

ACE-FEDERAL

CATHERINE

HOLDING CAMPUS LEADERS ACCOUNTABLE
AND CONFRONTING ANTISEMITISM

Tuesday, December 5, 2023

House of Representatives,
Committee on Education and the Workforce,
Washington, D.C.

The committee met, pursuant to call, at 10:19 a.m., 2175 Rayburn House Office Building, Hon. Virginia A. Foxx [chairwoman of the committee] presiding.

Present: Representatives Foxx, Wilson, Thompson, Walberg, Grothman, Stefanik, Allen, Banks, Comer, Owens, Good, McClain, Miller, Steel, Letlow, Kiley, Bean, Burlison, Moran, James, Chavez-DeRemer, Williams, Houchin, Scott, Courtney, Wilson, Bonamici, Takano, Adams, DeSaulnier, Norcross, Jayapal, Wild, McBath, Hayes, Stevens, Leger Fernandez, Manning, and Bowman.

Staff present: Cyrus Artz, Staff Director; Nick Barley, Deputy Communications Director, Mindy Barry, General Counsel; Hans Bjontegard, Legislative Assistant; Christina Delmont-Small, Investigator; Isabel Foster, Press Assistant; Sheila Havenner, Director of Information Technology; Amy Raaf Jones, Director of Education and Human Services

Policy; Georgie Littlefair, Clerk; Hannah Matesic, Deputy Staff Director; Audra McGeorge, Communications Director; Gabriella Pistone, Oversight Legislative Assistant; Rebecca Powell, Staff Assistant; Mary Christina Riley, Professional Staff Member; Chance Russell, Economist and Policy Advisor; David Samberg, Associate Investigative Counsel; Brad Thomas, Deputy Director of Education and Human Services Policy; Maura Williams, Operations Manager; Savoy Adams, Minority Intern; Amaris Benavidez, Minority Professional Staff; Nekea Brown, Minority Director of Operations; Ilana Brunner, Minority General Counsel; Kadia Diakite, Minority CBCF Fellow; Rashage Green, Minority Director of Education Policy; Christian Haines, Minority General Counsel; Eric Hale, Minority Grad Intern; Emanuel Kimble, Minority Professional Staff; Stephanie Lalle, Minority Communications Director; Kristen Lemus, Minority Intern; Raiyana Malone, Minority Press Secretary; Olivia McDonald, Minority Staff Assistant; Kota Mizutani, Minority Deputy Communication Director; Veronique Pluiose, Minority Staff Director; Clinton Spencer IV, Minority Staff Assistant; and Banyon Vassar, Minority IT Administrator.

Chairwoman Foxx. Good morning. The Committee on Education and the Workforce will come to order. I note that a quorum is present. Without objection the Chair is authorized to call a recess at any time. Before we begin I'd like to begin with a moment of silence to recognize all the Israelis and others who have been killed, injured or taken hostage by Hamas terrorists.

Thank you. Today each of you will have a chance to answer to and atone for the many specific instances of vitriolic hate-filled antisemitism on your respective campuses that have denied students the safe learning environment they are due.

As you confront our questions in this hearing remember that you are not speaking to us, but to the students on your campus who have been threatened and assaulted and who look to you to protect them.

Several of those students are with us in this room, including Jonathan Frieden, who is the President of Alliance for Israel and a Harvard law student, Eyal Yakoby who is a student at UPenn, Talia Khan, who is the President of MIT Israel Alliance, and an MIT graduate student, Bella Ingber, who is Co-President of NYU Students Supporting Israel and a junior at New York University.

Israel Ingber who is expected to start at the University of Chicago in the fall after taking a gap year to study in Israel, after being sent home right before the atrocities of October 7th. Mya Cufer who is a freshman at UPenn and Liam Crez who is an American Israeli sophomore at UPenn.

We have a short video that we'll play now that shows what these students are facing.

[Playing video.]

Chairwoman Foxx. I want to do something which I rarely do, quote the Senate Majority Leader from New York, Chuck Schumer. On Wednesday he took to the Senate floor to deliver an address on antisemitism stating, "Many of the people who express these sentiments in America aren't neo-Nazi's or card-carrying clan members, or Islamist extremists.

There are many cases of people that most Liberal Jewish Americans felt previously were their ideological fellow travelers. Not long ago many of us marched together for black and brown lives."

You see this speech by the most powerful elected Jewish politician in America was addressed to many on his left flank. He questioned how these elements of the left, which pride themselves on diversity and inclusion, could be responsible for fomenting such hatred for liberal Jewish Americans.

I quote Majority Leader Schumer to you, Presidents Gay, Magill and Kornbluth

because I understand this speech to be a sort of reckoning for the Jewish identity with the radical left. Yet for 40 minutes he fails to use the word university a single time.

However, after the events of the past two months it's clear that rabid antisemitism in the university are two ideas that cannot be cleaved from one another.

A prime example of this ideology at work is at Harvard, where classes are taught such as DP385, Race and Racism in the Making of the United States as a Global Power. The Harvard Global Health Institute hosts seminars such as "Scientific Racism and Anti-Racism History and Recent Perspectives." Even the Harvard Divinity School has a page devoted to "Social and Racial Justice."

Harvard also, not coincidentally but causally, was ground zero for antisemitism following October 7th, and is the single least tolerant school in the nation according to the Foundation for Individual Rights and Expressions, 2024 College Free Speech Rankings.

UPenn is right behind them at 247 of 248. MIT is in the middle of the pack. What I'm describing is a grave danger inherent in assenting to the race-based ideology of the radical left. Senator Schumer hasn't put the pieces together, but the picture is far too clear now to American Jews.

Institutional antisemitism and hate are among the poisoned fruits of your institutions' cultures. The buck for what has happened must stop on the President's desk, along with the responsibility for making never again true on campus. Do you have the courage to truly confront and condemn the ideology driving antisemitism?

Or will you offer weak, blame-shifting excuses in yet another responsibility dodging taskforce? That's ultimately the most important question for you to confront in this hearing. I will close with this. I appreciate your appearances today on behalf of Harvard, UPenn and MIT respectively. It proves your universities have at minimum, a sense of accountability to the American people.

But my praise for postsecondary education is very limited these days. Harvard, UPenn and MIT, you have a very big role to play in shaping the future for all of academia. This moment is an inflection point. It demands leaders of moral clarity, with the courage to delineate good from evil and right from wrong.

With that I look forward to each of your testimonies. I yield to the Ranking member for an opening statement.

Mr. Scott. Thank you, Dr. Foxx, and thank our witnesses for appearing today. Historically college campuses have been hubs for students and faculty to foster intellectual thought and expression. Regrettably, following Hamas's October 7th attack on innocent civilians in Israel, with the ongoing conflict in Gaza, college campuses have become polarized, and we have been witnessing a disturbing rise in incidents of antisemitism and Islamophobia.

To be clear, this discrimination is nothing new on college campuses. Indeed, nothing new in society generally. Any student of history knows that it did not start with the October 7th attacks, or any one new event, and it didn't start with diversity, equity and inclusion initiatives.

My colleagues would do well to recall this country as a centuries long history of racism and white supremacy. At the same time, free speech is a Constitutional right, the bedrock of our democracy in colleges and universities are often on the front lines of defending this right. But schools are also responsible for fostering campus environments that promote understanding, respectful dialogue and above all else, student safety.

So today we'll hear from representatives at the universities on their efforts to protect students and address discrimination on campus. Of note, this is an opportunity that my republican colleagues denied us in 2017 when Committee democrats called for a

hearing six years ago on campus discrimination when white supremacists marched through the University of Virginia grounds shouting, "Jews will not replace us."

