



Testimony

Before the Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, U.S. Senate

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CHINA

Observations on Confucius Institutes in the United States and U.S. Universities in China

Statement of Jason Bair, Acting Director,
International Affairs and Trade

GAO Highlights

Highlights of [GAO-19-401T](#), a testimony before the Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, U.S. Senate

Why GAO Did This Study

Numerous U.S. universities and colleges have partnered with Chinese entities to establish (1) Confucius Institutes in the United States and (2) degree-granting institutions in China. Confucius Institutes are partnerships between Chinese entities and schools in other countries, arranged and funded in part by Hanban, which seek to promote Chinese language and culture. There were 96 institutes located at colleges and universities in the United States as of January 2019. U.S. universities have also partnered with Chinese universities to establish degree-granting institutions in China approved by the Chinese government.

School officials have noted these types of partnerships provide valuable educational, cultural, and other benefits. Some researchers, government officials, and others, however, have raised concerns about them, including about the contents of written agreements and the role of the Chinese government, which, according to the Department of State, has made efforts to restrict academic freedom and impose censorship at Chinese universities and other institutions. Some have expressed concern that U.S. universities partnering with the Chinese government may face similar restrictions.

This testimony discusses funding, agreements, and operations of (1) Confucius Institutes in the United States and (2) U.S. universities in China. This testimony is based on GAO's February 2019 report on Confucius Institutes in the United States and GAO's August 2016 report on U.S. universities in China.

View [GAO-19-401T](#). For more information, contact Jason Bair at (202) 512-6881 or bairj@gao.gov

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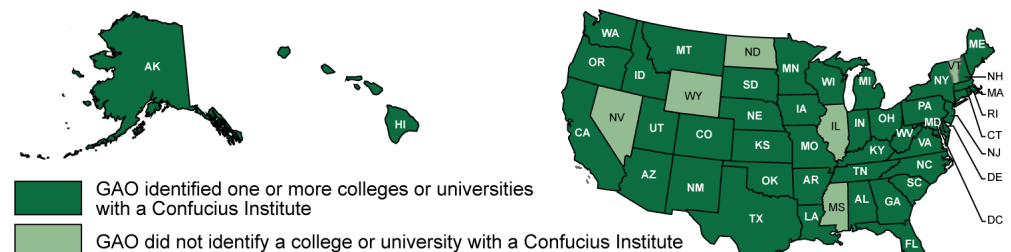
CHINA

Observations on Confucius Institutes in the United States and U.S. Universities in China

What GAO Found

GAO reviewed 90 agreements establishing Confucius Institutes and spoke to officials about benefits and concerns related to the institutes. Agreements between Hanban—an affiliate of the Chinese Ministry of Education—and U.S. colleges and universities generally describe similar activities, funding, and management, though institute operations vary in practice. Confucius Institutes receive funding from Hanban and U.S. schools, and do not receive direct federal funding. While 42 of 90 agreements contained language about the document being confidential, some were available online or upon request, and one-third of the 90 agreements explicitly addressed how U.S. school policies apply to the institutes. Officials GAO interviewed at 10 case study schools noted U.S. school policies apply to institutes at their schools. GAO also interviewed some researchers and others who expressed concern that the presence of Confucius Institutes could constrain campus activities and classroom content. For example, several suggested schools with institutes might avoid hosting events on topics that could include criticism of China, such as Taiwan or Tibet, so as to not offend Chinese partners. School officials offered examples to illustrate that these concerns did not apply to their institute, noting institutes had sponsored events on such topics. Nonetheless, school officials and others suggested ways schools could improve institute management, such as renegotiating agreements to clarify U.S. schools' authority and making agreements publicly available.

