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HOUSE COMMITTEE ON JUDICIARY

Congress of the United States
House of Representatives
Washington, DC 20515-0503

November 14, 2023

Catherine Lhamon
Assistant Secretary, Office of Civil Rights
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Catherine Lhamon,

I write to ask what immediate steps your office is taking to protect the safety and civil liberties of Jewish students on America's college campuses. As you are aware, the House of Representatives recently passed House Resolution 798, which urges "enforcement of Federal civil rights laws to protect Jewish students from antisemitism."

At the November 8 Hearing of the House Judiciary Committee, I brought to the Committee's attention a letter from the California Legislative Jewish Caucus to University of California President Michael Drake and California State University Chancellor Mildred Garcia detailing numerous examples of threatened violence against Jewish students across California's campuses.

For example:

"students who report being physically attacked for expressing support for Israel; Jewish student . . . who required a police escort in order to safely leave a student meeting; . . . a social media post by a faculty member with knife, axe, and blood emojis calling for violence against Zionists in their homes . . ."

As horrifying as these examples are, equally alarming are incidents reported in the letter that UC and CSU faculty abused their authority over students to amplify antisemitic and anti-Israel propaganda in what appear to be clear violations of campus rules. The letter offers a number of examples including professors cancelling classes for anti-Israel rallies, requiring students to view extreme anti-Israel propaganda, and expressing profound hostility towards the Jewish community.

The letter goes on to state that the response to these threats by campus administrators has been "woefully inadequate." The letter reports that Jewish students characterize the campus administrators' response as a "callous disregard for their physical safety and emotional well-being." Unfortunately, such incidents are not limited to California but have been widely reported across the country since the terrorist attacks by Hamas on October 7.

That such prejudice, discrimination, and harassment would occur at government-funded universities is a matter of the highest concern – for the well-being of the students who are being targeted, as well as for the future of our country. It requires urgent action. And it is clear your office can do more. During the November 8 Judiciary Committee hearing on Free Speech, panelist, Kenneth Marcus, Esq. (former Assistant Secretary of Education for Civil Rights, Staff Director at the Commission on Civil Rights) offered the following response to my question about what more he believes your Office can be doing:

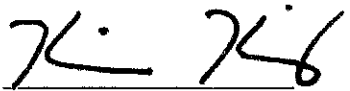
Mr. Marcus: Absolutely. There's more that the Department can be doing, and it can do it tomorrow. The Department has sent out links for Jewish students to file complaints. It has added language to its complaint forms. That's fine. But there is no reason why the Department needs to wait for Jewish students to come to them. The Department has the authority to initiate self-directed investigations.

Anytime it opens the newspaper and sees that there is a problem at an institution that receives Federal funds, and that's every single day, if they are reading the papers . . . These are things that can be done quickly that don't require legislation, they don't require significant infusions of funds. They can be done with the current resources and that can be done with the authority that the Secretary of Education already has.

I respectfully request a prompt response as to what steps your office has taken to address (1) the clear and terrifying alleged threats against Jewish students, (2) the actions of faculty that support or incite this toxic situation, and (3) the ongoing hostile environment these students are forced to endure at the University of California, California State University, and other colleges and universities across the country.

I look forward to your speedy response.

Best regards,



Kevin Kiley
Member of Congress



Burgess Owens
Member of Congress

CC: United States Secretary of Education Miguel Cardona