



Updated May 2, 2023

## Confucius Institutes in the United States: Selected Issues

The People's Republic of China's (PRC's or China's) Confucius Institutes offer instruction in Chinese language in universities around the world. The Institutes have been the subject of controversy since appearing on U.S. university campuses in 2005, particularly for their perceived effects on academic freedom and for their lack of transparency. They have attracted further attention during the past several years as the broader U.S.-China relationship has deteriorated. Some Members of Congress and others have alleged that they may play a role in China's efforts to influence public opinion abroad, recruit "influence agents" on U.S. campuses, and engage in cyber espionage and intellectual property theft. PRC officials have denied such charges, and suggested that the Institutes have become victims of a U.S. "Cold War mentality." Supporters of the Institutes have emphasized that they provide Chinese language and cultural programs that benefit students, universities, and surrounding communities, and that such offerings may not otherwise be available. Many U.S. universities have terminated their contracts with Confucius Institutes in the past five years.

### U.S. Policy

In August 2020, the Trump Administration designated the Confucius Institute U.S. Center (CIUS), which oversees Confucius Institutes in the United States, as a "foreign mission" of the PRC. The designation requires CIUS to regularly file information about its operations with the Department of State. CIUS is a PRC-funded, 501(c)(3) nonprofit entity based in Washington, DC. The National Defense Authorization Act for FY2021 (P.L. 116-283, Section 1062) restricts Department of Defense (DOD) funding to institutions of higher education that host a Confucius Institute.

### History and Mission

The first Confucius Institute opened in 2004 in Seoul, South Korea, followed by one at the University of Maryland (which closed in 2020). The PRC government created the Confucius Institutes, which have operated in over 160 countries, in part to help improve China's international image or reduce what PRC officials view as misconceptions about China. The Institutes are patterned after other national language and cultural programs, such as France's Alliance Francaise, Germany's Goethe Institute, the U.K.'s British Council, and Spain's Instituto Cervantes. Confucius Institutes exercise less autonomy from their home government than their European counterparts, however, and mostly are situated within foreign educational institutions, while their foreign counterparts are not.

Nearly all Confucius Institutes focus on Chinese language instruction at the introductory level. U.S. Confucius Institutes generally offer noncredit courses to the public for a fee. In some cases, Institute instructors offer classes to

enrolled students for academic credit, or teach credit courses in academic departments. The Institutes often work with university departments to cosponsor Chinese cultural events, academic seminars, and conferences focused on doing business in China. They also sponsor programs for U.S. students and scholars to study Chinese language in the PRC, and serve as platforms for academic collaboration between U.S. and Chinese universities.

#### Selected Reports and Information Sources

- National Academies of Sciences, Engineering, and Medicine, "Confucius Institutes at U.S. Institutions of Higher Education," 2023.
- National Association of Scholars, "Outsourced to China: Confucius Institutes and Soft Power in American Higher Education," April 2017.
- U.S. Senate Permanent Subcommittee on Investigations, "China's Impact on the U.S. Education System," February 2019.
- Government Accountability Office, "Agreements Establishing Confucius Institutes at U.S. Universities Are Similar, but Institute Operations Vary," GAO-19-278, released February 27, 2019.
- Human Rights Watch, "Resisting Chinese Government Efforts to Undermine Academic Freedom Abroad: A Code of Conduct for Colleges, Universities, and Academic Institutions Worldwide," March 2019.

In 2020, the PRC government reportedly renamed the parent organization of the Confucius Institutes, the Chinese Language Council International (commonly referred to as *Hanban*), as the Center for Language Education and Cooperation (CLEC). CLEC is affiliated with China's Ministry of Education. As part of the change, the PRC government also formed the Chinese International Education Foundation, a Ministry of Education-sponsored, nongovernmental charitable organization, to provide funding to the Institutes.

### Confucius Institutes in the United States

The number of Confucius Institutes in the United States peaked in 2017, at around 118, according to some reports. China spent over \$158 million on Confucius Institutes in the United States between 2006 and 2019, according to a U.S. Senate Permanent Subcommittee on Investigations report (see text box, above). In addition, the Institutes sponsor Confucius Classrooms in U.S. primary and secondary schools. The Classrooms typically are affiliated with Institutes at nearby colleges, and their total may have fallen with the closure of many Institutes since 2017.

