



RESEARCH REPORT | China Policy Initiative

SYSTEMATIC CHINESE COMMUNIST SUBVERSION OF AMERICAN HIGHER EDUCATION

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TOPLINE POINTS

- The U.S. higher education system admits hundreds of thousands of students from the People's Republic of China, who are sometimes under direct pressure from their government to commit espionage, undermining national security and compromising academic integrity.
- The U.S. did have protocols and programs in place to counteract this type of espionage, such as the Department of Justice's China Initiative, but it was recently disbanded over allegations of discrimination.
- A student visa policy based on America First principles means denying America's adversaries unchecked access to our educational and research institutions.

The U.S. prides itself on being an open civil society. The American higher education system is the envy of the world, attracting hundreds of thousands of foreign students who acquire education and training to build a better life and, in many cases, return to make substantial contributions to the improvement of their home countries. While America has long encouraged this desire and has facilitated it through special programs and visas in recent

history, the program now faces its greatest challenge yet. Malicious actors from adversarial nations, especially the People's Republic of China (PRC), have developed strategies to exploit American openness to pursue ends that pose a serious threat to the U.S. national interest.

For years, the United States has pursued a deeply flawed “engagement to liberalization” strategy that encourages educational exchange and engagement with the PRC with the expectation that



doing so would lead to liberalization and reforms within the PRC and a greater embrace of values compatible with America's. As a result of this strategy, growth in foreign student enrollment has largely been ignored or encouraged. Those at the highest levels of government have advanced this strategy, including former Secretary of State Colin Powell, who said in 2004:

People-to-people diplomacy, created through international education and exchanges, is critical to our national interests. [...] Foreign students and individuals who participate in citizen exchanges return home with a greater knowledge of our democratic institutions and America's enduring values.

Unfortunately, quite the opposite has proven true. Instead of China moving toward America, it has used access to the resources, connections, and know-how at American universities to amplify and accelerate its own ambitions to achieve scientific, technological, and military dominance at America's expense. It is not simply the case that the CCP is supporting foreign study from a benign desire to develop domestic human capital, so essential to the economic growth and national security of any nation. In fact, talent development and the theft of intellectual property are central pillars of the CCP's ambition to displace the U.S. from its global hegemonic position.

The Chinese Communist Party (CCP) also uses scientific collaboration to steal sensitive intellectual property from American campuses and to corrupt leading American researchers through its talent acquisition plans. The number of Chinese foreign nationals studying on American campuses—especially in graduate science, technology, engineering, and mathematics (STEM) programs—has grown so substantially that it is reasonable to ask whether American universities are privileging foreign applicants to the detriment of the American national interest. Lastly, the CCP actively works to deny Chinese students a truly liberal education while they are studying on American campuses—both by working to establish academic programs and centers that distort what U.S. universities teach about China and by close supervision of Chinese students themselves and the opinions they are expressing. Some Chinese students have even used campus concerns over cultural sensitivity to prod U.S. universities into censoring criticism of China's human rights abuses.

Chinese Foreign National Students in America: CCP Leverage and Exploitation—U.S. University Cooperation

In an inversion of Colin Powell's vision, influences from the Communist Chinese government began flowing into the U.S. The three "pillars" of student visa abuse by the PRC are identified as follows by the Center for Immigration Studies:



First, government-run scholarship programs are used to fund Chinese foreign nationals to study STEM fields at universities around the world in exchange for an obligation to return home immediately and complete a national service work requirement lasting several years. Second, Chinese students who are studying or working abroad long-term are incentivized to return to China at some point in the future with promises of special privileges relating to enterprise and subsidies back in the PRC. Third, for those who have permanently settled in other countries, the CCP uses a network of transnational technology and intelligence transfer organizations—using national pride, ethnic identity, and financial reward as incentives—to encourage Chinese nationals living abroad to transfer intellectual property and know-how to China.

These pillars create incentives at every level—from short, temporary stay students to permanently residing professors and graduates of PRC origin—to maintain allegiance to the CCP. The CCP has explicitly announced civil-military “fusion” initiatives, including collaboration on technological research in multiple different fields of science. The dividing line between the civilian and military worlds is quickly becoming blurred for those who perform research or associated activities in China, and foreign returnees may be compelled or encouraged into military work, as mentioned above. Exit from China for academic pursuits, or otherwise, of any kind is never guaranteed and may sometimes be linked to political

cooperation or loyalty to the CCP—returnees to the People’s Republic often work closely with the party for the growth of an enterprise, higher education, government, and research, as mentioned within the three pillars, while sometimes being compelled to work with the CCP under the aforementioned civil-military fusion. Even if the activities relating to the “three pillars” and the civil-military fusion might not, in all cases, qualify as “espionage,” they have the same practical effect. By arranging formal government programs to incentivize learning abroad, acquiring, and then returning to their country with knowledge and understanding of sensitive technologies, China has established a systematic process that leverages America’s permissive student visa system to accumulate vast quantities of intellectual property and develop talent in critical areas.

