support) supporting (in whole or part) each bilateral and multilateral research collaboration identified above.
- c. For each award, grant, contract (or other instrument of financial support) identified above, identify each source of funding by agency, award identification number, award type, award description, and amount obligated.
- d. For each grant identified above, identify the prime award identification number, award description, amount (obligated and outlaid), period of performance, place of performance, recipient details (including the recipient identifier and address), and the identity (name, title, contact information) of each Principal Investigator (or Primary Investigators or Project Directors), Co-Investigator (or Chief Investigators or Project Co-Directors) and any other research or administrative/management personnel supported in whole or part by the grant.
- e. For each federally-funded (in whole or part) bilateral or multilateral research collaboration with non-U.S. research institutions (including foreign government agencies, foreign educational institutions, foreign corporations, non-governmental foreign entities, and foreign individuals), a list and description of foreign funding in support of the bilateral or multilateral research collaboration (including gifts, grants, contracts, or other financial support from foreign government agencies, foreign educational institutions, foreign corporations, non-governmental foreign entities, and foreign individuals).
- f. A complete identification of all legally affiliated university partnerships, ventures, collaborations (bilateral and/or multilateral) or other official relationships outside of the United States between the university (and/or its affiliates) and any foreign government, non-governmental foreign entity, foreign educational institution, foreign research laboratory, foreign corporate entity, or other foreign institution or individual. Identification of these partnerships must include: (a) records executed in support of the partnership,

venture, collaboration, or other relationship, (b) timeline of the existence of the partnership, venture, collaboration, or other relationship, (c) purpose of the partnership, venture, collaboration, or other partnership, and (d) location (precise address or addresses) of the partnership, venture, collaboration, or other relationship (if the relationship is “virtual” it must still be identified).

g. The time frame for this request is January 1, 2020, through the present.

5. Foreign Government Talent Program Compliance

- a. A true copy of and full narrative description of the university’s written procedures and administrative systems in place to prevent the university, its Principal Investigators (or Primary Investigators or Project Directors), Co-Investigators (or Chief Investigators or Project Co-Directors) or any other university personnel from participating in Malign Foreign Government Talent Recruitment Programs from a country of concern¹⁸ (or entity or institution or program based in a foreign country of concern).
- b. A true copy of and full narrative description of the university’s written procedures and administrative systems in place to ensure its compliance with U.S. export and import control regulations.
- c. Identification of university personnel or contract personnel (name, title, contact information) responsible for the oversight and/or administration of the university’s compliance with federal Foreign Government Talent Recruitment Program restrictions and/or export and import control regulations (described *supra*).
- d. Any findings (including full, unredacted internal reports) by the university of violations of federal Foreign Government Talent Recruitment Program restrictions and/or export and import control regulations (described *supra*).
- e. The time frame for this request is January 1, 2020, through the present.

6. Foreign Gifts, Grants, Contracts

- a. A complete list of all foreign gifts, grants, contracts, and/or restricted or conditional gifts, grants, or contracts between the university (and any university-affiliated entity) and any foreign source (to include individuals, governments, non-governmental entities, educational institutions, or corporate entities).
- b. For each record responsive to the list above (“a”), provide a true copy of each gift, grant, or donation agreement, contract, and restricted or conditional gift, grant, or donation agreement or contract (including any modifications thereto) and full descriptions of any oral or unwritten agreements regarding the purpose and/or application thereof.
- c. For each record responsive to the list above (“a”), provide the known DU personnel (name, title, contact information) and entities involved in solicitation, receipt, administration, and/or management of the foreign gift, grant, contract, and/or restricted or conditional gift, grant, or contract.
- d. The time frame for this request is January 1, 2020, through the present.

¹⁸ 15 U.S.C. § 4651(7)-(8).

If DU requires further clarification regarding the requested records, please provide the Department with a written request to the Department contact identified below, *via* electronic mail, describing the need for additional information regarding the records request **no later than ten (10) calendar days after receipt of this notification.**

Under federal law, DU has an ongoing duty to supplement its responses to these records requests. Failure to meet ongoing obligations to continue to preserve data and periodically update searches to retrieve new information could result in sanctions. DU's records production should utilize the following procedures:

- Responsive records should be sequentially numerically indexed (*a.k.a.*, Bates stamped) and reference should be made to the request to which the records are responsive (*e.g.*, item 1).
- Searches for records in electronic form should include searches of all relevant mobile devices, hard drives, network drives, offline electronic folders, thumb drives, removable drives, records stored in the cloud, and archive files, including, but not limited to, backup tapes. Do not modify the content, the create date, or the last date modified of any record and do not scrub any metadata (with the sole exception of numerical indexing as described above).
- Electronic records should be produced in native format. For e-mails, please place responses in one .pst file per employee.
- All email searches should be conducted by DU's information technology department, or its equivalent, and not by the individuals whose records are being searched. Please provide the name and contact information of the individual(s) who conducted the search, as well as an explanation of how the search was conducted.
- To the extent practicable, please produce all records in a searchable electronic format and not hardcopies.

As used in this Notice of Investigation and Records Request:

"Agencies" include any organizations or entities providing services or performing functions or tasks on behalf of another organization, entity, or individual.