Colleges and Universities across the United States Have Confucius Institutes on Campus



Source: GAO analysis, as of January 2019, of Confucius Institute agreements, school documents, and Department of Education National Center for Education Statistics data. | GAO-19-401T

In August 2016, GAO reported that U.S. universities that have partnered with Chinese universities to establish degree-granting institutions in China emphasize academic freedom, but face internet censorship and other challenges. The 12 U.S. universities GAO reviewed generally reported receiving support for their institutions in China from Chinese government entities and universities, and 5 reported receiving U.S. government funding, mostly federal financial aid to U.S. students. Universities' agreements with Chinese partners or other policies GAO reviewed generally included language protecting academic freedom or indicating their institution in China would adhere to U.S. standards. University members generally indicated that they experienced academic freedom, but also stated that internet censorship, self-censorship, and other factors presented constraints. At several universities that lacked uncensored internet access, faculty and students noted that, as a result, they faced challenges teaching, conducting research, and completing coursework at that time.

February 28, 2019

Chairman Portman, Ranking Member Carper, and Members of the Subcommittee:

I am pleased to be here today to discuss GAO's work on U.S.-Chinese higher education partnerships, including Confucius Institutes at U.S. colleges and universities and U.S. universities that have partnered with Chinese universities to establish degree-granting institutions in China. These types of U.S.-Chinese higher education partnerships have been the subject of public debate and discussion in recent years. Some have noted that these partnerships can provide valuable educational and cultural resources, such as Chinese language training that may otherwise not be available, while also enhancing research opportunities. Others have raised various concerns, such as about the contents and confidentiality of written agreements between U.S. universities and Chinese partners, and about the role or influence of Hanban, an affiliate of the Chinese Government's Ministry of Education, in these partnerships. As the Department of State has reported, the Chinese government has engaged in activities within China to restrict academic freedom and impose censorship at Chinese universities. China has increased efforts to monitor internet usage and control internet content, and has taken measures to restrict freedoms of speech, religion, and assembly, according to the Department of State. Some have expressed concern that U.S. universities partnering with the Chinese government may face such restrictions.

My testimony summarizes the findings from our February 2019 report on Confucius Institutes in the United States, and our August 2016 report on U.S. universities in China.¹ Accordingly, this testimony discusses (1) funding, agreements, and operations of Confucius Institutes in the United States and (2) funding, agreements, and experiences of students and faculty at U.S. universities in China.

To conduct the work for our review of Confucius Institutes in the United States, we reviewed 90 agreements signed between U.S. schools and

¹See GAO, *China: Agreements Establishing Confucius Institutes at U.S. Universities Are Similar, but Institute Operations Vary*, [GAO-19-278](#) (Washington, D.C.: February 13, 2019); and GAO, *China: U.S. Universities in China Emphasize Academic Freedom but Face Internet Censorship and Other Challenges*, [GAO-16-757](#) (Washington, D.C.: August 29, 2016).

Hanban to identify how these documents address issues such as funding, activities, and management. We also interviewed stakeholders, including school officials, researchers, and others to gather perspectives on the institutes. Stakeholders interviewed included school administrators, Confucius Institute directors, and faculty from a non-generalizable sample of 10 case study schools; researchers and representatives from various organizations involved in higher education issues; officials at several schools that closed or ultimately declined to establish a Confucius Institute; and officials from the Departments of Defense, Education, and State. For our 2016 review of U.S. universities in China, we reviewed 12 U.S. universities that, at the time of our review, we identified as having partnered with Chinese universities to establish degree-granting institutions in China. We developed and administered a questionnaire asking for information on funding and other topics, and obtained and reviewed nine agreements between U.S. universities and their Chinese partners, as well as student and faculty handbooks and other university policies. In addition, we interviewed administrators from all 12 universities, and visited five universities in China, where we interviewed administrators and faculty; conducted discussion groups with U.S. and Chinese students; and reviewed facilities, services, and other aspects of these institutions. We also interviewed officials from the Department of Education. More information on our scope and methodology can be found in these reports.²

The work upon which this statement is based was conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Confucius Institutes are entities that seek to promote Chinese language and culture in foreign countries. Their establishment is guided by Hanban, which is headquartered in Beijing, China, and, according to various sources, is affiliated with the Chinese government's Ministry of Education. The first Confucius Institute in the United States was established in 2004, and there were approximately 525 institutes worldwide as of September

²[GAO-19-278](#), [GAO-16-757](#).

