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Statement for the Record before the U.S.-China Economic and Security Review Commission
Hearing on "China's Global Influence and Interference Activities"

1. How and why does China seek to influence discourse about China-related issues on U.S. university and college campuses?

The Chinese Communist Party (CCP) influences discourse about China at U.S. institutions of higher education through a variety of means, many of which diverge from conventionally accepted forms of public diplomacy. These practices generally are corrupt, coercive, and covert.

Concerns over the CCP's influence efforts have existed throughout the decades since academic ties first expanded between the U.S. and PRC, although the CCP has devoted greater attention towards monitoring and involving itself in the affairs since the pro-democracy movement of 1989, during which Chinese students studying outside the PRC played a significant role.¹ Issues resulting from CCP influence efforts, however, have worsened for close to a decade and a half, a trend which has only accelerated in recent years.

It is prudent to begin by outlining the major features of the CCP's systematic influence and repression efforts at the university level and how this has, and continues to, negatively affect relations between U.S. institutions of higher education and the People's Republic of China (PRC) in a manner that is profoundly exploitative, unethical, and unsustainable.

Some of the most prominent tools of CCP influence at the university level are the following:

- **Chinese Students and Scholars Associations (CSSAs)**, and similarly functioning PRC-founded and directed organizations.
- **Confucius Institutes** and their successor programs, which have been characterized by Human Rights Watch as being "fundamentally incompatible with a robust commitment to academic freedom,"² and which promote self-censorship, are documented as arbitrarily censoring discussion of issues "sensitive" to the CCP, and engage in discriminatory hiring practices.
- **Additional academic exchanges**, including certain research partnerships, satellite campuses, and other entanglements which can be used by the CCP as leverage over universities.

All of this has occurred despite fierce opposition from students, faculty, advocates of affected communities, and the general public, and sincere, bipartisan efforts to educate university administrations about these issues.

It is important to specify that CCP repression efforts targeting academic institutions are unique in comparison to other authoritarian states and entities such as Iran and Saudi Arabia. What is specifically distinct about these efforts is the role of United Front work, which is directed by the highest levels of the

¹ This is according to interviews with Yang Jianli, Zhou Fengsuo, and numerous Chinese activists who were directly involved or otherwise personally familiar with the pro-democracy movement and associated actions and organizing by overseas Chinese, particularly in the United States with the Independent Federation of Chinese Students and Scholars (IFCSS).

² "12 Point Code of Conduct to Protect Academic Freedom." <https://www.hrw.org/news/2019/03/21/china-government-threats-academic-freedom-abroad><https://www.hrw.org/news/2019/03/21/china-government-threats-academic-freedom-abroad>

CCP and coordinated in part by the United Front Work Department (UFWD), is used to undermine potential opposition to the CCP and further its preferred political goals. It utilizes well-funded individuals, organizations, and academic entities - including Confucius Institutes and Chinese Students and Scholars Associations (CSSAs) - as proxies.

2. Is there evidence that Chinese government officials or nationals on U.S. campuses have sought to influence the way that Chinese students or other members of the university community engage with China-related issues through threats or other forms of coercion? Who is most vulnerable?

There is an abundance of evidence demonstrating that the CCP, including through PRC government officials, has already and continues to influence the manner in which China-related issues are discussed. Moreover, recent, documented incidents further affirm that this pattern of repression most directly targets Chinese students themselves, as well as Hongkongers, Uyghurs, Tibetans, and other affected communities.³ In a recent example from September of 2022, the CSSA at Columbia University hosted a speech by Acting Consul General Jiang Jianjun of the PRC Consulate in New York. According to a text of the speech originally published in Chinese on the Consulate website, Jiang called for students to “maintain... correct judgment on issues involving... territorial integrity” and to work for the “great rejuvenation of the Chinese nation.”⁴ The event was attended by senior Columbia administrators, including the Senior Provost, as well as the Director of the International Students and Scholars Office (ISSO) who allegedly promised to strengthen the university’s ties to the Consulate.⁵

Those most vulnerable to CCP-backed repression efforts are those from communities already affected by the CCP, such as Uyghurs, Hongkongers, Tibetans. In particular, allowing CSSAs to exist unimpeded allows the Party to continue monopolizing the representation of Chinese students by the CCP, and the Uyghur Human Rights Project and other organizations have documented a pattern of repression of Uyghurs and Uyghur Americans in the U.S., including Interviews with PRC nationals and faculty at multiple universities that Athenai has conducted appear to confirm this, as Chinese students and recent alumni at over a dozen universities have stated that pro-CCP students monitor and inform on other Chinese students, and “especially Uyghur students,” to the PRC Embassy and regional consulates on a regular basis.

