

March 8, 2023

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Cardona:

We write with grave concern that the Department of Education, over the course of decades, has been allowing taxpayer-funded antisemitism to take place on college campuses throughout the United States. We are especially concerned the Department of Education is failing to enforce a Higher Education Act (HEA), Title VI requirement that college programs that receive federal funds must “reflect diverse perspectives and a wide range of views.”¹ Unfortunately, many Near East and Middle East programs are failing to meet this requirement and base a disproportionate amount of their curriculum on criticizing Israel.²

While critique of Israel is not necessarily antisemitic, the type of scrutiny coming from these taxpayer-funded programs and professors meets the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism. This definition includes denying the Jewish people the right to self-determination, comparing the Israeli government’s actions to Nazi Germany, holding Israel to double standards not applied to any other Democratic nation, Holocaust denial, and more.³

The obsessive negative focus on Israel and the Jewish people is rampant on college campuses throughout the United States. For example, an investigation found UCLA’s Center for Near East Studies focused the majority of its public outreach activities on Israel. From 2010 to 2013, 93 percent of Israel-related public events sponsored by the program displayed bias against Israel, more than a quarter of public events supposed to be focused on the broader Middle East instead focused on Israel, and over 60 percent of events supposed to be focused on political conflicts in the Middle East only discussed the Arab-Israeli conflict.⁴

Some universities may have even violated anti-terrorism laws by hosting convicted terrorists as speakers. In 2020, New York University aired a webinar event featuring Leila Khaled, who had been convicted of hijacking two planes full of Israeli civilians, and she is an unrepentant member

¹ https://brandeiscenter.com/wp-content/uploads/2017/10/antisemitism_whitepaper.pdf

² <https://www.heritage.org/civil-society/commentary/heres-how-the-federal-government-funding-antisemitism-your-tax-dollars>

³ <https://www.state.gov/defining-antisemitism/>

⁴ <https://amchainitiative.org/joint-statement-on-title-vi-hea/>

of the Popular Front for the Liberation of Palestine, a U.S.-designated terror group that has murdered Americans.⁵

Antisemitism is not just limited to universities in New York and California. In 2019, the joint Middle Eastern Studies program between Duke University and UNC Chapel Hill received a letter from President Trump's Department of Education that the program was failing to meet legal requirements under Title VI and its "lack of balance of perspectives is troubling."⁶ The letter highlighted that the program portrayed Islam in a positive light but failed to teach students the history of the persecution the Jewish people and other ethnic and religious groups in the Middle East have faced for centuries.

Unsurprisingly, a core reason college campuses are plagued by antisemitism is because professors who teach the curriculum indoctrinate students with anti-Israel bias and viewpoints. A recent investigation found "160 academic departments at 120 U.S. colleges and universities issued or endorsed wholly one-sided, anti-Israel statements containing rhetoric that meets the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism."⁷ Some of the worst examples of antisemitic college professors include a UC Berkeley professor who lectured that Palestinian terrorist acts were "counter violence" that "pales in scale" to actions by Israel and claimed "Holocaust denial is a form of protest." And at the University of Texas, Austin, a professor declared that Israel was a "racist" state and compared Israeli policies to that of Nazi Germany. These are just two examples of many instances of antisemitic faculty on college campuses.⁸

Because of the widespread antisemitism taking place on college campuses, many Jewish and pro-Israel students no longer feel safe. In fact, universities with faculty who actively support the Boycott, Divestment, and Sanctions (BDS) movement against Israel were 3.6 times more likely to have their Jewish and pro-Israel students targeted for physical harm on campus.⁹ Sadly, the Anti-Defamation League also recently reported that incidents of antisemitic harassment, vandalism, and assault, are rising on college campuses while 15 percent of antisemitic campus incidents in 2021 "involved references to Israel or Zionism."¹⁰ As a result, Jewish students around the country are refraining from publicly identifying as Jewish and keeping their support of Israel off social media. Some students are even hiding personal items from public sight that contain Hebrew letters or other indications of their Jewish identity.¹¹

Finally, we note that the Department of Education does not evaluate Title VI applicants' statements regarding diverse perspectives, even though the Department collects them from