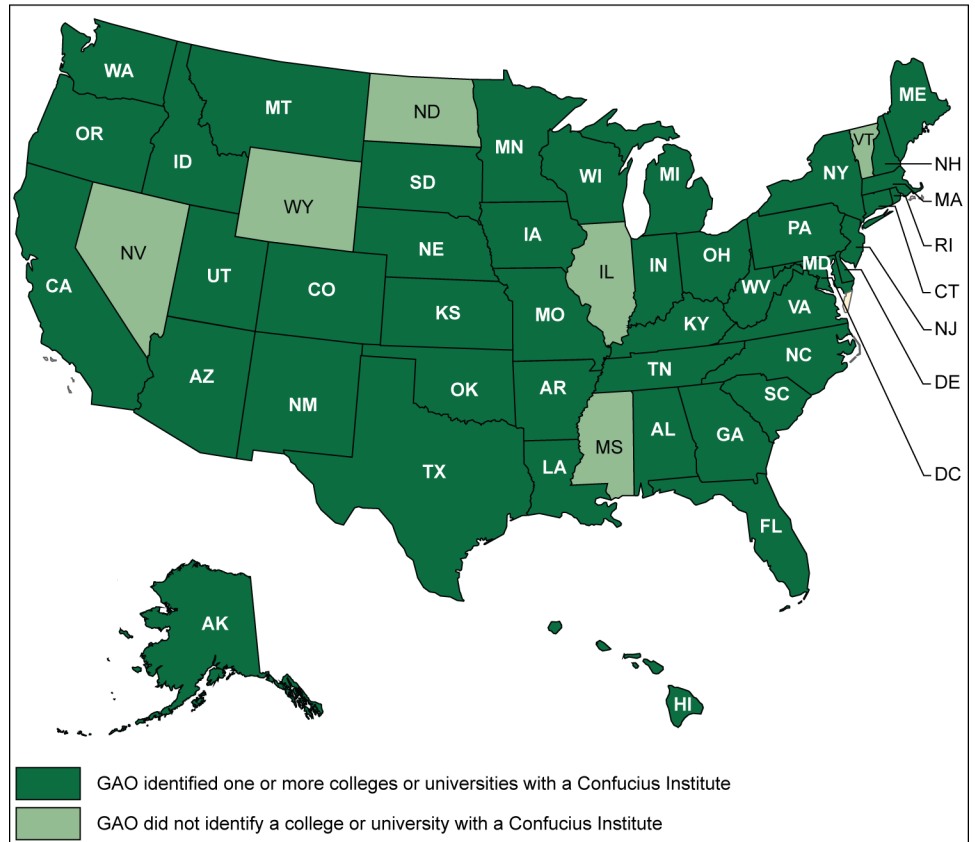
2018, according to Hanban’s website.³ Most Confucius Institutes in the United States are based at colleges and universities.⁴ We identified 96 Confucius Institutes in operation at U.S. colleges and universities in 44 states and the District of Columbia as of January 2019. See our February 2019 report on Confucius Institutes for a full list of the schools and their locations.⁵ Figure 1 shows U.S. states with one or more Confucius Institute on college or university campuses.

³This number includes Confucius Institutes established at colleges and universities and other educational institutions (such as school districts), or established independent of any educational institution, according to Hanban’s website.

⁴There are several Confucius Institutes established directly in partnership with U.S. public school districts (primary and secondary education) and at least two Confucius Institutes established independently of any educational institution. Throughout this testimony, we refer to U.S. colleges and universities with Confucius Institutes as “U.S. schools.”

⁵[GAO-19-278](#).