We couldn't get a hearing back then. And while my colleagues to be committed to combating discrimination on campus, they're also contradictorily and simultaneously stoking culture wars that can be divisive and discriminatory. Moreover, House republicans are proposing significant cuts to the Department of Education's Office of Civil Rights, the very office responsible for upholding students' civil rights and investigating discrimination claims.

You can't have it both ways. You can't call for action and then hamstringing the agency charged with taking that action to protect student's civil rights. In stark contrast, the Biden administration has taken an active role in helping institutions, protect students as part of the White House's national strategy to combat antisemitism. Under President Biden's direction the Department of Education has provided additional guidance to colleges and universities on how to uphold their obligation under Title VI of the Civil Rights Act of 1964, and better address antisemitism, Islamophobia, and all forms of discrimination on campus.

They've also opened investigations into recent incidents on many campuses including Harvard, Columbia, Cornell, Wesley, University of Pennsylvania, University of Tampa, just to name a few. In closing, I want to echo my colleague, and I'll quote Senator Schumer again.

"All Americans share a responsibility and an obligation to fight back whenever we see the rise of prejudice of any type in our midst." So today I hope my republican colleagues will denounce the culture wars that have distracted us from protecting many vulnerable students, and I hope we can stand behind the Biden's administration's critical work to ensure that every student and educator has access to a campus free of

discrimination, harassment and violence. To that end I yield back.

Chairwoman Foxx. Thank you, Mr. Scott. Pursuant to Rule 8-C all members who wish to insert written statements into the record may do so by submitting them to the Committee Clerk electronically in Microsoft Word format by 5:00 p.m. 14 days after the date of this hearing, which is December 19, 2023.

And without objection the hearing record will remain open for 14 days to allow such statements and other extraneous material referenced during the hearing to be submitted for the official hearing record.

I now turn to the introduction of our witnesses. Our first witness is Dr. Claudine Gay who is the President of Harvard University in Cambridge, Massachusetts. Our second witness is Ms. Liz Magill, who is the President of the University of Pennsylvania in Philadelphia, Pennsylvania.

Our next witness is Dr. Pamela Nadell, who is a Professor of History and Jewish Studies at American University in Washington, D.C. And our final witness is Dr. Sally Kornbluth, who is President of the Massachusetts Institute of Technology in Cambridge, Massachusetts.

I note Dr. Kornbluth will monitor her diabetes during the hearing. We thank you all for being here today, and look forward to your testimony. I'd like to remind the witnesses that we have read your written statements, which will appear in full in the hearing record.

Pursuant to Committee Rule 8-D, and Committee practice, I ask that each of you limit your oral presentations to a five minute summary of your written statement. I also would like to remind the witnesses to be aware of their responsibility to provide accurate information to the Committee.

If we have a demonstration that gets unruly we will ask the campus police to take

people out immediately. I now recognize Dr. Gay for five minutes.

**STATEMENT OF DR. CLAUDINE GAY, PRESIDENT, HARVARD UNIVERSITY, CAMBRIDGE,
MASSACHUSETTS**

Ms. Gay. Chairwoman Foxx, Ranking Member Scott, and distinguished members of the Committee. My name is Claudine Gay, and I'm the President of Harvard University. It's an honor to be here today representing a community of more than 25,000 undergraduate and graduate students, more than 19,000 faculty and staff, and more than 400,000 alumni, including multiple members of this Committee.

Thank you for calling this hearing on the critical topic of antisemitism. Our community still mourns those brutally murdered during the Hamas terrorist attack in Israel on October 7th. Words fail in the face of such depravity. The deadliest, single day for the Jewish community since the horrors of the Holocaust.

In the two months since the atrocities of October 7th, and the subsequent armed conflict and humanitarian crisis in Gaza, we have seen a dramatic and deeply concerning rise in antisemitism around the world, in the United States, and on our campuses, including my own.

I know many in our Harvard Jewish community are hurting, and experiencing grief, fear, and trauma. I have heard from faculty, students, staff and alumni of incidents of intimidation and harassment. I have seen reckless and thoughtless rhetoric shared in person and online on campus and off. I have listened to leaders in our Jewish community who are scared and disillusioned.

At the same time I know members of Harvard's Muslim and Arab communities are also hurting. During these past months the world, our nation and our campuses have also seen a rise of incidents of Islamophobia. During these difficult days I have felt the

bonds of our community strain.

In response I have sought to confront hate while preserving free expression. This is difficult work, and I know that I have not always gotten it right. The free exchange of ideas is the foundation upon which Harvard is built. And safety and well-being are the pre-requisites for engagement in our community.

Without both of these things our teaching and research mission flounder. In the past two months our bedrock commitments have guided our efforts. We have increased security measures, expanded reporting channels, and augmented counseling, mental health and support services.

We have reiterated that speech that incites violence, threatens safety, or violates Harvard's policies against bullying and harassment is unacceptable. We have made it clear that any behaviors that disrupt our teaching and research efforts will not be tolerated. And where these lines have been crossed, we have taken action.

We have drawn on our academic expertise to create learning opportunities for our campus community. We have begun examinations of the ways in which antisemitism and other forms of hate manifest at Harvard, and in American society. We have also repeatedly made clear that we at Harvard reject antisemitism, and denounce any trace of it on our campus or within our community.

Antisemitism is a symptom of ignorance, and the cure for ignorance is knowledge. Harvard must model what it means to preserve free expression while combatting prejudice, and preserving the security of our community. We are undertaking that hard, long-term work with the attention and intensity it requires.

Once again, I thank the Committee for the opportunity to discuss this important work. I have faith today that through thoughtful, focused and determined effort, we will once again meet adversity and grow. Thank you.

[The statement of Dr. Gay follows:]

*****COMMITTEE INSERT*****

Chairwoman Foxx. Thank you, Dr. Gay. Ms. Magill, you're recognized for five minutes.

**STATEMENT OF MS. LIZ MAGILL, PRESIDENT, UNIVERSITY OF PENNSYLVANIA,
PHILADELPHIA, PENNSYLVANIA**

Ms. Magill. Thank you, Chairwoman Foxx, Ranking Member Scott and distinguished members of this Committee for the opportunity to be here today. My name is Elizabeth Magill, and I am the President of the University of Pennsylvania. Let me begin by saying that I, and the University of Pennsylvania are horrified by, and condemn Hamas's abhorrent and brutal terror attack on Israel on October 7th.

There is no justification, none, for those heinous attacks. The loss of life and suffering that are occurring in Israel and Gaza during the ensuing war are heartbreaking.

This pain, sorrow and fear extends to our campus and to our city of Philadelphia. This hearing this morning takes place just two days after the Philadelphia community witnessed in horror the hateful words of protestors who marched the city and then near our campus.

These protestors directly targeted a center city business that is Jewish and Israeli owned, a troubling and shameful act of antisemitism. Philadelphia Police and Penn Public Safety were present, and thankfully no one was injured, but these events have understandably left many in our community upset and afraid.

Antisemitism, an old, viral and pernicious evil has been steadily rising in our society, and these world events have dramatically accelerated that surge. Few places have proven immune, including Philadelphia and campuses like ours. This is unacceptable. We are combatting this hate on our campus with both immediate and

comprehensive action.

I have condemned antisemitism publicly, regularly, and in the strongest possible terms. And today let me reiterate my and Penn's unyielding commitment to combatting it. We immediately investigate any hateful act, cooperating with both law enforcement and the FBI where we have identified individuals who have committed these acts in violation of either policy or law.