⁵ <https://www.nytimes.com/2021/01/22/nyregion/college-anti-semitism-bds.html>; <https://as.nyu.edu/research-centers/neareaststudies/events/past-events/fall-2020/we-will-not-be-silenced--against-the-censorship-and-criminalizat.html>; https://www.dni.gov/nctc/ftos/pflp_fto.html

⁶ <https://www.federalregister.gov/documents/2019/09/17/2019-20067/notice-of-a-letter-regarding-the-duke-unc-consortium-for-middle-east-studies>

⁷ <https://amchainitiative.org/faculty-bds-driving-antisemitism-3-16-22pr/>

⁸ <https://amchainitiative.org/joint-statement-on-title-vi-hea/>

⁹ <https://amchainitiative.org/faculty-bds-driving-antisemitism-3-16-22pr/>

¹⁰ <https://www.adl.org/resources/report/audit-antisemitic-incidents-2021>

¹¹ <https://www.wsj.com/articles/antisemitism-is-rising-at-colleges-and-jewish-students-are-facing-growing-hostility-11671027820>

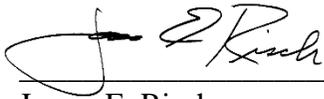
applicants. For example, the Fiscal Year (FY) 2022 Program Competition – Frequently Asked Questions (FAQs) document for Title VI National Resource Centers and Foreign Language and Area Studies Fellowships explicitly states, “The reviewers will see this statement; however, it is not evaluated as part of the Technical Review Form (TRF) and selection criteria.”¹²

Taxpayer dollars should not fund antisemitism on college campuses, and Jewish and pro-Israel students should not feel afraid for being Jewish and expressing support for Israel. As a result, we seek responses from the Department of Education to be received no later than April 28, 2023:

1. To what extent have college and university programs in the United States used federal funds on speakers and programs that meet the IHRA working definition of antisemitism over the last decade? If the Department of Education does not know because you are not sufficiently reviewing grantee reports on HEA Title VI activities, why is the Department not enforcing the law?
2. Has the Department of Education ever evaluated applicants’ viewpoint-diversity statements? If so, when did it stop evaluating those statements? What was the reasoning for that decision?
3. Does the Department of Education understand its failure to evaluate viewpoint-diversity statements sends an unmistakable signal it does not place importance on this issue? If the Department doesn’t even evaluate these statements, how can the Department differentiate between those applicants who are making sincere efforts to address this problem and those who are not?
4. Please outline the Department of Education’s plan for ensuring programs and professors on college and university campuses receiving HEA Title VI funding are in compliance with federal requirements requiring diverse perspectives.
5. What is your best estimate of how many colleges and universities across the U.S. have become unsafe for Jewish students? How can the Department of Education’s Office for Civil Rights and other offices ensure Jewish students have demonstrated reasons to feel safe on campus?

¹² <https://www2.ed.gov/programs/iegpsnrc/final-consolidated-faqs-fy2022-nrc-flas.pdf>

Sincerely,



James E. Risch
United States Senator



Mike Crapo
United States Senator



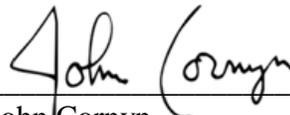
Marsha Blackburn
United States Senator



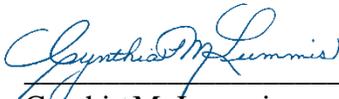
Ted Budd
United States Senator



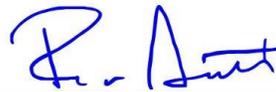
Kevin Cramer
United States Senator



John Cornyn
United States Senator



Cynthia M. Lummis
United States Senator



Rick Scott
United States Senator



Mike Braun
United States Senator



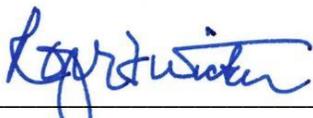
Thom Tillis
United States Senator



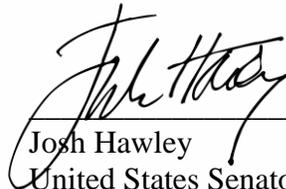
Marco Rubio
United States Senator



John Hoeven
United States Senator



Roger P. Wicker
United States Senator



Josh Hawley
United States Senator



Ted Cruz
United States Senator