Figure 1: All But Six U.S. States Have at Least One Confucius Institute on College or University Campuses



Source: GAO analysis, as of January 2019, of Confucius Institute agreements, school documents, and Department of Education National Center for Education Statistics data. | GAO-19-401T

Additionally, in recent years, some U.S. universities have partnered with Chinese universities to establish degree-granting institutions in China approved by the country’s government. The Chinese government requires that U.S. universities seeking to establish such an education arrangement in China partner with a Chinese university, and establish written agreements with the Chinese university defining the academics, governance, operations, finances, and other aspects of the arrangement. At the time of our review in August 2016, the 12 institutions we reviewed ranged from fewer than 40 to more than 3,000 students. More than 90

percent of the students across the 12 institutions were Chinese, and less than 6 percent were U.S. citizens.⁶

Confucius Institute Arrangements Vary Across Universities, and Stakeholders Have Identified Related Benefits, Concerns, and Suggestions for Improvement

Confucius Institute Management, Operations, and Agreements Vary by School

Management

In February 2019, we reported that Confucius Institutes in the United States that we reviewed were established as a partnership between a U.S. school and a Chinese college or university, funded and arranged in part by Hanban. Management of the institutes varies by school.⁷ Some Confucius Institutes at U.S. schools are part of an academic department or an administrative office, while others report directly to the school president or other school leadership. Confucius Institute personnel generally consist of a Confucius Institute director or directors, Confucius Institute teachers, and a board of directors. At the 10 case study schools that were part of our review, the Confucius Institute director was a U.S. school employee—either a school administrator, faculty member, or professional hired to manage the Confucius Institute. In addition, several case study schools had a Chinese assistant director, who reported to the

⁶[GAO-16-757](#).

⁷[GAO-19-278](#).

Confucius Institute director from the United States, and often was an employee at the Chinese partner university.

Funding

We did not identify any direct federal funding being used at Confucius Institutes.⁸ Confucius Institutes at U.S. schools are primarily funded by Hanban and the U.S. school, according to agreements we reviewed and school officials we interviewed. Hanban generally provides start-up funds, annual funds, Confucius Institute teachers and their salaries, and teaching materials.⁹ The U.S. school hosting a Confucius Institute generally provides annual funds matching Hanban's contribution, as well as physical space and administrative support, according to the agreements we reviewed. Case study school officials indicated that U.S. schools generally provide their annual matching funds in the form of in-kind support for the campus space and personnel to staff or manage the Confucius Institute.

Activities

Confucius Institute activities are generally oriented towards Chinese language and culture, according to case study school officials we interviewed. Examples they cited of these activities include organizing Chinese cultural events or performances for the campus and the local community, hosting speakers, organizing and funding conferences, providing Chinese teaching or cultural resources to public schools locally or statewide, and connecting with the business community.

Teachers, Materials, and Curriculum

Confucius Institute teachers' roles vary by school. Some case study schools offer credit courses taught by Confucius Institute teachers, who use the U.S. school's own curriculum as taught, developed, or approved by U.S. school faculty, according to officials at those schools. At other case study schools, institute teachers, if present, taught only non-credit courses or partial credit courses, or did not teach any courses.¹⁰ None of

⁸According to officials at the Departments of Defense, Education, and State, no federal funding from these agencies is used to support or operate Confucius Institutes at U.S. schools. In addition, no school officials at any of the 10 case study schools we interviewed reported receiving or using federal funding for their Confucius Institute. Further, none of the 90 agreements we reviewed mentioned any U.S. federal funding for the Confucius Institute.

⁹According to the agreements we reviewed, start-up funds provided by Hanban range from \$50,000 to \$150,000.

¹⁰Instead of teaching courses, they sometimes provided tutoring support to credit courses or organized extracurricular and cultural activities, such as calligraphy or paper-cutting classes.

our case study schools used Hanban-developed curriculum for credit-bearing classes, according to officials we interviewed. Officials at the case study schools stated that Hanban-provided materials (such as textbooks) are not used to support credit courses offered by the school or institute. Instead such courses use a Chinese language textbook developed in the United States.¹¹

Agreements

Schools sign agreements with Hanban to establish Confucius Institutes. Almost all of the agreements are valid for 5 years, most with an automatic renewal period of another 5 years. The agreements outline institute activities, funding, and management, among other things. Thirty of the 90 agreements we reviewed referenced U.S. school policies in relation to Confucius Institute activities or operations or contained language related to U.S. school policies, procedures, and/or regulations. For example, 10 agreements contained language indicating that U.S. school policies applied to the operation of the Confucius Institute and/or its activities, and one noted that nothing in the agreement shall be construed to limit the academic freedom of faculty or academic programs at the school. See our February 2019 report on Confucius Institutes for additional examples of language about U.S. school policies' applicability to the institutes.¹²