The number of Confucius Institutes in the United States was approximately seven as of December 2022, according

to the National Academies of Sciences, Engineering, and Medicine (NAEM), a private, nonprofit organization. U.S. universities have cited various reasons for ending their agreements, including (1) concerns about academic freedom, (2) the potential for Chinese government influence and risks to U.S. national security, (3) the desire to keep DOD Chinese Language Flagship program and other U.S. government funding that have been or may be restricted by law, (4) encouragement by some Members of Congress, and (5) difficulty operating during the Coronavirus Disease 2019 pandemic.

The National Association of Scholars (NAS), a nonprofit advocacy group, alleges that some universities where Confucius Institutes closed have maintained relationships with their former PRC university partners, and/or have continued to cooperate with them on Chinese language instruction. NAS also has found examples of ways in which some Confucius Classrooms have continued by transferring their affiliations to Confucius Institutes that remain open or operating independently of the Institutes.

### Agreements, Management, and Operation

To establish a Confucius Institute, U.S. and PRC partner educational institutions sign an implementation agreement, and each side also signs an agreement with CLEC. The agreements and the Confucius Institute Constitution together govern Institute activities. They reportedly allow for some flexibility and variation regarding the operation of individual Institutes. Some agreements reportedly have been accessible online while others have been available upon request. Some have had confidentiality clauses and, in some cases, U.S. host schools reportedly have resisted disclosing their agreements.

Confucius Institutes each are overseen by a Board of Directors, usually made up of around eight people, with the top positions filled by chancellors, deans, or scholars in Asian or Chinese studies from the U.S. institution, along with administrators and faculty from the Chinese partner school. The Institutes are administered by either a U.S. director or by U.S. and PRC co-directors. In many cases, the U.S. director or co-director is a Chinese-speaking school administrator or faculty member.

Some provisions of the Constitution and By-Laws of the Confucius Institutes have raised controversy. Chapter 1, Article 6 states that Confucius Institutes shall abide by the laws of the countries in which they are located and respect local educational traditions, but also that they shall not contravene PRC laws. Some Confucius Institute directors have responded that PRC law applies only to PRC Board members and teachers, and in limited ways.

The Chinese side typically provides start-up funding of \$150,000 and operating costs of \$100,000-\$200,000 per year for each U.S. Confucius Institute, although some Institutes have had much larger budgets. These expenditures cover teachers' salaries, books, computer hardware and software, scholarships, and other related expenses. U.S. partners provide matching contributions, generally in-kind, including support from private sources.

These contributions generally consist of classroom, office, and library space; furnishings, computers; and program staff. The Institutes maintain reading rooms containing PRC publications.

### Concerns

According to some experts, the activities of Confucius Institutes are narrow in scope, and they have an incentive to avoid controversial activities, such as disseminating PRC propaganda, on the one hand, and broaching topics that are politically sensitive in China, on the other. Some academic observers counter that Confucius Institutes exert influence in U.S. universities through PRC board members' interpersonal relations and the Institutes' involvement in China-related programs and connections to educational and research opportunities in China. Other issues include questions about the teaching qualifications of instructors from China, tensions between the Institutes and existing Chinese language programs in academic departments, and differing priorities between school administrators and faculty regarding the Institutes. In 2014, the American Association of University Professors issued a statement calling on U.S. universities to end their partnerships with Confucius Institutes unless their arrangements met conditions related to academic freedom, managerial control, and transparency.

Some studies provide examples of Confucius Institute Board members or PRC officials directly or indirectly pressuring faculty, administrators, or invited guests at U.S. universities that host Confucius Institutes to avoid making public statements or holding events on topics that the PRC government considers politically sensitive. Other examples suggest that some PRC students at U.S. universities may be fearful of attending or may be motivated to express opposition to events on campus related to topics sensitive to China, due to the presence of a Confucius Institute. Some reports suggest that there have been few instances of Confucius Institutes overtly attempting to interfere in academic or extra-curricular activities and speech at U.S. host universities. Some U.S. schools, particularly larger, more prestigious ones, reportedly have successfully pushed back against or prevented PRC interference in university events, such as speaking engagements by the Dalai Lama and other figures opposed by the PRC government. The NAEM report's authors were "not aware of any evidence at the unclassified level that [Confucius Institutes] were ever associated with espionage or intellectual property theft."

### Legislation

Legislation introduced in the 117<sup>th</sup> Congress related to the operation of Confucius Institutes in the United States include the Confucius Act (S. 590 [passed in the Senate] and H.R. 2622) and the Transparency for Confucius Institutes Act (S. 822 and H.R. 2057). In the 118<sup>th</sup> Congress, the DHS Restrictions on Confucius Institutes and Chinese Entities of Concern Act has been introduced (S. 1121 and H.R. 1516).

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