3. What are Chinese Students and Scholars Associations (CSSAs)? What services do they provide to the Chinese student population? How are CSSAs financed, and what evidence exists regarding their links to China’s party-state? Do CSSAs engage in activities that facilitate the aims of the party-state?

CSSAs are PRC-government founded and indirectly funded student organizations. These do provide genuine social functions and support for Chinese students, and these kinds of services range from assistance with housing and accommodations, to recreational and professional networking events. However, they also coordinate with PRC embassies and consulates regularly in order to surveil and intimidate PRC nationals abroad, and punish those who dissent from the party’s stance.^{6 7} Operatively, one of the main functions of CSSAs is to suppress students and scholars who possess views at odds with those of the Party. Last year, at George Washington University (GWU), the CSSA organized a campaign to target a group of independently organized Chinese students who put up posters designed by the

³ [Microsoft Word - UHRP_Repression Across Borders_\(8-12-19\).docx](#)

⁴ http://newyork.china-consulate.gov.cn/lghd/202209/t20220914_10766133.htm

⁵ Ibid.

⁶ [The Chinese Communist Party Is Setting Up Cells at Universities Across America – Foreign Policy](#)

⁷ [A Weapon Without War: China’s United Front Strategy - Foreign Policy Research Institute \(fpri.org\)](#)

Chinese-Australian artist Badicuaao critical of the 2022 Olympics being held in Beijing. The GWU CSSA and the Chinese Cultural Association (CCA) – another pro-CCP student organization, which splintered off from the CSSA – criticized this and sent the interim President of GWU, Mark Wrighton, an email showing one of the posters out of context. Wrighton, a past chairman of the American Association of Universities (AAU), is also a former chancellor of the Washington University of St. Louis, remains the only university president in North America to have joined the academic arm of the Belt and Road Initiative.⁸ Wrighton’s immediate response was to denounce the posters and commit to investigate those responsible for putting them up, a promise he only walked back after facing pushback from students, civil society organizations, and the general public. The GWU CSSA itself issued separate statements in a WeChat group for Chinese students.

While Chinese students face the brunt of repression efforts on a regular basis, CSSAs consistently mobilize to shut down events critical of the Party. A clear example of this occurred in November of 2020, when the CSSA at Brandeis University organized a campaign through WeChat attempting to shut down an event on the genocide of Uyghurs featuring human rights activist Rayhan Asat. The event itself went forward, but was “Zoombombed” by attendees in what one of the panelists, Georgetown University Professor Jim Millward, described as a “[c]oordinated disruption.”⁹

These are only a few of dozens of other instances of repression and censorship, the majority of which are alleged by more than two dozen current Chinese students who have spoken with Athenai under condition of anonymity. While Chinese students and those from affected communities face the brunt of this repression, the aftereffects reverberate through the academic community, ultimately harming the broader public and damaging the integrity of academic institutions.

4. How well are U.S. universities positioned to protect academic freedom and members of their campuses from undue political inference by China’s party-state?

The current policies in place at U.S. universities remain unable to adequately protect academic freedom and the civil rights of students and scholars. Here it should be emphasized that this is primarily due to the inaction of those who possess power over decision making within academic institutions– that is, university administrators and other officials – and in spite of the earnest and sustained efforts of faculty members, human rights and academic freedom watchdogs, affected communities and their representatives, students, and public officials who have sought to address this issue for well over a decade: the University of Chicago Professor and anthropologist Marshall Sahlins prominently called attention to the issue of Confucius Institutes. More recently, in 2019, Human Rights Watch issued a 12 Point Code of Conduct for institutions of higher education to protect academic freedom.^{10 11} Later that same year, the American Association of University Professors published an extensive report on academic freedom and China, which operatively noted an apparent lack of concern on the part of U.S. university administrators.¹² In May of 2020, national leaders of the College Democrats of America (CDA) and the College Republicans National Convention (CRNC) joined Athenai in a first-ever joint statement calling attention to the threat posed by the CCP and authoritarianism to academic institutions, and which called for “the immediate and permanent closure” of all Confucius Institutes in the U.S.¹³

⁸ [WashU first North American member of the UASR - Global](#)

⁹ [Brandeis panel on Uyghur Muslims faces calls for cancellation, Zoombombing \(thefire.org\)](#)