The potential for espionage and undue leverage is worsened by routine violation of the visa terms by foreign Chinese student visa-holders. An alien can maintain a student visa as long as he or she remains a student, but is required to depart the country upon completing study. Approximately, 18,000 student/exchange visa recipients overstayed their visas in 2017 alone. The student visa program applies little discretion, with only approximately 18% of student and scholar visas being denied in 2016-2017. This was a problem that the Trump Administration attempted to fix. Through a proposed rule, the Department of Homeland Security intended to limit student visas to expire



on a certain date and require the alien to be vetted again if additional time is needed to complete the course of study. Unfortunately, the rule change was not finalized before the change in administrations and was later withdrawn by the Biden Administration. While the overstay rate decreased from 2016 to 2020 under the Trump Administration, student visas maintain the highest overstay rate of any visa category. The lack of defined time limits with student visas often leads to a hands-off approach, where students are admitted, then given free rein to stay inside the U.S. however long they wish.

American Universities often view foreign students as ATMs, given that many of them pay full tuition and receive direct financial support from their home country to do so. The PRC was the country of origin for nearly 320,000 students at American universities in the 2020 academic year. They total almost 2% of all students in the U.S. and more than one-third of the entire foreign student population in higher education. Study abroad is usually limited to very well-connected or rich, with recent upsets in admissions trends causing somewhat of a panic over the change in revenue. This money serves as an incentive for the school to reject any changes to the existing system that would reduce these numbers. Universities in the U.S. have opposed changes to international visa programs that would restrict qualification, including the deportation of overstays and requirements that foreign students complete a portion of their studies in-

person (as opposed to entirely online), all the while arguing that the Trump Administration's reforms would have a stifling effect on foreign admissions. Prestigious universities often pursue these foreign students at least in part for financial reasons and, on occasion, even hire recruiters to specifically seek out such international students, usually for monetary and diversity reasons. University of California (UC), Davis, for example, charges in-state students an estimated \$39,241 for a year of on-campus residence and attendance versus \$70,267 for out-of-state and international students. UC Davis, as calculated by *U.S. News*, had a 16% international student enrollment of a student body of approximately 41,500 and admitted more international students than out-of-state U.S. students in 2021—8,874 versus 6,464.

When universities have strong financial incentives to admit foreign students, fewer seats are available to U.S. citizens, which can be especially problematic when the academic programs in question have sensitive military applications. Former Federal Bureau of Investigation (FBI) Director for Counterintelligence Frank Figliuzzi was quoted as saying that the PRC has a “shopping list” of technologies that they seek to obtain, most often from university research labs. From Duke University to the University of California San Francisco, Stanford, and countless other universities across the country, graduate students are being used as tools of espionage by the CCP. The current system supports giving limited spots from American students to



students from adversarial nations while worsening national security. At the California Institute of Technology, a world-class research institution, for example, nearly half of its graduate students are international attendees—and estimates suggest that 30% of the student body at large are from the People’s Republic of China. The total proportion of U.S. graduate students that are admitted from overseas is estimated to be approximately 50%, with 37% of STEM graduate students from overseas estimated to be from the People’s Republic of China.

In some cases, universities allegedly violate federal law to ensure a constant flow of international students and tuition to schools. In recent years, numerous visa schemes have been uncovered, with each firm’s levels of success largely unknown to investigators. The Department of Homeland Security itself has had success in baiting such visa fraud at “Pay to Stay” colleges which themselves have observed massive levels of visa fraud by applicants trying to stay. 2011-2018 saw significant growth in foreign student enrollment, increasing the percentage of foreign enrollees in the U.S. from approximately 3.5% to 5.5%, which increased the number from just over 600,000 to approximately 1,095,000 million.

Systematic Theft and Sabotage

The People’s Republic of China is keenly aware of these flaws in America’s visa system and is exploiting them via the massive number of students entering

the United States, whom they then use for leverage upon their return as outlined by the “three pillars” of returnee policy. This large-scale enrollment ensures that the CCP’s opportunistic exploitation of even a relatively small percentage of Chinese foreign national students will have consequences for American education and American security.

The leverage the CCP holds over their citizens who study or work abroad is considerable, and often this leverage is the motivating factor in espionage. As Joe Augustyn, a former Central Intelligence Agency officer with experience relating to Chinese espionage in the U.S., said to CNN: “[W]e know without a doubt that anytime a graduate student from China comes to the US, they are briefed when they go, and briefed when they come back.”

Chinese foreign nationals sometimes have home visits and family leveraged against them both before and after they have fully gained their academic and professional connections. This leverage often dictates their future ability to travel. Only the CCP can grant them the ability to leave the country and continue their education or work. This, combined with the “three pillars” of PRC work-study-abroad, creates an obligation to the CCP for many students who might have otherwise been inclined to ignore their directives. Even in the cases of foreign nationals who never return home, the PRC provides mechanisms to recover technology and intelligence. As the Center for Immigration Studies report observes:



Even when overseas Chinese students and scholars do stay in the United States after graduation, China's transnational technology transfer organizations and talent recruitment plans provide a means to contribute to China's national rejuvenation by transferring technology and know-how without requiring physical return.

