

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1262

Introduced by Andersen, 49; at the request of the Governor.

Read first time January 30, 2026

Committee: Education

- 1 A BILL FOR AN ACT relating to postsecondary education; to adopt the
- 2 Foreign Adversaries Out of Postsecondary Education Act; to harmonize
- 3 provisions; to provide an operative date; to provide severability;
- 4 to outright repeal section 85-906, Revised Statutes Supplement,
- 5 2025; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 11 of this act shall be known and may be
2 cited as the Foreign Adversaries Out of Postsecondary Education Act.

3 **Sec. 2.** The Legislature finds that:

4 (1) Institutions of postsecondary education play a vital role in
5 research, national competitiveness, development of future leaders, and
6 nurturing core American liberties, and should be catalysts of
7 strengthening ties with American allies who share our democratic values
8 rather than adversaries who exploit them;

9 (2) Section 117 of the Higher Education Act of 1965, 20 U.S.C.
10 1011f, requires American universities to report all foreign gifts, yet a
11 2020 United States Department of Education investigation found that
12 section 117 reporting is systemically underinclusive and inaccurate;

13 (3) In 2025, the United States House of Representatives passed HR
14 1048, which would amend section 117 to tighten up reporting requirements
15 for foreign gifts to American universities;

16 (4) The United States Department of Education maintains the Section
17 117 Foreign Gift and Contract Public Transparency Dashboard which lists
18 all foreign gifts to universities and lists Qatar and China as the first
19 and fourth largest contributors to U.S. universities, with Qatar
20 contributing two billion dollars more than any other country;

21 (5) Foreign governments and affiliated entities, particularly the
22 People's Republic of China, in part via the Confucius Institute network,
23 Qatar, in part via the Muslim Brotherhood network, as well as Russia,
24 Iran, and North Korea, have systematically utilized partnerships,
25 research sponsorships, media collaboration, funding mechanisms, student
26 clubs and other campus outreach efforts, and clandestine relationships to
27 exert ideological influence or intelligence collection within American
28 universities;

29 (6) Columbia University shuttered its Chinese Students and Scholars
30 Association chapter because of concerns the group was being used as a
31 tool of the People's Republic of China to carry out influence operations

1 on campus;

2 (7) The former President of Northwestern University admitted in 2025
3 testimony to Congressional investigators that Qatar's funding to
4 Northwestern came with the requirement that students and faculty at
5 Northwestern's Doha campus comply with Qatari penal code prohibitions
6 outlawing public criticism of Qatar's government and online postings
7 deemed harmful by the regime, and that mandatory antisemitism training
8 from Northwestern's main campus was not offered at its Qatar branch;

9 (8) Florida enacted legislation in 2023 to restrict postsecondary
10 education institutions from entering into agreements with or accepting
11 funding from countries of concern, Texas enacted legislation in 2025 to
12 prohibit acceptance of funding from governments of foreign adversaries,
13 and the governors of both Texas and Florida issued executive orders in
14 2025 designating the Muslim Brotherhood as a foreign terrorist
15 organization;

16 (9) In January 2026, the United States Department of the Treasury,
17 in coordination with the United States Department of State, designated
18 certain branches of the Muslim Brotherhood and the Lebanese Secretary
19 General of the Muslim Brotherhood as specially designated global
20 terrorists and foreign terrorist organizations;

21 (10) Campus safety and intellectual freedom can be at risk when
22 foreign adversaries directly or indirectly intimidate or influence
23 students and faculty through various means, including via aggressive
24 protests restricting access to campus facilities to those with certain
25 identities and views, and when campus informants send reports to
26 repressive foreign security agencies;

27 (11) There is a compelling state interest in protecting academic
28 independence, research security, and intellectual property from foreign
29 adversary influence; and

30 (12) A prohibition on acceptance of direct or indirect funding or
31 contractual benefits from designated foreign adversaries is necessary to

1 protect the sovereignty and interests of the state.

2 **Sec. 3.** For purposes of the Foreign Adversaries Out of
3 Postsecondary Education Act:

4 (1) Affiliate organization means any foundation, research institute,
5 direct-support organization, or contracting entity formed for the benefit
6 of a postsecondary institution;

7 (2) Foreign adversary means:

8 (a) The People's Republic of China, including entities associated
9 with the Hanban, the Ministry of Education, or the Confucius Institutes;

10 (b) The Russian Federation;

11 (c) The Islamic Republic of Iran;

12 (d) The Democratic People's Republic of Korea;

13 (e) The state of Qatar, including the state-owned Al Jazeera Media
14 Network and the Qatar Foundation as well as Hamas and other affiliated
15 Muslim Brotherhood organizations or persons operating in this state,
16 including those under government patronage and protection;