We initiate disciplinary proceedings and engage law enforcement. We have acted decisively to ensure safety throughout and near our campus, expanding the presence of public safety officers at our religious life centers and all across campus. On November 1st, just over a month ago, I announced Penn's action plan to combat antisemitism.

This builds on our antihate efforts to date, and it is anchored firmly in the United States' national strategy to counter antisemitism. The plan centers on three key areas and has many elements. Those areas are safety and security, engagement and education.

As part of this plan I have convened and charged a task force to identify concrete actionable recommendations, directing them to provide me with the recommendations both in real time, and then a final report in a couple of months. To ensure that our Jewish students have a direct channel to share their experiences with me, I have created a Student Advisory Group on the student experience.

Today's hearing is focused on antisemitism, and its direct impact on the Jewish community, but history teaches us that where antisemitism goes unchecked, other forms of hate spread and ultimately can threaten democracy. We are seeing a rise in our society in harassment, intimidation and threats toward individuals based on their identity as Muslim, Palestinian or Arab.

At Penn, we are investigating all these allegations for members of our community, and providing resources to support individuals experiencing threats, online harassment and doxing, we will continue to deploy all the necessary resources to support any member of the community experiencing hate. As president, I am committed to a safe, secure, and supportive educational environment so that our academic mission can thrive. It is crucial that ideas are exchanged and diverse viewpoints are debated. As a student of constitutional democracy, I know that we need both safety and free expression for universities and ultimately democracy to thrive. In these times these competing principles can be difficult to balance, but I am determined to get it right.

And we must get this right. The stakes are too high. Penn would not be what it is without its strong Jewish community past, present and future. I am proud of this tradition and deeply troubled when members of our Jewish community share that their sense of belonging has been shaken. Under my leadership we will never, ever shrink from our moral responsibility to combat antisemitism and educate all to recognize and reject hate.

We will remain vigilant. I look forward to your questions.

[The statement of Ms. Magill follows:]

*****COMMITTEE INSERT*****

Chairwoman Foxx. Thank you, Ms. Magill. Dr. Nadell, you're recognized for five minutes.

**STATEMENT OF DR. PAMELA NADELL, PROFESSOR OF HISTORY AND JEWISH STUDIES,
AMERICAN UNIVERSITY, WASHINGTON, D.C.**

Ms. Nadell. Thank you, Chairwoman Foxx and Ranking Member Scott for inviting me today. I'm Pamela Nadell, I'm a Professor of Jewish History at American University, and I am currently writing the book, *Antisemitism, an American Tradition*, supported by a National Endowment for the Humanities Public Scholar Award, and I'm delighted to be here today because this gives me an opportunity to thank Congress for sustaining through the NEH scholarship essential to understanding our nation's past.

This is the third time I have testified about this topic before Congress. The first was in 2017, just three months after white supremacists chanting "Jews will not replace us," paraded through the University of Virginia, brandishing torch lights, echoing Nazi storm troopers strutting through Germany in the 1930's.

I emphasize this because the antisemitism igniting on campuses today is not new. It is part of a long history of American antisemitism. While antisemitism is difficult to define, historical examples convey some of its contours. Antisemites believe that Jews have been corrupted by money since Judas betrayed Jesus for 30 pieces of silver, and they've employed code names for avaricious Jews, Shylock, Rothschild, and in the 21st Century George Soros.

Antisemites believe Jews conspired to destroy Christian western civilization. These conspiracy theories gained currency in the 1920's when Henry Ford's newspaper ran the series, *The International Jew, the World's Foremost Problem*. Today, the charge

that the Jews are internationalists, have been replaced by the dog whistle globalist, implying that Jews are the puppet masters of the worldwide order.

Across American history people from all walks of life have conveyed antisemitic ideas since 1654, when New Amsterdam Governor Peter Stuyvesant tried to expel, and I quote, "This deceitful race, such hateful enemies and blasphemers of the name of Christ."

Now, more than 350 years later we have just marked the fifth anniversary of the murders at Pittsburgh's Tree of Life Synagogue. On city streets abuse is hurled at orthodox Jews, and Swastikas are graffitied on dorm doors, and also at the State Department. The long history of American antisemitism left its mark in higher education. Quotas on the admission of Jewish students began in the Ivy League in the 1920's, and spread to more than 700 private colleges and universities.

The campuses also wrestled with the challenge of antisemitic speech before this fall. In the early 1990's Holocaust deniers took out full page ads in college newspapers. Those ads launched furious debates about free speech on campus, and also helped propel Holocaust courses into the university to respond to the disinformation.

Antisrael invective has been flaring on campus well before this fall. I could look back more than 20 years. In October 2000, 200 students at the University of Michigan yelled, "Israel is a fascist state", and protested a Hillel teaching. But the barbarity of the Hamas terror of October 7th adds a terrible new chapter to Jewish history.

Anyone who claims to care about human rights should denounce these horrors. That so many on campus not only did not, but that they justified the savagery in name of opposition to Israel has caused Jews around the world deep anguish. While I deplore all hateful speech, antisemitic speech remains in America protected. Free speech stands at the core of the liberal arts education, an education which almost every member of Congress benefitted from when they were students.

But free speech does not permit harassment, discrimination, bias, threats, or violence in any form. And when they occur our institutions, and not just the campus, but our nation, they have in place mechanisms to respond. The American Jewish community has long strategized about how to reduce antisemitism.

Their efforts received a stunning confirmation when the U.S. national strategy to counter antisemitism was published. I believe this the first time any nation has developed such a document. I urge Congress to do everything in its power to support the national strategy, and also the forthcoming national strategy to counter Islamophobia. Thank you.

[The statement of Ms. Nadell follows:]

*****COMMITTEE INSERT*****

Chairwoman Foxx. Thank you. Dr. Kornbluth, you're recognized for five minutes.

STATEMENT OF DR. SALLY KORNBLUTH, PRESIDENT, MASSACHUSETTS INSTITUTE OF TECHNOLOGY, CAMBRIDGE, MASSACHUSETTS

Ms. Kornbluth. Thank you. Chairwoman Foxx, Ranking Member Scott, and distinguished members of the Committee. Thank you for this opportunity to describe how MIT is fighting the scourge of antisemitism. My name is Sally Kornbluth. I have been president of MIT since January of this year.

As an American, as a Jew, and as a human being, I abhor antisemitism. And my administration is combatting it actively. Since October 7th my campus communications have been crystal clear about the dangers of antisemitism, and about the atrocity of the Hamas terror attack.

Let me repeat what I said in my very first message to campus. In that video I said, "The brutality perpetrated on innocent civilians in Israel by terrorists from Hamas is horrifying. In my opinion, such a deliberate attack on civilians can never be justified."

I also made clear that students were feeling unsafe because of their Jewish faith, or their ties to Israel and said, "That should trouble every one of us deeply." I have reinforced this message, including in a November 14th campus video, as I said then, "Antisemitism is real. And it is rising in the world. We cannot let it poison our community."

I have been direct and unequivocal, and such leadership statements are important, but they must be paired with action. And this is just what we are doing at MIT. Months before October 7th, MIT joined the International Hillel Climate Campus

Initiative which helps universities build awareness of and actions against antisemitism.

We have launched an MIT wide effort called Standing Together Against Hate. It will emphasize both education and community building, especially in our residence halls. In addition to fighting antisemitism, it will address Islamophobia, also on the rise and also under reported. MIT will take on both, not lumped together, but with equal energy and in parallel.

