

Congress of the United States

Washington, DC 20515

August 22, 2023

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

Dear Secretary Cardona:

As members of Congress who are committed to countering antisemitism, we are deeply concerned about the rise of antisemitic incidents at universities and college campuses.

The U.S. Department of Education has a key role to play in the federal government's efforts to counter antisemitism. We welcome the Department's ongoing commitment to take several steps outlined in the U.S. National Strategy to Counter Antisemitism, including launching an Antisemitism Awareness Campaign, and issuing a recent Dear Colleague Letter circulated to schools on May 25, 2023, clearly stating that "a school violates Title VI when it fails to take adequate steps to address discriminatory harassment, such as antisemitic harassment." Additionally, the Department's Antisemitism Awareness Campaign lists several important actions the Department will take, including continued data collection and increased technical assistance for both schools and community organizations.

We strongly encourage the Department to continue taking the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism into consideration as it investigates individual incidents of anti-Jewish discrimination and enforces federal civil rights law. In addition, we reiterate our support for the Administration's proposed action to issue regulations pursuant to Executive Order 13899 on Combating Anti-Semitism to provide the strongest level of protections for Jewish students.

According to the ADL, antisemitic incidents on college campuses increased by 41 percent from 2021 to 2022. Recent campus surveys also confirm that many Jewish students face discrimination or a hostile environment on campus. The 2021 ADL-Hillel Campus Antisemitism Survey found that nearly one third of Jewish students personally experienced antisemitism directed at them on campus or by a member of the campus community. A 2022 survey also found that 54% of Jewish students feel that they pay a social cost for supporting the existence of Israel as a Jewish state. We hope that you agree that these findings are alarming and unacceptable. Jewish students, like all students, deserve equal rights to an education free from discrimination and harassment because of their identity.

As you know, the overall number of complaints received by the Office for Civil Rights (OCR) has risen from approximately 10,000 cases in 2019 to more than 19,000 cases last year. While we welcome the Department's successful resolution of a recent case at the University of Vermont, we encourage the Department to continue to swiftly investigate other pending cases and to continue to enforce federal civil rights laws against antisemitism in all forms. We also encourage the Department to undertake concerted efforts to encourage the reporting of antisemitic incidents; despite the increase in complaints to OCR, anti-Jewish incidents remain woefully underreported.

That is why we respectfully request that the Department provide written responses to the following questions:

1. How is the Department working to swiftly resolve a backlog of pending discrimination complaints, and specifically those involving antisemitism?
2. What additional resources does the Department require to successfully resolve the pending complaints in a timely manner?
3. How will the Department help schools, including those that have experienced an increase in antisemitism, improve their processes and procedures for reporting antisemitic incidents on college campuses?
4. How does the Department plan to highlight best practices to prevent and address antisemitism on campus and ensure students, educators, and administrators are aware of available resources?
5. What technical assistance will the Department provide to schools regarding Title VI, its application to Jewish students and its coverage of all forms of antisemitic discrimination?

Keeping the priorities and questions outlined above in mind, we urge the Department to brief Congress on the Department's plan to implement key actions outlined in the U.S. National Strategy to Counter Antisemitism by September 30, 2023.

Thank you for your attention to this important matter. We look forward to your response and continuing to work with you to help combat antisemitism and other forms of discrimination in higher education.

Sincerely,


Kathy Manning
Member of Congress


Christopher H. Smith
Member of Congress


Jacky Rosen
United States Senator


James Lankford
United States Senator



Ted W. Lieu
Member of Congress



Brian Fitzpatrick
Member of Congress



Lindsey O. Graham
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Roger Marshall M.D.
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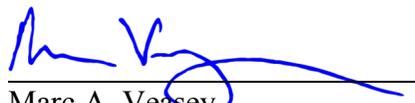
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United States Senator



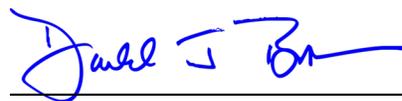
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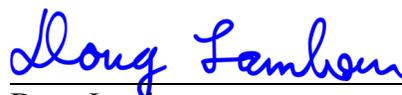
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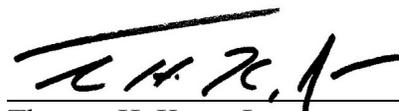
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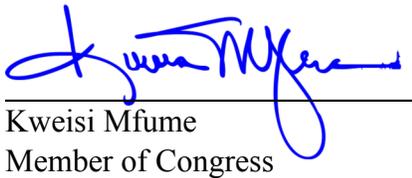
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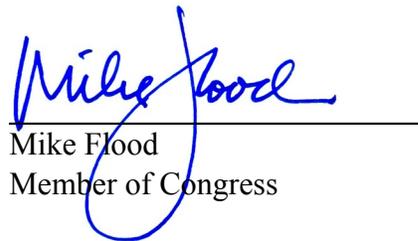
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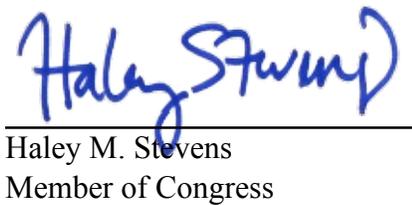
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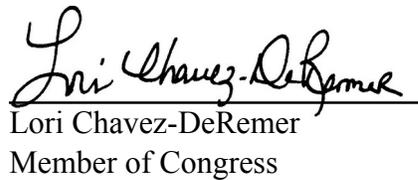
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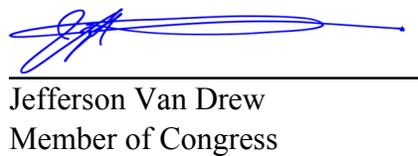
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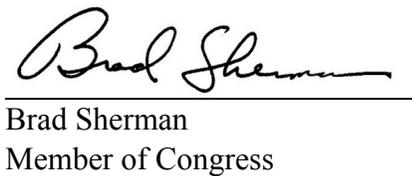
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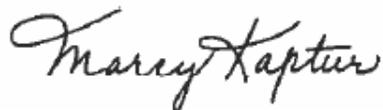
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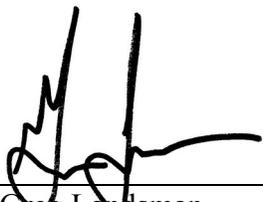
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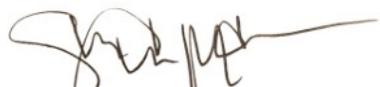
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Ranking Member,
Subcommittee on Higher
Education and Workforce
Development



Steve Cohen
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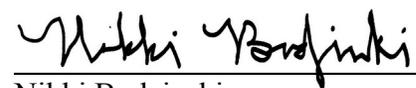
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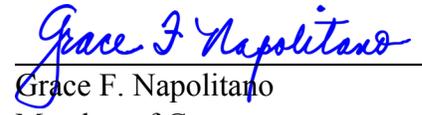
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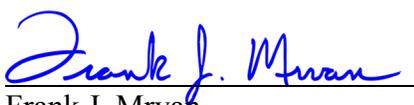
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