Of the 90 agreements we reviewed, 42 contained language about the agreement being confidential or language regarding the ability of either party to the agreement to share or release the agreement or other information.¹³ Some agreements are publicly available on school

¹¹Some officials stated that the Chinese language textbook provided by Hanban is not appropriate for American students learning Chinese because Chinese publishers have different ideas about how much time students can commit to language study. Other officials noted that the U.S. textbook they use instead of the Hanban book includes traditional Chinese language, which is more complex than the simplified Chinese characters developed by the Chinese government.

¹²[GAO-19-278](#).

¹³This language is similar to the language addressing confidentiality in the sample agreement template that was posted on Hanban's English-language website. The language in Hanban's sample agreement that addresses confidentiality appears in a section called "Other Terms," and states "The parties to this Agreement will treat this Agreement as confidential and will not, without prior written consent, publish, release or disclose, or permit any other party to publish, release, or disclose, any materials or information which come to the knowledge of either party as a result of this Agreement except insofar as such publication, release or disclosure is necessary to enable each party to fulfill their obligations under this Agreement."

websites, or available upon request, according to school officials.¹⁴ According to school officials, state open records laws or the fact that some schools are public institutions means some agreements can be obtained if formally requested, while other schools have posted their agreements online in response to increased focus on Confucius Institutes or requests for the document. Some school officials explained that their Confucius Institute agreements were not posted online because their schools generally do not post every agreement or any agreements on their websites. These officials stated that their treatment of the agreements was not due to any particular secrecy surrounding them, but rather was consistent with their handling of other agreements.

School Officials, Researchers, and Others Identified Both Benefits and Concerns, and Suggested Ways to Improve Confucius Institutes

Perspectives on Institute Benefits

In February 2019, we reported that officials we interviewed from case study schools stated that Confucius Institutes' benefits include opportunities for schools to forge international connections and receive funding and other resources for China-related programs.¹⁵ These officials noted that because Hanban pays the salaries of Confucius Institute teachers who teach language and assist with Chinese programs at schools, sparing the schools these costs, these schools could offer Chinese language courses even when enrollment was low. Case study school officials also stated that Confucius Institutes provide valuable resources and opportunities to increase knowledge of and exposure to China and Chinese culture within the school and in the broader community.

Perspectives on Concerns Related to Institutes

Case study school officials, researchers, and others we interviewed also offered various perspectives on whether having Confucius Institutes on

¹⁴At least 11 agreements are publicly available on schools' websites, and six of these agreements contain confidentiality language.

¹⁵[GAO-19-278](#).

campuses could bring about undue Chinese influence. These parties discussed the potential for or absence of Chinese interference in events and activities at the institute and on campus. They also expressed views on Confucius Institute teacher hiring, and quality of those teachers.

Several school officials, researchers, and others we interviewed expressed concerns that hosting a Confucius Institute could limit events or activities critical of China—including events at the institute and elsewhere on campus. Two officials who expressed these concerns were faculty members at one case study school who have not applied for Confucius Institute funding for a research project because they believed Hanban would not approve of the topic. In contrast, officials at multiple case study schools noted that U.S. school faculty members make all decisions regarding conference themes, guest speakers, and topics for events at their institute. Officials at some schools offered examples of events and activities their Confucius Institute had sponsored that addressed topics that could be considered critical of China. Specifically, they reported hosting a conference discussing intellectual property in relation to China and events on Tibet, territorial disputes in the South China Sea, and religion in China.

In addition, multiple researchers and others we spoke with expressed concerns with the Confucius Institute teacher selection process whereby Hanban or the Chinese partner school accepts initial applications from potential Confucius Institute teachers and proposes candidates to the U.S. school. These individuals noted that the Chinese entities could use such a process to effectively screen out candidates based on inappropriate criteria, such as political or religious affiliation. Officials we interviewed at multiple case study schools that had Confucius Institute teachers, however, expressed no concerns about the process for hiring teachers. School officials stated that they believed their school generally controlled the hiring process and were thus satisfied with it. Most officials emphasized that while institute teachers often come from the Chinese partner university, and are referred by the partner or Hanban, the U.S. school makes the final hiring selection.