Importantly, as is clearly visible on campus, we have increased the police presence. Safety has been our primary concern. Nonetheless, I know some Israeli and Jewish students feel unsafe on campus. As they bear the horror of the Hamas attacks, and the history of antisemitism. These students have been pained by chance in recent demonstrations.

I strongly believe that there is a difference between what we can say to each other, that is what we have a right to say, and what we should say, as members of one community. Yet as President of MIT, in addition to my duties to keep the campus safe, and to maintain the functioning of this national asset, I must at the same time ensure that we protect speech and viewpoint diversity for everyone.

This is in keeping with the institute's principles on free expression. Meeting those three goals is challenging, and the results can be terribly uncomfortable, but it is essential to how we operate in the United States. Those who want us to shut down protest language are in effect arguing for a speech code, but in practice speech codes do not work.

Problematic speech needs to be countered with other speech, and with education. And we are doing that. However, the right to free speech does not extend to harassment, discrimination, or incitement to violence in our community. MIT policies are clear on this. To keep the campus functioning we also have policies to regulate the

time, manner and place of demonstrations. Reports of student conduct that may violate our policies are handled through our faculty led Committee on Discipline.

Our campus actions today have protected student's safety, minimized disruptions to campus activities, and protected the right to free expression. We are intensifying our central efforts to combat antisemitism, the vital subject of this hearing. I note that I am also deeply concerned about the rise in prejudice against Arabs, Muslims and Palestinians, nationally and in our community.

And we are determined to combat that as well. We are also supporting faculty, staff and student initiatives to counter hate. And thanks to an inspiring group of faculty members, we are seeing more discussion among students with conflicting views. We know there's further work to do, but we are seeing progress, and MIT's vital mission continues. Thank you. I am happy to answer questions.

[The statement of Ms. Kornbluth follows:]

*****COMMITTEE INSERT*****

Chairwoman Foxx. Thank you, Dr. Kornbluth. I'll begin the questioning of our witnesses. I'm going to ask members -- before I ask my questions, let me do some housekeeping. Under Committee Rule 9 we will now question witnesses under the five minute rule. I remind members that I'll strictly enforce the five minute rule, so members are advised to keep your questions succinct, so the witnesses have time to answer.

Please don't talk for four minutes and then ask the witness a question. That -- we've heard from many students that they do not feel safe. You've talked about that in your statements. But the antisemitism we've seen on your campuses didn't come out of nowhere. There are cultures at your institutions that foster it because you have faculty and students who hate Jews, hate Israel, and are comfortable apologizing for terror.

How did your campuses get this way? What is it about the way that you hire faculty and approve curriculum that's allowing your campuses to be infected by this intellectual and moral rot? President Gay, I'm going to ask you to give me a brief answer. I also would invite you to follow-up with more in writing, and we will follow-up with you, so I will go down the line, President Gay, then President Magill and President Kornbluth.

Ms. Gay. Thank you Chairwoman Foxx. Again, antisemitism has no place at Harvard. When we recruit faculty, we do so with the understanding that they are joining a community where we -- we honor, celebrate and nurture open discourse, both on the campus and in the classroom. And to be a successful teacher and educator at Harvard, requires the ability to draw out all of the viewpoints and voices in your classroom, irrespective of one's political views.

And we devote significant resources to training our faculty in that pedagogical skill and to prioritizing that in our recruiting and hiring.

Chairwoman Foxx. Thank you. Ms. Magill.

Ms. Magill. Thank you for the opportunity to address the question. I'm troubled by what you're reporting about the culture of the institutions that we're leading, very contrary to the values that I hold as a leader of Pennsylvania -- University of Pennsylvania, as well as the institution where any form of hate is very contrary to our values.

I would venture and answer, Chairwoman Foxx, that antisemitism has a role in the broader society, and that's what we're seeing happening in the society and on our campuses, and I'm committed to combating it in immediate term and the long-term.

Chairwoman Foxx. Thank you. And Dr. Kornbluth?

Ms. Kornbluth. Yes. So MIT is a majority STEM education and research institution, and we are devoted to solving the problems that face society. Our faculty hired for their brilliance, now we allow them to say what they'd like in the classroom in the name of free expression, but we are committed to having them know that this is -- that our campus must be a welcoming and inclusive environment.

And although they may say what they like in the classroom academically, targeting any individual student, harassing, or discriminating is strictly forbidden in our classrooms and on campus.

Chairwoman Foxx. Thank you. We will be following up with asking for specific plans for disciplining student and faculty who assault or harass students, or prevent them from accessing uninterrupted classes, or campus spaces. We'll be asking for your plan for preventing this rot from perpetuating how you're going to hire and assess instructors, how will you change and how you govern students, and what are the practical steps you will plan to take.

I want to ask you one more question. It seems, as I've said, and Ms. Magill, I

appreciate the fact that you feel concerned about my feeling about the fundamental culture on the campuses is foundational to this issue. Denial of the right of Israel to exist. So I want to ask each one of you, President Gay, do you believe that Israel has a right to exist as a Jewish nation?

Ms. Gay. I agree that the State of Israel has the right to exist.

Chairwoman Foxx. Ms. Magill, same question.

Ms. Magill. I agree Chairwoman Foxx the State of Israel has the right to exist.

Chairwoman Foxx. Dr. Kornbluth?

Ms. Kornbluth. Absolutely, Israel has the right to exist.

Chairwoman Foxx. I want to thank our witnesses again for being here, and to say we will follow-up, and to tell you that while we've talked about a larger culture out there, it's the universities who should be examples of what this nation is all about. I yield back, and I recognize the distinguished Ranking Member who is wanting me to recognize Mr. Courtney.

Mr. Courtney. Thank you, Chairwoman Foxx, and I want to thank you for the moment of silence for the 137 hostages who are still being held to this day. We had a hearing a couple weeks ago on antisemitism where I shared with my colleagues and the witnesses that a dual US Israeli citizens with family in Waterford, Connecticut was one of those being held at the time, along --

and we thought her husband, her name was Liat Beinin and Aviv Beinin. The good news is a week ago Liat was released, and unfortunately a day later the Israeli military shared with the family that human remains which were found at the Kibbutz where the violent attack took place unfortunately matched up to Aviv.

Again, Hamas never shared the information about whether or not they had him or not, which is just another example of their treachery. Dr. Nadell, in your testimony on

page 8 you talked about President Biden's U.S. National Strategy to Counter Antisemitism, and particularly you talked about the use of Title VI of the U.S. Civil Rights Act in terms of being an effective tool on campuses to combat antisemitism. I was wondering whether you could talk about that a little bit.

Ms. Nadell. So, Title VI allows for responding to some of the issues that the Presidents of these universities, but also frankly, of most universities around the nation it seems at the moment have been dealing with in terms of when antisemitism moves into-- moves beyond free speech, moves beyond rhetoric, and involves harassment or intimidation.

The issue is that the Office of Civil Rights and the Department of Education needs to be fully funded in order to implement the U.S. Strategy to Counter Antisemitism. And I just want to comment about the strategy because it is an extraordinary document. It has actions for the White House to carry out, or that division.

But it has issues for Congress to carry out, which I have a sense Congress has not been carrying out, and it also has major charges to hold society to respond to antisemitism, some of which we are hearing is already happening on the campuses. The problem is they don't make headlines because they're not a bunch of protestors.

Mr. Courtney. Thank you, and again it's important to note that document was released back in May of 2023. Certainly before this committee, and the you know, outrageous events of October 7th. And the Ranking Member mentioned in his opening remarks that you know, at the same time that we're holding this hearing, we're also now still trying to get a budget passed for fiscal year 2024.