¹⁰ [China U. | The Nation](#); and [Confucius Institutes: Academic Malware | The Asia-Pacific Journal: Japan Focus \(apjif.org\)](#)

¹¹ [China: Government Threats to Academic Freedom Abroad | Human Rights Watch \(hrw.org\)](#)

¹² [Academic Freedom and China | AAUP](#)

¹³ [Students Call to Shut Beijing-Funded Confucius Institutes - Voice of America](#)

Chinese students themselves, though mostly acting underground, have consistently sought to make their views known in recent years, including through the display of posters critical of Xi Jinping. The Athenai Institute estimates that, in the weeks following the Sitong Bridge Banner Protest in the Fall of 2022, Chinese students placed up political artwork, posters, and related materials at around 150 or more universities in the U.S. alone. Late November of last year saw some of the largest demonstrations in the PRC in the past 30 years, with Chinese students in the US following this with in-person demonstrations at hundreds of universities; *CitizensDailyCN*, one of the major accounts on social media through which pro-democracy Chinese students coordinate and share news through, started a widely-circulated post calling for greater support and protections for Chinese students. In the months following this, however, reports have continued to circulate of Chinese students and their families facing reprisals by CSSAs and authorities in the PRC for their involvement in demonstrations. One of the largest in the country took place at Columbia University, with an estimated 800+ attendees; according to the Chinese students who organized the vigil, one Chinese student was physically assaulted during this. According to Sveta Lee, a Chinese student and one of the main organizers, who has additionally founded both the Columbia White Paper Society and its chapter of Students for a Free Tibet, students repeatedly emailed the administration about the incident and requested that the university investigate. No such action was ever taken. Around this same time, a memorial set up by Chinese students at the University of California Berkeley was set on fire by a pro-CCP nationalist. A number of anonymous Chinese students quickly determined who was responsible for the destruction of the memorial and contacted the UC Berkeley administration and multiple students emailed this to the Berkeley administration to complain, no action is known to have been taken by the university to address this.

5. Can you describe the financial relationships that may exist between U.S. colleges and universities and the Chinese government? Do these financial ties present risks to U.S. academic institutions? If so, please explain why and what is currently being done to mitigate these risks.

U.S. institutions of higher education are extensively financially entangled with the CCP through gifts, grants, research partnerships, and other contracts. Confucius Institutes and their successors are the most visible form, but there is a real risk that the decline of Confucius Institutes in the U.S. since 2015 and especially since 2018 will distract from deeper—and in many ways more pernicious—financial entanglements.

U.S. colleges and universities receive substantial funding from entities in the PRC and Hong Kong, of which funding for Confucius Institutes likely constitutes a fairly small share. Crucially, these ties remain poorly documented despite the existence of formal processes that should, in principle, allow the public to access data about them with ease. Section 117 of the Higher Education Act of 1965 requires institutions of higher education to report “contracts with, and gifts from, a foreign source that, alone or combined, are valued at \$250,000 or more in a calendar year.”¹⁴ The Department of Education established an updated portal for universities to report Section 117 data beginning on June 22, 2020; an interactive feature developed by the Department to display these data excludes legacy data, and is generally user-unfriendly. Though users can download a full dataset with both new and legacy data from the Department’s website, this dataset largely excludes the names of donor entities, apparently as a result of a policy change by the Department of Education. A separate database made available by the Office of Federal Student Aid, which only includes legacy data through June 2020, includes more detailed donor information, but in some cases these data differ substantially from those published on the general College Foreign Gift

¹⁴ <https://www2.ed.gov/policy/highered/leg/foreign-gifts.html>.

Reporting site, which currently includes data through October 17, 2022.¹⁵ Moreover, institutional compliance with Section 117 has been famously poor. The Department of Education estimated in 2020 that between 2012 and 2018, universities underreported funds received from Hanban, the Chinese state entity then-tasked with overseeing Confucius Institutes, by a factor of seven. At the time, the Department identified more than \$6 billion in unreported foreign contributions, including significant funds from entities in the PRC.¹⁶