Suggestions for Improvement

Case study school officials, researchers, and others also suggested ways to improve the institutes, including changing the language in agreements governing Confucius Institutes and policies for sharing these agreements. These parties stated that schools should remove the confidentiality section of their agreements and make the agreements publicly available online. Several researchers and others also emphasized that making the agreements publicly available would dispel questions and concerns over their contents. Several representatives of higher education institutions told us that they believed the confidentiality language in agreements was unnecessary and schools should consider removing it from their agreements. A few case study school officials, researchers, and others we interviewed stated that schools should include stronger language in the agreements to make it clearer that the U.S. school has executive decision-making authority.

School officials and others we interviewed suggested other steps that schools could take to ensure they protect against undue Chinese influence. Several school officials stated that the schools should clearly delineate between the Confucius Institutes' programs and their own Chinese language programs, such as by locating the institute apart from these departments within the school's organizational structure. A few school officials and others noted that Confucius Institute teachers should not teach credit-bearing courses, even if those courses use curriculum developed by the school's language department. One school administrator, who stated that his school's Confucius Institute would never have a Chinese assistant director because the position suggests an excessive degree of Chinese influence, recommended that other schools remove the Chinese assistant director position from their institutes. Officials from two case study schools and others we interviewed stated that schools should organize events through the institute specifically intended to address what some might perceive as a topic sensitive to Chinese interests to demonstrate the school and institute were not subject to undue Chinese influence.

U.S. Universities in China Emphasized Academic Freedom but Faced Internet Censorship and Other Constraints

U.S. Universities Reported Receiving Support from Chinese Entities, with Limited U.S. Support

In August 2016,¹⁶ we reported that the 12 U.S. universities we reviewed generally reported receiving support for their institutions in China from their Chinese partner universities and from Chinese government entities, with limited funding from U.S. government agencies and private donors.¹⁷ Most universities reported being granted land, resources for construction of buildings, and the use of the Chinese university's campus facilities. The amount of support reported by the universities varied widely and was in some cases substantial. For example, one university reported receiving nearly 500 acres of land and a commitment from the Chinese provincial and local governments to spend about \$240 million for construction and development of facilities. Five of the 12 universities reported receiving federal funding, which in most cases consisted of federal financial aid to U.S. students.

Agreements between U.S. and Chinese Partners and Other Policies Generally Outlined Academic Freedom Protections

At the time of our review, most universities we reviewed included language in their written agreements or other policies that either embodied a protection of academic freedom or indicated that the institution in China will adhere to academic standards commensurate with those at their U.S. campus. Six universities in our review included language in either their written agreements or other university policies that indicated a protection of academic freedom, such as permitting students to pursue research in relevant topics and allowing students to

¹⁶[GAO-16-757](#).

¹⁷The 12 U.S. universities we reviewed were Carnegie Mellon University, Duke University, Fort Hays State University, Johns Hopkins University, Kean University, Missouri State University, the New York Institute of Technology, New York University, Northwood University, Rutgers University, the University of Michigan, and the University of Pittsburgh. During our review, the University of Illinois and the University of Miami were also approved to operate cooperative education institutions in China.

freely ask questions in the classroom. For example, one university's agreement stated that all members of and visitors to the institution in China will have unlimited freedoms of expression and inquiry and will not be restricted in the selection of research, lecture, or presentation topics. Another three universities' written agreements included language indicating that the institution in China will adhere to academic standards commensurate with either the U.S. campus or the university's accrediting agency or other authoritative bodies.

Fewer agreements addressed other types of protections at the time of our review. About half of the universities GAO reviewed addressed access to information, such as providing faculty and students with access to physical or online libraries, though a few universities' agreements and policies include language protecting internet access. Written agreements and policies for about half of the universities we reviewed included language that suggested a protection of at least one of the freedoms of speech, assembly, and religion or worship, though the number of universities addressing each freedom varies. For example, regarding freedom of speech, student and faculty handbooks at a few of these universities contained language indicating that students have the ability to discuss sensitive topics. Regarding freedom of religion or worship, several of the universities included language in their policy documents indicating that religious practices will be protected.