The majority in the House reported out their budget, which as you mentioned, carried a cut for the Office of Civil Rights, to be more specific it's a 25 percent cut, 35 million dollars out of their rather small budget. 72 million dollars lower than what the

President had asked for.

I mean we had a witness here again two weeks ago who worked for almost 20 plus years at ADL, the Anti-Defamation League. They've been around for 110 years, fighting antisemitism in this country. And again, she talked about the fact that you know that type of cut is just going to cripple the ability of the antisemitism police, if you want to sort of look at it that way, in terms of trying to stop this type of activity on campuses.

And again, I was just wondering if you had sort of what your view is of a cut in terms of the impact of the Office of Civil Rights to do its job.

Ms. Nadell. I think the cut is absolutely devastating. What I would also remind everyone is that the Office of Civil Rights and the Department of Education does not only focus on antisemitism. It focuses on all forms of hate, and I would guess, I actually tried to find this information, but was unable to do so.

But I would guess that the majority of complaints are not coming from Jewish students, although maybe now since what happened on October 7th. I'd guess the majority of the complaints are actually coming from people of color, and from others who have faced terrible bias. So it is unthinkable, unconscionable to make that cut.

Mr. Courtney. And talk is cheap. I mean I've been around here a while. Budgets are what really I think show the true willingness to act in situations like this. And I'd just like to close by mentioning that in Connecticut a young, transfer student, international student from the West Bank, Tahseen Aliahmad, a sophomore at Trinity College, is a math major who was up visiting friends in Burlington, Vermont. They were walking from going bowling.

And this coward came out of this house with a firearm and at point blank range shot all three students who were absolutely, they were going to their relatives house at

the time. And it shows again that the civil rights effort of the Department of Justice, which also is being subjected to a potential cut needs to get full funding in the Office of Civil Rights. And with that I would yield back.

Chairwoman Foxx. Thank you Mr. Courtney. I now recognize Congressman Wilson from South Carolina for five minutes.

Mr. Wilson. Thank you. Thank you Chairwoman Virginia Foxx, and Chairwoman Virginia Foxx I believe appropriately began this hearing about how serious this is that the Iran puppets of Hamas have victimized the world, including here in the United States, and shockingly as we include people that have been affected, it should be Paul Kessler of California, who was murdered by a professor.

A professor supporting Hamas as he was demonstrating peacefully on behalf of the people of Israel. And so, we have victims right in our country of murder in California. With that in mind, and I'd say this respectfully to each of the university professors here today. Without any inclination, I would like the answer, and it should be a percentage of conservatives.

And that is you each rightfully promote diversity and inclusion of race and gender with percentages available. That is available at your universities. What is the percentage of conservative professors in your institutions? I only want to know the percent of conservatives. What is the number President Gay?

Ms. Gay. Thank you Congressman. So I can't provide you that statistic because it's not data that we collect, but I will say that we -- we try to draw our talent to Harvard from --

Mr. Wilson. Okay. We've got to race ahead please. I don't want more. I just want to know what is the percentage of conservative professors at Harvard?

Ms. Gay. I do not have that statistic. We don't collect that data.

Mr. Wilson. That concerns me. And President Magill, what is the percentage of conservatives professors allowed to teach at your institution?

Ms. Magill. Representative, I strongly believe in a wide variety of perspectives. We do not track that information, so I can't give that to you.

Mr. Wilson. Okay no, none. I got the message. And President Kornbluth, what is the percentage of conservative professors at MIT?

Ms. Kornbluth. We do not document people's political views, but conservatives are welcome to teach on our campus.

Mr. Wilson. And I think this is so sadly and shamefully revealing that there's no diversity inclusion of intellectual thought. And the result of that is antisemitism, and you can study with government money all you want to, Doctor, but it's due to illiberalism that has taken over the country, and you might look into that when you get your next government grant.

With that in mind, the barbaric mass murder on October 7th by Iran puppets, Hamas, invading Israel trained by war criminal Putin, has shockingly revealed that many college campuses are sickeningly antisemitic. This is defending the maniacal Hamas agenda. The Hamas agenda is in their covenant of August 1988.

I hope you read it because it says in Article VII, I'll take you, you don't have to read the whole thing, "Kill the Jews." What that means is death to Israel, death to America. And to have that percentage is disgusting. Sadly, college campuses have descended from coveted citadels intellectual freedom to illiberal sewers of intolerance and bigotry.

Diversity and inclusion are a George Orwell 1984 implementation as we see in excluding conservative thought. The solution for closed minded intolerance on campuses is obvious. To liberate academia from denial of free speech, respecting the First Amendment.

There should be diversity inclusion of more conservative academics overcoming today's blatant discrimination. With that in mind, Dr. Magill, I've received questions from really wonderful students at the University of Pennsylvania who were in a state of shock about the state of the university.

And you say the university has introduced a plan to combat antisemitism, yet we hear of more incitement and intimidation of Jewish students at Penn. Do you understand that having policies means nothing if you don't implement them? And how many students or faculty have been removed or disciplined under your policies?

What is the average time for action on student conduct, or other policies to conclude and you can get this back to me later. What are you enforcing? At a pro-Hamas Penn protest President Huda Fakhreddine and faculty member Ahmad Almallah was seen enthusiastically clapping in support of the speaker as they shouted, "Go back to Moscow, Brooklyn, blanking Berlin where you came from."

Has any action been taken to address Professor Fakhreddine and Professor Ahmad Almallah's support of this inciteful and intimidating speech? How are Jewish students in Fakhreddine's classes supposed to receive fair treatment when she endorses hatred? And I should have said, and also I'm going to conclude by another question. How in the world can you all now have a class on resistance literature from pre-Islamic Arabia featuring a person who is with the terrorist organization PFLF? We'll present this to you. Thank you.

Chairwoman Foxx. We go from Mr. Wilson from South Carolina to Ms. Wilson from Florida.

Mrs. Wilson. Thank you. Thank you Chairman Foxx, and Ranking Member Scott. And thank you to the witnesses for your testimonies today. As the witnesses have shared, antisemitism anywhere is abhorrent and unacceptable, and must be

condemned.

I'm privileged to represent a strong united Jewish community in South Florida. My next door neighbor is a Rabbi. My Jewish constituents have experienced everything from bomb threats on Jewish centers, schools, to harassment of Jewish community members.

I stand with them. We talk often. We commiserate and we pray. We must take a stand against all forms of hate, whether that be antisemitism, Islamophobia, racism, xenophobia and terrorism. This must stop. In Congress for seven years I led the fight against Boko Haram, a terrorist group that kidnapped over 300 school girls in Nigeria.

Gang rapes, beheadings, killing whole families, so I am particularly sensitive to this issue of terrorists and what they do. But disagreements about the conflict in the Middle East should never escalate to threats of violence against any community. We are a civilized society. We must draw a line and condemn hate. Please know that in May the Biden administration, Biden Harris administration, introduced the U.S. National Strategy to Counter Antisemitism. A comprehensive approach addressing antisemitism in diverse environments, including college campuses.

With that I have a few questions. Ms. Nadell, based on your knowledge from 2016 to 2020, what has been the United States response to antisemitic events? And specifically thinking about Charlottesville, Unite the Right, and what the Trump Pence administration did compared to this administration. Ms. Nadell.

Ms. Nadell. The Unite the Right Rally at the University of Virginia and in Charlottesville, Virginia in August of 2017 was for me, and I believe actually for the majority of American Jews, a major turning point. It signaled that the long history of antisemitism in the United States that it was about to burst out again.