"Agent" has its plain and ordinary meaning, indicating that a person, organization, or entity, is acting on behalf of another person, organization, or entity, whether that agency is disclosed or undisclosed.

"Contract" has the meaning given at 20 U.S.C. § 1011f(h)(1).

"Faculty" refers to all teaching positions at DU (including professors of all ranks, teachers, lecturers, and/or researchers whether in a classroom, laboratory, or other educational environment – whether physically or electronically present).

"Foreign source" has the meaning given at 20 U.S.C. § 1011f(h)(2).

“Gift” has the meaning given at 20 U.S.C. § 1011f(h)(3).

“Grant” includes an award of financial assistance whereby a thing(s) of value is transferred by an entity (governmental or non-governmental) to carry out a specific purpose. *See, e.g.*, 31 U.S.C. § 6301 *et seq.*

“Institution” has the meaning given at 20 U.S.C. § 1011f(h)(4) and for the purposes of this request includes DU, its employees, tenured faculty, non-tenured faculty and lecturers, researchers, fellows, graduate students, and all affiliated entities operating substantially under its control or for DU’s benefit (*e.g.*, centers, schools, boards, foundations, research facilities, laboratories, branches, partnerships, or non-profit organizations, etc.).

“Record” means all recorded information, regardless of form or characteristics, made or received, and including metadata, such as email, text, and other electronic communications, word processing documents, PDF documents, animations (including PowerPoint™ and other similar programs) spreadsheets, databases, calendars, telephone logs, contact manager information, Internet usage files, network access information, writings, drawings, graphs, charts, photographs, sound recordings, images, financial statements, checks, wire transfers, accounts, ledgers, facsimiles, texts, animations, voicemail files, data generated by calendaring, task management and personal information management (PIM) software (such as Microsoft Outlook), data created with the use of personal data assistants (PDAs), data created with the use of document management software, data created with the use of paper and electronic mail logging and routing software, and other data or data compilations, stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form. The term “recorded information” also includes all traditional forms of records, regardless of physical form or characteristics.

“Restricted or conditional gift or contract” has the meaning given at 20 U.S.C. § 1011f(h)(5).

“Staff” refers to all members of the university involved in administration of the university and its obligations and commitments (including deans of all ranks, administration officials, other personnel, and support personnel).

If DU asserts attorney-client or attorney-work product privilege for a given record, then it must prepare and submit a privilege log expressly identifying each such record and describing it so the Department may assess the claim’s validity. Please note that no other privileges apply here.

Your record and data preservation obligations are outlined at **Exhibit A**. This investigation is being directed by the Department of Education’s Office of the General Counsel and the Office of the Under Secretary of State for Public Diplomacy. For additional details about the requested records, please contact me or Senior Counsel Kevin D. Slupe. Transmission of the records should be arranged with OGC Advisor Brendan R. Henzel.

Sincerely yours,

/s/ Paul R. Moore

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Enclosure (Exhibit A)

EXHIBIT A

RECORD PRESERVATION REQUIREMENTS

This investigation requires preservation of all information from your institution's computer systems, removable electronic media, filing systems, cloud storage system, and other locations relating to the matters that are the subject of the Notice of Investigation. You should immediately preserve all data and information about the data (*i.e.*, backup activity logs and document retention policies) relating to records maintained in the ordinary course of business and that are covered by the Notice of Investigation. Also, you should preserve information available on the following platforms, whether in your possession or the possession of a third party, such as an employee or outside contractor: databases, networks, computer systems, including legacy systems (hardware and software), servers, archives, backup or disaster recovery systems, cloud storage systems, tapes, discs, drives, cartridges and other storage media, laptops, personal computers, internet data, personal digital assistants, handheld wireless devices, mobile telephones, paging devices, and audio systems (including voicemail). You should also preserve all hard copies of records regardless of location.

The laws and rules prohibiting destruction of evidence apply to electronically stored information in the same manner that they apply to other evidence. Accordingly, you must take every reasonable step to preserve relevant records. "Reasonable steps" with respect to these records include:

- Notifying in writing all potential custodians and IT personnel who may have relevant records of their preservation obligations under this investigation.
- Discontinuing all data and document destruction policies.
- Preserving all metadata.
- Preserving relevant records and/or hardware unless an exact replica of the file (a mirror image) is made.
- Preserving passwords, decryption procedures (and accompanying software), network access codes, ID names, manuals, tutorials, written instructions, de-compression, or reconstruction software.
- Maintaining all other pertinent information and tools needed to access, review, and reconstruct necessary to access, view, and/or reconstruct all requested or potentially relevant electronic data.

You have an obligation to preserve all digital or analog electronic files in electronic format, regardless of whether hard copies of the information exist, with all metadata. This includes preserving:

- Active data (*i.e.*, data immediately and easily accessible today).
- Archived/journaled data (*i.e.*, data residing on backup tapes or other storage media).

- Deleted data (*i.e.*, data that has been deleted from a computer hard drive but is recoverable through computer forensic techniques).
- Legacy data (*i.e.*, data created on old or obsolete hardware or software).