In short, data currently made public by the Department of Education are deeply inadequate as a measure of universities' financial exposure to entities in the PRC. They can, however, provide a valuable sense of risks posed by certain forms of university financial entanglement with the Chinese government and the CCP. Publicly available Section 117 data for January 1, 2018 through October 17, 2022 include 284 reported gifts, restricted gifts, contracts, and restricted contracts from government sources in the PRC and Hong Kong worth a total of just over \$115 million.¹⁷ These funds include Confucius Institute contracts, tuition, and other fees paid by the China Scholarship Council (CSC) and other government-affiliated educational bodies and institutes, research support funding from Shanghai's municipal government, research funding from state-owned oil companies and research institutions, and agreements establishing or funding a variety of research centers and joint institutes. The overwhelming preponderance of reported gifts from, or contracts with, entities in the PRC and Hong Kong reported by U.S. universities since 2018 – A figure in excess of \$2.24 billion, according to the latest data from the Department of Education – have come from non-state entities.¹⁸ Though theoretically distinct from funds provided by the Chinese government itself, these funds are also a source of concern because they may provide opportunities for high-risk entities to act as proxies of the Chinese government or the CCP. This figure does not include CCP- and United Front-linked funds from entities outside of the PRC, such as Charoen Pokphand Group, which donated \$10 million to Georgetown University in 2016.¹⁹

A significant number of restricted contracts designate specific individuals as principal investigators for research projects, potentially giving Chinese state-affiliated entities direct control, or at least substantial leverage, over staffing decisions in laboratories and other facilities at R1 institutions. In some cases, this funding may implicate U.S. colleges and universities in research that contributes to human rights abuses in China, whether or not it comes directly from the Chinese government. Particular contracts – some of them with institutions that operate defense laboratories, like Xidian University – fund the cost of student tuition and other fees, giving them limited but real bargaining power in an area likely to be of particular interest to universities: tuition revenue. Though the amounts involved in these contracts are relatively small, colleges and universities remain highly reliant on tuition revenue from Chinese students. In 2019, Chinese students at the University of California-Davis accounted for 69% of the total international student body, which combined accounted for the bulk of the University's tuition revenue.²⁰ If universities feel that partner institutions in China may be able to influence overall trends in student enrollment, they might

¹⁵ [Lars Erik Schönander, Written Testimony for U.S. House of Representatives, Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Reforming Section 117 of the Higher Education Act of 1965.](#)

¹⁶ [Colleges and Universities Fail to Report Billions in Foreign Donations - U.S. News.](#)

¹⁷ See the Department of Education's Foreign Gifts and Contracts Reporting System (new data) and Postsecondary Education Participants System (legacy data).

¹⁸ Ibid.

¹⁹ See Rep. Gallagher's November 30, 2020 Letter to then-Secretary of Education Betsy DeVas on this subject for additional details.

²⁰ [Cutting Class: Uncertainty Around International Students Puts Colleges in Limbo — Sacramento Business Journal.](#)

prove particularly unwilling to implement measures that might risk the ire of the Chinese government or its proxies, including CSSAs.

Universities which operate campuses or joint institutes in China – including NYU Shanghai and Duke Kunshan University – may be particularly exposed to efforts by Chinese government entities to influence their operations because of their extensive footprint in mainland China. Though institutionally linked to entities in the United States, these institutions are subject to Chinese laws. An NYU Shanghai faculty member quoted in the *New York Post* in 2019 said that on its campus “there is a general idea that there are certain topics you don’t discuss” and that “[w]e all learn over time how to self-censor.”²¹ In a 2020 filing with the Equal Employment Opportunity Commission and reported on in *Inside Higher Ed*, NYU argued that NYU Shanghai is an independent entity because “Chinese law ‘prohibits a foreign entity from having control of a Chinese academic institution.’”²²

State and federal legislation appears to have had a meaningful impact on universities’ financial entanglements with entities in the PRC. Notably, Congress restricted Department of Defense funding to universities that continued to host Confucius Institutes through the National Defense Authorization Act (NDAA). More recently – despite widespread opposition from university associations – Congress included in the CHIPS and Science Act of 2022 a provision (Section 10339B) which requires the National Science Foundation to collect information on universities’ foreign contracts in excess of \$50,000, well below the Section 117 threshold. It remains unclear whether these data will be reported publicly.

Institutions of higher education have strongly resisted the new NSF reporting requirements and have opposed efforts to invigorate enforcement of Section 117. In some cases, individual universities have taken steps to limit, or to consider limiting, the funds they received from entities linked to the Chinese government. In virtually all cases, however, these steps have either been partial or highly prospective. In 2018, the University of Texas-Austin publicly announced that it would reject funding from the China-United States Exchange Foundation (CUSEF) due to its leader’s role as Vice Chairman of the Chinese People’s Political Consultative Conference, an entity closely linked to United Front work.²³ Subsequent Section 117 data, however, show that UT Austin continued to report funds from Chinese state-owned companies as recently as 2022. In November 2022, the Massachusetts Institute of Technology’s China Strategy Group, an advisory body convened by its President, released “University Engagement With China: An MIT Approach,” which held that “MIT should not engage in research collaborations with China’s national defense universities... or national defense key laboratories at civilian universities” and called for steps to prevent PIs from participating in research linked to Talent Programs or technology transfer.²⁴ Though purely advisory, these recommendations are a step in the right direction and provide a partial roadmap for universities to limit their exposure to high-risk entities in the PRC.