And for the first time ever that I know of, Jews who were worshipping in their synagogue on Saturday morning, and they watched some of those United the Right ralliers parade past the synagogue armed, and they had to sneak out of the back of the synagogue because they were afraid that violence would break out.

So what we are seeing in terms of the antisemitism in this moment in time is that it's been rising, and rising since 2016, and although President Trump called the people who were the protestors and counter protestors said there were very good people on both sides, I disagree. I do not think there were very good people on both sides in Charlottesville in August of 2017.

Mrs. Wilson. Okay. As I reflected, Professor Nadell, on the horrific events in the Middle east and the subsequent fallout on college campuses. I have been in contact with my friend and former Congressional colleague Ted Deutch, who now heads the American Jewish Committee. The committee is the author of the AJC Action Plan and Toolkit for University Administrators.

One of the recommendations that the university administrators recenter the conversation about the Middle East back to a place of fact-based exchange. Could you comment on why this suggestion is important, and I'd like to, Madam Chair, enter this report into the record.

Chairwoman Foxx. Without objection.

[The information of Mrs. Wilson follows:]

*****COMMITTEE REPORT*****

Ms. Nadell. This action is important because the campuses where faculty who come from Middle East studies, and faculty who come from Jewish studies have long been in conversation, not just since October 7th. Those are the places where the - what we do in the university has been manifested in the best way. So I'm thinking for example of Dartmouth University where they held a forum, and they had their second forum 300 people in the room and they had 5,000 people online. Our universities not only educate our students today, but we can educate the wider public, and so I very much agree, admire, Ted Deutch, and I admire the American Jewish community for what they are trying to do. But this is not a magic bullet. It's not going to be fixed overnight, but we are in the process of working on it, and hopefully tamping down antisemitism in America once again.

Chairwoman Foxx. Your time has expired.

Mrs. Wilson. Thank you and I yield back.

Chairwoman Foxx. Mr. Thompson, you're recognized for five minutes.

Mr. Thompson. Thank you Madam Chair for calling this important hearing.

Thanks today to all of our folks that are testifying. As we have all seen recently there's been a sharp rise in antisemitic words, actions and attacks online, around the world, and unfortunately right here at home.

Nowhere in the United States have these hateful and divisive ideas been more prevalent or have found a safer home than on college campuses. It's up to all of us to call out these actions and protect Jewish faculty students, staff at these institutions. Unfortunately, many of our university leaders have not met this moment and have allowed antisemitism to continue to grow and to rear its ugly head.

President Magill, does the University of Pennsylvania have in place any policies to ensure that each student who has enrolled at the university, receives information on the history of antisemitism, how antisemitism presents itself, and actions students can take to

prevent and report antisemitic behavior, and you know, why or why not?

Ms. Magill. Thank you for the opportunity to discuss that. We are in the midst of making certain that all anti-bigotry efforts ensure education about antisemitism. We committed to that in September, and we're working through that. We've added education, some parts of our program do, and some parts of our program need to be enhanced, so we're working on that right now.

And I assure you that we will make certain that that is included in all of our anti-bigotry efforts, antisemitism.

Mr. Thompson. That is much appreciated. I wondered if that type of education would have been in place at all of our college campuses before this, whether we would have seen the massive reactions that we have that are just hard to describe, and justify in terms of the demonstrations and just the hate.

And as part of the recent protests on and around campus there have been dozens of arrests made by university police, including several related terroristic threats. Does university plan on requiring students, faculty or staff arrested as part of these protests to receive further education on antisemitic behavior?

Ms. Magill. Congressman, is that a question for me?

Mr. Thompson. It is, yes I'm sorry. Please.

Ms. Magill. Well, we're very committed to making sure everyone understands history and antisemitism for sure. The description of the arrests I need to learn a little bit more about.

Mr. Thompson. Well the requests that have occurred obviously related to protests involving faculty or staff, students, you know the question is, you know, within the consequences when university police are the ones that are intervening, whether there's any thoughts to further education for those individuals on regarding antisemitic

behavior and the impacts of it?

Ms. Magill. It's certainly consistent with my perspective and my values and the institution's values. I wonder if I can follow-up with your team about the specifics of these arrests because they're - I'm not - I don't know exactly what you're speaking about, but I agree with you that anyone who was arrested for an activity that was antisemitic, some act or something else, harassment, intimidation, should certainly receive education in addition to other consequences in my opinion.

Mr. Thompson. Sure. Some criminal activity they were arrested for that was obviously driven by antisemitic beliefs and expressions. Several faculty members at Penn recently provided support for the boycott, divestment and sanctions for the BDS movement. The movement requires boycotting Israeli universities, and individuals who are complicit in what they consider Israeli government misconduct.

Therefore, it is impossible for a faculty member to support BDS, and treat Israeli academics fairly. Can you tell this Committee unequivocally that no such discrimination has taken place?

Ms. Magill. I appreciate the opportunity to clarify a very clear position that the University of Pennsylvania has had for many years, which is we strongly oppose boycotting, divesting and sanctioning Israel. We have many flourishing academic -- it's contrary to academic freedom among other things. It's singling out one state, and treating it differently than others.

We have many academic collaborations with universities in Israel. We -- they're terrific collaborations. We have absolutely-- we're very clear on BDS. We are opposed to it, and our practices make that clear.

Mr. Thompson. So as a part of that, and I'm a strong supporter of the right to free speech, including on college campuses. Does University of Pennsylvania have any

policies or procedures in place to ensure that BDS supporters cannot implement their boycott positions in their official capacities for not giving such individuals administrative powers to begin with?

Ms. Magill. Well it's the position of the institution that we do not engage in boycotting, sanctioning or divesting, and I would think that would follow for any member of the organization who is acting in their official capacity. But if you have specifics that I could follow-up on after this hearing, I would very much like to hear them.

Mr. Thompson. We do. We'll do that, appreciate. Thank you Madam Chair.

Chairwoman Foxx. Thank you. Ms. Bonamici, you are recognized for five minutes.

Ms. Bonamici. Thank you, Madam Chair, and thank you to the witnesses. I appreciate the full Committee's focus on this issue. I want to reiterate, as I did in the other hearing we had recently, that antisemitism, as well as Islamophobia, and other forms of bigotry based on race, ethnicity and national origin or religion are abhorrent and must not be tolerated.

I'm deeply troubled by recent antisemitic incidents at colleges and universities across the country, including those whose presidents are here today, and I stand with my colleagues on both sides of the aisle in calling for proactive steps from all of these universities and high institutions to route out discrimination, hatred and bigotry in all of its forms.

I also want to note that the main point of this hearing should be to identify bipartisan solutions to combat antisemitism, not an excuse to attack a higher education, liberal arts education, or important diversity, equity and inclusion work that's happening at colleges and universities across the country. There are legitimate concerns about antisemitism on college campuses, and that's what we should focus on today. Not doing

so is a disservice to the students across the country who are looking to Congress for support, and the public for the institutions.

So, during the previous hearing I highlighted my support for additional funding for the Department of Education's Office for Civil Rights, and I want to join Representative Courtney in repeating that request today. OCR will be better able to enforce Title VI violations and protect students' civil rights with adequate staff and investigatory capacities, so I want to make that clear. We must do that.

Dr. Nadell, thank you for being here and for your work over the years. Public colleges and universities as we know must uphold Constitutional free speech rights, and many private institutions also recognize the value of free speech and robust debate, and all of our Presidents recognize that today.

