

117TH CONGRESS
1ST SESSION

S. 822

To amend the Higher Education Act of 1965 to require program participation agreements between institutions of higher education and Hanban if a Confucius Institute operates on the campus of the institution.

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2021

Mrs. BLACKBURN (for herself, Mr. CRUZ, Mr. CRAMER, Mr. TUBERVILLE, Mr. BRAUN, Mr. HAWLEY, Mr. SCOTT of Florida, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to require program participation agreements between institutions of higher education and Hanban if a Confucius Institute operates on the campus of the institution.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transparency for Con-
5 fucius Institutes Act”.

1 **SEC. 2. PROGRAM PARTICIPATION AGREEMENTS BETWEEN**
2 **INSTITUTIONS AND HANBAN.**

3 Section 487(a) of the Higher Education Act of 1965
4 (20 U.S.C. 1094(a)) is amended by adding at the end the
5 following:

6 “(30) If a Confucius Institute (as defined in
7 section 1091 of the John S. McCain National De-
8 fense Authorization Act for Fiscal Year 2019 (132
9 Stat. 1997; Public Law 115–232)) operates on the
10 campus of the institution, the institution shall enter
11 into a program participation agreement with the Of-
12 fice of Chinese Language Council International
13 (commonly known as ‘Hanban’) that—

14 “(A) clearly delineates between the Confu-
15 cius Institute’s programs and the institution’s
16 own Chinese language programs;

17 “(B) locates the Confucius Institute phys-
18 ically apart from the Chinese language pro-
19 grams, Chinese history programs, and Chinese
20 cultural programs within the institution’s orga-
21 nizational structure and separates promotions
22 for the Confucius Institute from promotions for
23 the institution’s Chinese language programs,
24 Chinese history programs, and Chinese cultural
25 programs;

1 “(C) removes the Chinese assistant direc-
2 tor position from the Confucius Institute;

3 “(D) subjects the staff and professors of
4 the Confucius Institute to appropriate back-
5 ground checks;

6 “(E) is publicly available in its entirety on-
7 line;

8 “(F) does not have a confidentiality sec-
9 tion; and

10 “(G) provides that the institution has final
11 decision-making authority, including with re-
12 gard to conference themes, guest speakers, and
13 topics for events on campus at the institution.”.

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