6. The Commission is mandated to make policy recommendations to Congress based on its hearings and other research. What are your recommendations for Congressional action?

Comprehensive legislation to counteract transnational repression, particularly of Chinese nationals studying at U.S. colleges and universities.

The Departments of Justice and State should be empowered to work closely with members of civil society and with civil society groups targeted by transnational repression. We are particularly concerned that

²¹ [NYU Shanghai Campus ‘Self-Censoring, Politically Neutral’ on Hong Kong: Faculty – New York Post](#).

²² [Who Controls NYU Shanghai? – Inside Higher Ed](#).

²³ [University Rejects Chinese Communist Party-Linked Influence Efforts on Campus – Washington Post](#)

²⁴ We strongly recommend that readers view the full report [here](#).

individuals acting as proxies of the Chinese government, particularly through CSSAs, might be able to avoid attention under current laws and policies. We strongly support recent initiatives calling for transnational repression to become one of the focus areas of the State Department’s Annual Human Rights Report and for developing a dedicated tip line or other reporting system focused specifically on transnational repression.²⁵ Along similar lines, Congress should consider expanding scope of the Foreign Agents Registration Act (FARA), currently focused primarily on issues of foreign lobbying and representation, to include transnational repression associated with CSSAs, Confucius Institutes, and other proxies of the Chinese government and the CCP.²⁶

Further Restrictions on Confucius Institutes and their successors.

Amend the NDAA to limit Department of Defense funding to institutions which maintain relationships with the Center for Language Exchange and Cooperation, the Chinese International Education Foundation, and other entities formerly associated with Hanban, as well as with China’s “Seven Sons of National Defense” universities and other academic institutions in China closely tied to military research.²⁷ We also recommend that Congress consider taking steps to limit the activities of CSSAs by limiting Department of Defense funding of universities where CSSAs or similar entities receive student activities funding.

Comprehensive Section 117 Reform

As currently written and interpreted, Section 117 creates significant opportunities for underreporting of foreign gifts and contracts. Moreover, the Department of Education itself has failed to disclose relevant details about most foreign gifts and contracts linked to the PRC, especially since 2020, or to present reported data in a manner that facilitates public access. Congress should consider amending Section 117 in the following ways:

- Reduce the annual reporting threshold to \$50,000 to match the newly established NSF reporting standards.
- Establish a supplementary cumulative reporting threshold for funding from entities that contribute funds over the course of multiple years that exceed the annual reporting threshold.
- Require the Department of Education to establish a user-friendly public dashboard.

Development of an Administration-led Code of Conduct for Academic Institutions.

Given the flexible nature of United Front work, and given the demonstrated resilience of CIs, CSSAs, and other CCP proxies even when faced with sustained pressure from students, faculty, and civil society, any effort to meaningfully address these issues must correspondingly be sustained, continuous, and reflective. This would allow for the coordinated implementation of a policy framework to monitor and respond on a consistent basis to repression efforts. At present, few clear mechanisms exist for students to report instances of harassment, intimidation, blackmail, monitoring, and other forms of coercion. Congress should take steps to incentivize universities to develop clear codes of conduct, with the HRW Code of Conduct as a model, to ensure meaningful responses to transnational repression and bring together all

²⁵ [Merkley, Rubio, Cardin, Hagerty Take a Stand Against Foreign Governments Trampling Human Rights Within the United States and Beyond \(Press Release, March 16, 2023\).](#)

²⁶ [2019 Annual Report, Congressional-Executive Commission on China.](#)

²⁷ For helpful definitions and recommendations on this subject, we recommend Jeffrey Stoff’s 2023 case study, [“Should Democracies Draw Redlines Around Research Collaboration with China?”](#)

stakeholders in university communities and the general public. A process that is generally deliberative – that is, one in which the policies are not solely decided and implemented by university administrations and those whom they select – stands the best chance in the long-term of addressing repression as it adapts and better protecting the rights of students and scholars and the integrity of academic institutions.