The leverage is amplified by the fact that PRC foreign students comprise a massive portion of graduate students, disproportionate to their enrollment numbers, with approximately 15% of STEM graduate students being of PRC origin. In engineering, this number is as high as 19%, and 33% in mathematics and statistics. This number has increased drastically, with the number of international students doubling from 2008 to 2016, increasing at a slower but still-consistent rate since then. As FBI Director Christopher Wray put it:

The Nation faces a rising threat, both traditional and asymmetric, from hostile foreign intelligence services and their proxies. ... [A]symmetric espionage, often carried out by students, researchers, or businesspeople operating front companies, [is] prevalent.

Theft of secrets forms a core part of the PRC's economic strategy against the U.S., an issue that was repeatedly raised at the World Trade Organization and other international forums by U.S.

representatives. These breaches involve universities that are engaged in defense agency research, with institutions turning a blind eye—as Christopher Wray put it, the level of “naïveté on the part of the academic sector” creates many of these issues—due to a combination of dependence upon international tuition payments and additional money being paid through programs such as the now-semi-defunct Confucius Institutes. Specific examples of such espionage and intrusions are many; universities such as Harvard, Texas A&M, and Kansas, have been involved in schemes where professors, graduate student assistants, or both were implicated in research fraud and theft.

Students themselves are not alone in participating in compromising security, with recent arrests of professors participating in schemes revealing that they, along with returning PRC graduate students, sometimes participate in the establishment of “shadow labs” that effectively copy U.S. research and data to institutions in the PRC. The National Association of Scholars maintains a list of graduate students, researchers, visiting scholars, and professors who have been charged by U.S. authorities over espionage and selling secrets to China, among other accusations. The breadth of the attempted espionage and activities against the United States shows that this is not a half-hearted campaign, nor are these isolated incidents. The Chinese plan to extract research and intelligence from the U.S. higher education system is premeditated and deliberate.



Destroying Free Expression on American Campuses

Chinese foreign national students are used as instruments of CCP foreign policy and promotion of international goals, with directives coming directly from the Communist Party in mainland China. As an article in ProPublica elaborated in 2021, Chinese Students and Scholars Associations are now used to mobilize activism against events that would frame the CCP in a negative light. At events, students act as spies and are instructed to identify all Chinese ethnic students who attend so that they can be identified for intimidation and harassment. Such intimidation has been documented at Brandeis University, the University of Georgia, St. John's University of New York, Florida State University, McMaster University, the University of Chicago, and Columbia University, just in the ProPublica article mentioned previously. Unfortunately, as experts in the same article acknowledge, little can be done to those who intimidate their fellow students. The article goes on to say that this culture is so deeply ingrained that little encouragement is needed anymore, with students often spontaneously reporting on each other.

Communist China's leverage is often employed against students to stifle speech state-side. The PRC Consulate in Houston, Texas, was closed over allegations of espionage against local citizens and local corporations to steal trade secrets and may have been involved in surveilling students from

nearby Rice University, University of Houston, and Texas A&M University.

Chinese-born students have also taken advantage of the hyper-sensitive college campus culture of victimhood, utilizing such perceived offenses to weaponize their nationality against criticism of the CCP's policies. In the cases mentioned previously, this includes offenses regarding discussion of Xinjiang province, or in other cases, discussion of mass surveillance and the hosting of the 2022 Winter Olympics.

Tools to combat these phenomena did exist before 2022. Some put in place by the Trump Administration, such as the FBI's China Initiative at the Department of Justice, were dismantled by the Biden Administration over allegations of racism and unnecessary targeting of foreign students. As mentioned previously, Chinese students are not above using internal divisions and accusations of racism to stifle dissent, like at the George Washington University and Emerson College, and at the 2021 Alaska summit between Chinese and U.S. diplomatic officials, Chinese diplomats were not above using similar accusations of "racism" to quash American criticism of China.

Conclusion

Americans instinctively prefer open travel, communication, and collaboration with other countries, but crucially, the U.S. is not required morally, legally, nor bound by treaty to allow students from foreign nations to study at American



institutions of higher learning. This is especially true for our adversaries like the PRC, who have been systematically performing espionage and engaging in hostile activity against American citizens and their government.

A student visa policy based on America First principles would put in place more stringent vetting of students coming from countries with adversarial governments and work to ensure that those governments do not gain unfettered access to our educational resources, economy, and research—especially that of a sensitive nature. America’s universities must detach from the financial largesse provided by those

adversarial governments so that they no longer have an incentive to be complicit—whether by acts of commission or omission—in facilitating China’s competition against us or weakening the relative global position of the U.S. This failure requires a reevaluation of policy and the student visa program entirely.

We have invested generations of capital and intellectual energy into our universities. They should be a resource first and foremost for the American people, and then for our allies who wish to improve the future opportunities of their youth and strengthen their democratic societies.

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