17 (f) Any foreign terrorist organization or specially designated
18 global terrorists designated by the United States Department of State or
19 the United States Department of the Treasury, including key branches and
20 individuals of the Muslim Brotherhood;

21 (g) Any additional country, entity, or person designated by the
22 Governor pursuant to section 8 of this act; and

23 (h) Any agent or entity under control of or acting on behalf of such
24 foreign adversary;

25 (3) Foreign principal means any person or entity acting directly or
26 indirectly on behalf of a foreign adversary, including through a
27 subsidiary, nonprofit, or front organization;

28 (4) Gift, grant, contract, or funding means monetary contributions,
29 research sponsorships, in-kind support, subsidized travel, programmatic
30 assistance, or any type of value transfer;

31 (5) Knowingly means having actual knowledge or acting with

1 deliberate ignorance or reckless disregard of the Foreign Adversaries Out
2 of Postsecondary Education Act; and

3 (6) Postsecondary institution has the same meaning as in section
4 85-2403 and is inclusive of research divisions, laboratories, centers,
5 and grant-funded programs.

6 **Sec. 4.** (1) No postsecondary institution, or any affiliate
7 organization, may accept, solicit, or enter into, directly or indirectly,
8 a gift, grant, contract, or funding, a research sponsorship, a program
9 agreement, a partnership, or any other funding relationship with a
10 foreign adversary or foreign principal.

11 (2) Funds accepted in violation of this section shall be returned or
12 forfeited to the State Treasurer to be credited as required by Article
13 VII, section 7, of the Constitution of Nebraska.

14 (3) Cultural exchange agreements are prohibited with a foreign
15 adversary or any entity controlled by a foreign adversary unless the
16 postsecondary institution certifies in writing to the Coordinating
17 Commission for Postsecondary Education that the agreement in no way
18 constrains freedom of speech, controls curricular materials, or promotes
19 an agenda detrimental to the safety of this state or the United States.

20 (4) No student or scholar association affiliated with or operating
21 at any postsecondary institution may coordinate activities with a foreign
22 adversary or any entity controlled by a foreign adversary. Any violation
23 of this prohibition shall result in the postsecondary institution ending
24 any affiliation with the student or scholar association.

25 **Sec. 5.** (1) Each postsecondary institution shall submit a report to
26 the Coordinating Commission for Postsecondary Education for any contract
27 with or gift from a foreign country valued at ten thousand dollars or
28 more or with an aggregated value within a twelve-month period of fifty
29 thousand dollars or more. The report shall identify the donor, country of
30 origin, total value, date received, terms of any contract, purpose of any
31 gift, and outcome of any due diligence review. The report shall also

1 identify any stipulation regarding how or on what the funding may be
2 spent, including, but not limited to:

3 (a) Nondisclosure agreements;

4 (b) Hiring requirements, including, but not limited to, requirements
5 to hire specific individuals or individuals of specific nationalities or
6 specific religions;

7 (c) Requirements to enroll specific students or students from
8 specific countries or practicing specific religions;

9 (d) Requirements to discuss the foreign country in a positive manner
10 or to refrain from discussing the foreign country in a negative manner;

11 (e) Required actions regarding a foreign country or issues related
12 to a foreign country; or

13 (f) Requirements to allow certain student clubs or other activities
14 on campus or for such student clubs to receive school funding and
15 support.

16 (2) The submitted report shall also include a copy of any gift
17 agreement between the foreign source and the postsecondary institution,
18 which shall include any description of the purpose for which the gift is
19 to be used.

20 (3) The report shall be submitted within one month of receiving a
21 gift or entering into a contract in a searchable or sortable digital
22 format in compliance with the specifications of the Coordinating
23 Commission for Postsecondary Education.

24 (4) The Coordinating Commission for Postsecondary Education shall
25 maintain a transparency database with the information required under this
26 section accessible to the public on the commission's website.

27 (5) Each postsecondary institution shall also comply with the
28 requirements of 20 U.S.C. 1011f.

29 **Sec. 6.** (1) Any institution or affiliate organization found to be
30 in violation of the Foreign Adversaries Out of Postsecondary Education
31 Act shall:

1 (a) Forfeit to the State Treasurer a sum equal to the prohibited
2 gift or contract value;

3 (b) Be ineligible for state-funded research grants for up to five
4 years; and

5 (c) Be subject to civil penalties of up to two hundred fifty
6 thousand dollars per violation.

7 (2) Any employee of a postsecondary institution who knowingly
8 conceals prohibited funding shall be subject to termination by the
9 postsecondary institution.