U.S. University Members Generally Indicated They Experienced Academic Freedom, but Internet Censorship and Other Factors Posed Challenges

The more than 130 faculty and students we interviewed from universities' institutions in China during our 2016 review generally reported that academic freedom had not been restricted. Faculty told us they did not face academic restrictions and could teach or study whatever they chose. For example, several faculty members asserted that neither they nor their colleagues would tolerate any academic restrictions, and one faculty member told us he and his colleagues intentionally introduced class discussions on politically sensitive topics to test whether this would trigger any complaints or attempted censorship. Students also generally indicated that they experienced academic freedom and could study or discuss any topic. Some students who had also studied or knew others who studied at Chinese universities contrasted their experiences at a U.S. institution in China, noting that they could have interactive dialogue with faculty, discuss sensitive topics, and freely access information at the U.S. institution but not at a Chinese university. Through interviews and responses to our questionnaire, university administrators reported that academic freedom was integral to their institutions in China. Administrators at several universities told us that academic freedom was nonnegotiable, while others noted that the same curriculum used in the United States also applied to their institution in China.

However, fewer than half of the universities we reviewed had uncensored internet access at the time of our review. We visited universities with and without uncensored internet access, and observed university members accessing search engines, newspapers, and social media sites that have been blocked in China—such as the New York Times, Google, and Facebook—at some universities but not others. At several universities that lacked uncensored internet access, students and faculty told us that, as a result, they sometimes faced challenges teaching, conducting research, and completing coursework. For example, one faculty member told us that she sometimes asked others outside of mainland China to conduct internet research for her because they can access information she could not. Several students at another university told us their ability to conduct academic research was constrained by the internet limitations.

We also reported in August 2016 that additional factors that could create obstacles to learning at U.S. universities in China, including self-censorship and constraints specific to Chinese students.

- Administrators, faculty, and students representing more than half of the universities we reviewed gave examples of self-censorship, including some cases where individuals were advised by teachers or

others in positions of authority to avoid certain topics. For example, an administrator at one university noted that he believed it was advisable, as a guest of China, to refrain from insulting China, while an administrator at another university noted that the university advised teachers to avoid discussing sensitive subjects in class.

- In addition, we found that some conditions specific to Chinese students may constrain their academic experience. For example, some noted that Chinese students may know or suspect that their Chinese classmates are government or Communist Party monitors and will report on whatever the students say. An administrator at one university told us that he assumed there were Chinese students and faculty in the institution who reported to the government or the Communist Party about the activities of other Chinese students. Faculty members at several universities told us that they understood there were Chinese students in class who intended to report on the speech of faculty or Chinese students.

Finally, we also observed that three of the 12 universities we reviewed that were approved by the Chinese Ministry of Education as having independent legal status shared characteristics that may be correlated with greater academic and other freedoms on campus.¹⁸ We found that these three universities had campuses built specifically for the joint institution that were located relatively far away from their Chinese university partner's campus, generally controlled their own day-to-day operations, had uncensored internet access, and offered extensive campus and student life programs. In contrast, the other nine universities we reviewed did not consistently share these characteristics at the time of our review.

Chairman Portman, Ranking Member Carper, and Members of the Subcommittee, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

¹⁸According to a publication of the National Association of College and University Attorneys, cooperative institutions approved with independent legal status can exercise rights associated with legal persons in China, such as owning property or other assets.

GAO Contact and Staff Acknowledgements

If you or your staff have any questions about this testimony, please contact Jason Bair, Acting Director, International Affairs and Trade at (202) 512-6881 or bairj@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. GAO staff who made key contributions to this testimony are Joseph Carney (Assistant Director), Caitlin Mitchell (Analyst in Charge), Joyce Kang, Neil Doherty, Melissa Emrey-Arras, Meeta Engle, Elizabeth Repko, Aldo Salerno, Michael Silver, and Nicole Willems.

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