But also with the understanding that schools cannot allow their campuses to become places where antisemitic speech makes students unsafe, or feel unsafe. I think that's recognized. So Dr. Nadell, what are some of the best ways that colleges and universities can work to make their campuses welcome, safe and inclusive spaces for all students in light of incidents of hate speech and discrimination, while also adhering to First Amendment principles?

Ms. Nadell. So thank you for the question. I think there are different forms and different venues for expanding this discussion of the very difficult issue that has sparked and ignited the antisemitism, or the outbursts on college campuses that we've been seeing since October 7th.

So one form obviously is the classroom. Although I would remind the members of the Committee that the reality is that most students during their college career they take a handful of courses. Many of them are studying STEM and most of them are actually never in classrooms where they're hearing a discussion of issues like

antisemitism, or the conflict in Israel and Palestine.

So that's the first thing that I would point out. So academics, we academics can continue to foster those conversations. We need to take them outside of the classroom. I think the other place where there can really be a lot of work done where it is very successful is on the side of student life on campus.

And so, student organizations are they range broadly and widely on the campus, everything from a gardening club, to obviously some of the student organizations that have been involved in the protests against Israel. So, these are other places.

Ms. Bonamici. Dr. Nadell, I don't want to cut you off, but I have to get another question in, and I'm running out of time.

Ms. Nadell. Yes, oh sure.

Ms. Bonamici. But thank you for your work, and I also want to recognize as well the AJC action plan for confronting campus antisemitism. President Gay, I understand that there is an ongoing investigation of your institution by OCR because of antisemitic incidents that occurred on campus.

I know we'll be closely monitoring the outcome, but in the interim, and over the long-term, what can Congress do to support your institution and other colleges in preventing discrimination? And also, if you could respond in the brief time. You mentioned that Harvard will not permit speech that incites violence or threatens safety, and I'd like you also to address who decides that and how and in what timeframe.

Ms. Gay. Thank you Congresswoman for your questions. You're correct that there is an ongoing investigation and obviously I can't comment on an active investigation other than to say we will work with the office to answer all of their questions. And I will say the work of the office is vitally important for ensuring students have access to educational opportunities.

So I fully support the work they do and hope that the office gets the resources that it needs to be effective. With respect to I believe the question was about student conduct. So, again we are deeply committed to free expression, but when speech crosses over into conduct that violates our policies, policies against bullying, harassment, intimidation, we do take action.

And we do have faculty led student disciplinary processes that are quite robust. And even over the last couple of months as there have been incidents, we have been leaning into those processes, and we do have disciplinary actions underway.

Ms. Bonamici. Thank you. My time has expired. I yield back.

Chairwoman Foxx. Thank you, Ms. Bonamici. I now recognize Mr. Walberg for five minutes.

Mr. Walberg. Thank you Madam Chair. And thanks to the panel for being here. These are difficult times and difficult subjects, but they need to be addressed because leadership matters, and you are leaders in academia at your institutions as well, and leadership matters.

President Gay, I was taken by some words in your opening statement where you said the cure for antisemitism is knowledge. I would go where angels fear to tread and suggest that it might be better going back to the original motto idea for Harvard, which was veritas. Truth. That the cure for antisemitism is not simply knowledge.

It's truth. Knowledge puffs up. Knowledge sometimes is based upon falsehoods. I think that's what we're facing right now. In the climate on campuses, is that we're missing the fact of truth, and allowing under the guise of free speech knowledge that isn't true, to be exhibited in actions as well.

So President Gay in the week since October 7th, and again in your testimony you have said that Harvard's commitment to free speech extends to views that are

objectionable or outrageous. Are you aware that Harvard is ranked dead last on the 2024 Foundation of Individual Rights and Expressions Scorecard of Universities on freedom of speech?

Ms. Gay. Thank you, Congressman, for the question. Respectfully, I disagree with that perspective as represented in the report that you cited. I don't think it's an accurate representation of how Harvard treats speech on campus. We are committed to free expression, and to making space for a wide range of views and perspectives on our campus. This is -- this is bedrock.

Mr. Thompson. With all due respect, let me move on a bit. I would expect that you wouldn't agree with that. I understand that, and I would expect that the University of Penn the same would be true, that you wouldn't agree that you're second to last on that same scorecard.

But President Gay, did you know that 70 percent of Harvard students say that shouting down of speakers is acceptable?

Ms. Gay. That is not okay.

Mr. Thompson. I appreciate that. It seems that perhaps Harvard's commitment to free speech is pretty selective. As you are no doubt aware, prominent alumnus Bill Ackerman tweeted you a letter on Sunday, and in that letter and I have that tweet. I guess that's the beauty of social media, you can get those things.

In that letter he highlighted two cases of Harvard faculty members who are cancelled because of views deemed too controversial for your campus. Tyler J. VanderWeele was deemed guilty for those crimes related to his views on marriage and abortion.

And then Carole Hooven, an evolutionary biologist was forced to resign because she stated that a person's sex is biological and binary. Mr. Ackerman's letter also

included quotes from a number of faculty, highlighting the culture of fear that pervades Harvard's campus for those with views out of step with campus orthodoxy.

And so, President Gay, in what world is a call for violence against Jews protected speech, but a belief that sex is biological, and binary isn't?

Ms. Gay. Thank you for your question. So from the moment that our students arrive on campus, whether it is to begin their Harvard journey as an undergraduate, or at one of the professional schools, the message to them is clear. That we are an inclusive community, but one deeply committed to free expression.

And that means that we have expectations that that right is exercised mindfully and with empathy towards others. We reinforce that during their time at Harvard by helping them build the skills that allow them to engage in constructive dialogue, even on the most complex and divisive issues. Because what we seek is not simply free expression, but the reason dialogue that leads to truth and discovery, and that does the work of moving us all forward.

We don't always get it right, and our students don't always get it right.

Mr. Thompson. But you're professors.

Ms. Gay. And when they transgress they're held accountable.

Mr. Thompson. You're professors come under that as well don't they? Your professors come under that as well, don't they?

Ms. Gay. Absolutely.

Mr. Thompson. And so for Professor VanderWeele and Hooven, that didn't work for them. The free expression of views at the very least, views, whether fact or truth, I guess we'll leave that to understanding. But nonetheless, they were removed from their positions. And I think that sends a message. A message in this case with Jewish students that they're of less importance. I yield back.

Chairwoman Foxx. Mr. Takano, you're recognized for five minutes.

Mr. Takano. Thank you Madam Chair, and thank you to our witnesses for being here. I do wish we could meet under different circumstances. President Gay, many individuals hold that Harvard did not condemn the attack against Israel swiftly enough. I'd like to give you an opportunity to briefly to react.

Can you tell us why the university did not react as quickly as other universities might have, or others might have hoped Harvard would have?

Ms. Gay. Thank you, Congressman, for the question. And respectfully, the notion that Harvard did not react is not correct. From the moment I learned of the attacks on October 7th, I was focused on action to ensure that our students were supported and safe. On that first day we were focused on identifying whether we had any students or faculty who were in Israel and needed our assistance, including in getting out.

On October 8th I joined students and other members of the community at Harvard Hillel, for a solidarity dinner to be there in support and also to learn more what their needs were. In the days after not only did I condemn the attacks, I've continued to condemn the attacks, and furthermore have continued to stay in conversation with our Jewish Community on Campus about their evolving needs, so that to ensure that the university is providing them with the support that they need during this very challenging time.

Mr. Takano. Thank you, President Gay. Do you consider yourself a subject matter expert on antisemitic behavior?