10 (3) An egregious violation may result in a postsecondary institution
11 losing its authorization to operate pursuant to the Postsecondary
12 Institution Act.

13 (4) The Auditor of Public Accounts shall annually inspect or audit a
14 random sample of at least ten percent of postsecondary institutions,
15 including postsecondary institutions that did not submit a disclosure
16 report under this section, to determine compliance with the requirements
17 of the Foreign Adversaries Out of Postsecondary Education Act.

18 (5) The Attorney General may commence a civil action in any
19 appropriate district court to enforce the provisions of this section.

20 (6) Any penalties collected under this section shall be remitted to
21 the State Treasurer for distribution in accordance with Article VII,
22 section 5, of the Constitution of Nebraska. Any forfeitures to the State
23 Treasurer under this section shall be paid into the permanent school fund
24 in accordance with Article VII, section 7, of the Constitution of
25 Nebraska.

26 **Sec. 7.** (1) No postsecondary institution may operate or host any
27 Confucius Institute or equivalent entity funded or supported by the
28 People's Republic of China or its affiliates.

29 (2) No postsecondary institution may host or employ any individual
30 faculty, staff, or student or operate or allow to operate any entity
31 funded by Qatar or its affiliates, including the state-owned Al Jazeera

1 Network, Qatar Foundation, Hamas, and other affiliated Muslim Brotherhood
2 organizations.

3 (3) Any program subject to this section shall be closed or
4 terminated on or before December 31, 2026, or when any existing contract
5 ends, whichever comes first.

6 **Sec. 8.** (1) The Governor, in consultation with the Attorney
7 General, may designate any additional country, entity, or person as a
8 foreign adversary or foreign principal for purposes of the Foreign
9 Adversaries Out of Postsecondary Education Act.

10 (2) Notice of any such designation shall be filed electronically
11 with the Clerk of the Legislature and the Coordinating Commission for
12 Postsecondary Education. The Coordinating Commission for Postsecondary
13 Education shall post any such notice on the commission's website.

14 (3) A postsecondary institution may petition the Governor for
15 reconsideration of such a designation.

16 (4) Any country, entity, or person designated as a foreign adversary
17 or foreign principal pursuant to this section may appeal such designation
18 to any appropriate district court.

19 **Sec. 9.** (1) In furtherance of the mandate to protect the state from
20 fraud, the Attorney General shall utilize all existing statutory powers
21 of investigation, including subpoena power and advanced investigative
22 tools, to monitor compliance with the Foreign Adversaries Out of
23 Postsecondary Education Act and to investigate any other attempts by
24 foreign adversaries or foreign principals to conceal funding, exert
25 ideological influence, or gather intelligence in the state. The Attorney
26 General shall ensure that the mechanisms for reporting potential abuse
27 include appropriate protections for whistleblowers and establish clear
28 internal guidelines for investigations to comply with state and federal
29 law.

30 (2) The Nebraska State Patrol, in consultation with the Governor and
31 the Attorney General, shall provide an educational module on how foreign

1 adversaries and foreign principals exploit America's open society to
2 infiltrate postsecondary institutions, including the use of direct
3 funding, front entities, and nonprofit charitable organizations. The
4 module shall train law enforcement officials to recognize and investigate
5 such efforts as well as best practices for protecting students and
6 teachers from repression, drawing upon relevant federal statutes and case
7 law.

8 (3) Every peace officer shall complete the educational module
9 provided under subsection (3) of this section at least once every three
10 years.

11 **Sec. 10.** On or before December 31 of each year, the Attorney
12 General, in collaboration with the Coordinating Commission for
13 Postsecondary Education and the Auditor of Public Accounts, shall
14 electronically submit to the Governor and the Clerk of the Legislature a
15 report summarizing investigations conducted related to the Foreign
16 Adversaries Out of Postsecondary Education Act. The report shall not
17 include any information that would compromise any ongoing investigations.

18 **Sec. 11.** It is the intent of the Legislature to appropriate to the
19 Nebraska State Patrol two hundred fifty thousand dollars annually for law
20 enforcement training and to the Attorney General two hundred fifty
21 thousand dollars annually for investigating potential violations of the
22 Foreign Adversaries Out of Postsecondary Education Act.

23 **Sec. 12.** This act becomes operative on July 1, 2026.

24 **Sec. 13.** If any section in this act or any part of any section is
25 declared invalid or unconstitutional, the declaration shall not affect
26 the validity or constitutionality of the remaining portions.

27 **Sec. 14.** The following section is outright repealed: Section
28 85-906, Revised Statutes Supplement, 2025.

29 **Sec. 15.** Since an emergency exists, this act takes effect when
30 passed and approved according to law.