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Confucius Institutes in the United States: Selected Issues

The People's Republic of China (PRC 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 four years.

Policy Developments

The National Defense Authorization Act (NDAA) for FY2021 (P.L. 116-283, Section 1062) restricts Department of Defense (DOD) funding to institutions of higher education that host a Confucius Institute. The United States Innovation and Competition Act of 2021 (H.R. 4521) would restrict funding from the National Science Foundation and other federal education funding to institutions of higher education that host a Confucius Institute, unless certain conditions are met (Sections 2525 and 6122). Such conditions aim to ensure academic freedom and managerial control by the U.S. side, require transparency, and prohibit the application of PRC law at U.S. institutions of higher education.

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.

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.

Other Reports and Information Sources

- Rachel 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 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 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 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 PRC formed the Chinese International Education Foundation, a Ministry of Education-sponsored, nongovernmental charitable organization comprised of universities and corporations, to provide funding to the Institutes.

Confucius Institutes in the United States

The number of Confucius Institutes in the United States grew to 103 by 2017, mostly on university campuses, out of nearly 550 worldwide. 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 has fallen dramatically with the decrease in the number of Institutes in recent years.

The number of Confucius Institutes in the United States fell to 18 as of April 2022, according to the National Association of Scholars, a nonprofit advocacy group. Of these, four universities have indicated that they plan to close their Institutes, one is “under review,” and four are located in non-college settings. 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) difficulty operating due to the Coronavirus Disease 2019 pandemic, (4) the desire to keep DOD Chinese Language Flagship program and other U.S. government funding that have been or may be restricted by law, and (5) encouragement by some Members of Congress.

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 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 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 in the United States. In the 117th Congress, such legislation includes S. 577; H.R. 1535; S. 590 (passed in the Senate); H.R. 2622; S. 822; H.R. 2057; and H.R. 4521 (in conference committee).

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