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Updated November 8, 2021

Confucius Institutes in the United States: Selected Issues

The People's Republic of China (PRC)'s Confucius Institutes, which offer Chinese language instruction in universities around the world, have been the subject of controversy since appearing on U.S. campuses in 2005, particularly for their perceived effects on academic freedom and lack of transparency. They have attracted further attention in recent 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 and scholars deny such charges, and suggest that the Institutes have become victims of a U.S. "Cold War mentality." Supporters of the Institutes emphasize that they provide Chinese language and cultural programs that benefit students, universities, and surrounding communities and which may not otherwise be available.

Policy Developments

A provision in the National Defense Authorization Act for FY2019 (P.L. 115-232, Section 1091) prohibits the use of Department of Defense (DOD) funds for Chinese language instruction provided by a Confucius Institute or to support a Chinese language program at an institution of higher education that hosts a Confucius Institute.

In August 2020, the Trump Administration designated the Confucius Institute U.S. Center (CIUS), whose purpose is to oversee 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.

On December 31, 2020, the Trump Administration issued a proposed rule entitled "Establishing Requirement for Student and Exchange Visitor Program Certified Schools to Disclose Agreements with Confucius Institutes and Classrooms." The draft rule reportedly did not complete the Office of Management and Budget review process by the end of the Trump Administration term. The Biden Administration has not resubmitted the proposal.

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 Institutes, which operate in over 160 countries, 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, with some differences. Confucius Institutes exercise less autonomy from their home government than their European counterparts, and mostly are situated within foreign educational institutions, while their foreign counterparts are not. In addition to providing Chinese language instruction, according to analysts, Confucius Institutes appear designed to help improve China's international image or reduce what PRC officials view as misconceptions about China.

Other Reports and Information Sources

- Rachelle Peterson, 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.
- Confucius Institute U.S. Center (CIUS), at https://www.ciuscenter.org/.

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 a minority of cases, they offer classes to enrolled students for credit, or Institute instructors teach credit courses in academic departments. The Institutes often work with university departments to co-sponsor 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 they serve as platforms for academic collaboration between U.S. and Chinese universities.

In 2020, the PRC government 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. As part of the change, the Chinese International Education Foundation, a Ministry of Education-sponsored, nongovernmental charitable organization comprised of universities and corporations, was formed to provide funding to the Institutes.

Confucius Institutes in the United States

The number of Confucius Institutes in the United States grew to approximately 100 by 2019, mostly on university campuses, out of nearly 550 worldwide. China spent over $158 million on Institutes in the United States between

2006 and 2019, according to a U.S. Senate Permanent Subcommittee on Investigations report. In addition, the Institutes sponsor Confucius Classrooms in U.S. primary and secondary schools, which numbered roughly 500 in 2020.

The number of Confucius Institutes in the United States has declined significantly in recent years, falling from 103 in 2017 to 31 at the end of 2021, according to the National Association of Scholars, a nonprofit advocacy group. U.S. universities have cited various reasons for terminating the Institutes, including concerns about academic freedom; the potential for Chinese government influence and risks to U.S. national security; differences between U.S. educational institutions and the Institutes over missions and objectives; changing curricular needs; declining interest or enrollment; difficulties of operation due to the COVID-19 pandemic; the desire to keep DOD Chinese Language Flagship funding; and encouragement by some Members of Congress. In recent years, some Confucius Institutes and Classrooms have closed in other countries as well, including Australia, Canada, Belgium, Denmark, France, Germany, and Sweden.

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 China's Center for Language Education and Cooperation (formerly *Hanban*). 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 are accessible online while others are available upon request. Some have 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. In many cases, a U.S. director administers the Confucius Institute, and in some cases, U.S. and PRC co-directors administer it. The U.S. director often 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 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 controversy, including both disseminating propaganda and broaching topics that are politically sensitive in China. 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 the teaching qualifications of instructors from China, tensions with 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, transparency, and managerial control.

Some reports 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 reports suggest that there have been few instances of Confucius Institutes overtly attempting to interfere in academic and 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 Chinese government.

Some observers raise additional concerns, including the lack of PRC reciprocity toward U.S. educational efforts in China, possible incomplete reporting by U.S. universities to the Department of Education regarding funds received from China for their Confucius Institutes, and some cases in which Institute instructors from China entered the United States under an improper J-1 visa category.

Legislation

Congress has introduced legislation that include restrictions and requirements related to the operation of Confucius Institutes, and that aim to ensure academic freedom, greater transparency, and greater managerial authority by U.S. institutions of higher education and to prohibit the application of PRC laws at U.S. institutions. In the 117th Congress, such legislation includes S. 577; H.R. 1535; S. 590 (passed in the Senate); S. 822; H.R. 2057; and H.R. 2622.

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