Ms. Gay. Excuse me, could you repeat that question? I didn't hear.

Mr. Takano. Do you consider yourself an expert on antisemitic behavior, subject matter expert?

Ms. Gay. No. I don't. But I know this, that antisemitism is hate or suspicion of Jews, and that is all I need to know to take action to address it on our campus.

Mr. Takano. Thank you. Real quickly, other than Professor Nadell, do the other witnesses consider themselves to be experts on antisemitism? Just a simple yes or no?

Ms. Kornbluth. No I do not.

Ms. Magill. No I do not, but I learn.

Mr. Takano. Thank you. Well, my point is that this is the second legislative hearing on this topic in a month, and the majority has failed to bring forth any witnesses who can speak on how to address this issue, and how to take concrete steps to combat antisemitism.

President Gay, it is my understanding that you have communicated to the Harvard community some of the specific steps you are implementing to combat antisemitism, and continue to foster student and community engagement. You've already mentioned a few of the things that you've done since September 8th, but can you highlight some of these steps?

Ms. Gay. Thank you for the question. So I had repeated communications with the campus community about the steps that we're taking, both immediate steps and longer term action towards combatting antisemitism. To begin, we've focused on enhancing the physical safety of the campus and the campus community.

That includes an increased police presence, both plain clothes and uniformed officers, 24/7 threat monitoring, both on campus and online, coordination on a daily basis with state, local and federal law enforcement, and when necessary, we have taken the steps of closing the gates to Harvard Yard, to limit the ability of outside actors to use our campus as a platform.

We've also made it easier for students, or any community member to report

concerns and any kind of conduct that is threatening. We've also enhanced counseling and mental health services, including trauma informed care. We've created community spaces so that students and faculty and staff can gather and to be together to process the tragedy. We're also working on --

Mr. Takano. Excuse me, President Gay. Thank you. Are these actions only intended to assist Jewish students?

Ms. Gay. These are resources that we're making broadly available to our community, but we're being particularly mindful to make sure that they are responsive to the needs of our Jewish community, as well as our Muslim, Arab and Palestinian students who are also experiencing tremendous grief, and are also fearful and distraught during this time.

Mr. Takano. President Gay, universities stand as centers of thought, and it is of the utmost importance to strike a balance between First Amendment speech protections and the safety of students and faculty. But when speech crosses into the line of conduct -- crosses the line into conduct, it is essential that universities act swiftly.

Harvard is a private university and private IHEs have different parameters to operate under than public IHEs. Does this give Harvard a pass to avoid protecting free speech?

Ms. Gay. We are deeply committed to protecting free expression, even of views that we find objectionable and outrageous and offensive. But when that expression crosses into conduct that violates our policies around bullying, harassment, intimidation, threats, we take action, and we do not hesitate to take action.

Mr. Takano. Thank you. My time is up, and I yield back to the Chair, thank you.

Chairwoman Foxx. Thank you, Mr. Takano. Mr. Grothman, you're recognized for five minutes.

Mr. Grothman. Thank you. I'm going to follow-up on some of the things Mr. Wilson had to say. Just playing around here a little bit on the internet, in 2016 they found about 2 percent of the faculty of Harvard were viewed -- President Trump, I think, is okay or good.

I think in the 2020 election the Crimson, your local paper there, found 1 percent of the students voting for Donald Trump, which given the nationwide is about 50/50 was kind of shocking. Does it concern you at all that you apparently have a great deal, a lack of ideological diversity at Harvard, and do you think that atmosphere is maybe one of the reasons why there seems to be such an outbreak of antisemitism at your institution?

Ms. Gay. Is that -- is that question for me?

Mr. Grothman. It's a question for you, and I'll ask what are you going to do about it? Do you think it's a concern?

Ms. Gay. We -- so, we strive to have as diverse a faculty as we can because we want to make sure that we are sampling from the broadest pool of talent available in the world. That's how we ensure academic excellence. And we then --

Mr. Grothman. I -- I, from what I've read here, maybe they're just making stuff up, but I don't think they're making it up. We said 2 percent of your faculty viewed Donald Trump as something rather poor in 2016, and after four years of working for diversity, 1 percent voted for him.

Now I know all sorts of good people who don't like President Trump. I'm just saying when you compare the way people think at your campus compared to America as a whole, if there's one thing you are it's not diverse, right? Do you consider that a problem, or to the numbers I gave you?

Ms. Gay. So, Congressman, I can't speak to the specific data that you are referring to. What I can say is that at Harvard we try to create as much space as

possible for a wide range of views and perspectives because we believe that allows for a thriving, academic community.

Mr. Grothman. How in the world is that even possible that you're trying to do that? Do you really feel that your faculty are ideologically diverse? You came out of what was it, a political science background at Stanford?

Ms. Gay. At Stanford as an undergraduate I was an economics major, and then for my Ph.D. was a Ph.D. in political science.

Mr. Grothman. Political science. That's what I thought. Did you experience what you would say given America's divided now 50/50 about 50/50 or was it 75/25 or 90/10 regarding to more Constitutional conservative perspective, or more of a left wing perspective? What is your experience both at Harvard and Stanford?

Ms. Gay. So here's what I can say on the topic that you're exploring. And it's we want the most brilliant, talented faculty to come to Harvard, and to build their careers there. And then --

Mr. Grothman. Okay. They're only giving me five -- you're not going to answer the question -- they're only giving me five minutes. Is it common at Harvard to ask faculty to submit a diversity statement?

Ms. Gay. That's a practice that varies across schools at Harvard.

Mr. Grothman. So sometimes you do?

Ms. Gay. In some cases there are schools that ask for that.

Mr. Grothman. Okay. Could a scientist ever get cut from consideration from a job because they had the wrong view of diversity?

Ms. Gay. What I would say is that we aim to draw to our faculty the broadest pool of talent.

Mr. Grothman. Okay, I'll put it this way, when you hear that, and this is not the

way I wanted this to go, but when you hear that 1 percent of your faculty voted for a Presidential candidate who got about 50 percent of the vote nationwide, does that concern you, or do you feel you're not as diverse as you should be?

Ms. Gay. What I'm focused on is making sure that we're bringing the most academically talented faculty to our campus, and that they are effective in the classroom.

Mr. Grothman. Okay. I'll give you one more question because I want to go to the gal from Penn. Has Harvard ever made a faculty job contingent on a strong diversity statement?

Ms. Gay. We look at everything a faculty member will bring to our campus. Academic brilliance, and excitement and ability to teach a campus community and student community as diverse --

Mr. Grothman. Okay. Now I want to go Ms. Magill. I have a friend whose son goes to University of Pennsylvania. Right now he is physically afraid to go to the library at night, okay, just unbelievable. Could you -- and I just can't even conceive that it's going on in the United States of America, but that's what she tells me, and she doesn't make it up.

Could you give us your reasons as to why that is true at Pennsylvania? Why today a Jewish student is afraid to walk to the library at night?

Ms. Magill. Congressman, let me start by saying I'm devastated to hear that, and the safety and security of our campus and our students in particular is my top concern. I would, if you would be willing, I would like to talk to your constituent and their Penn student. I'm very troubled by what you're reporting. It's our top priority to keep our students safe and secure.

Chairwoman Foxx. I'm going to have to ask you to follow-up on that with Mr. Grothman, and with the rest of the Committee. Ms. Adams, you're recognized for five

minutes.

Ms. Adams. Thank you very much, Madam Chair, and thank you to the witnesses for coming today and to testify before the Committee. But before I get started I want to just thank you for your service to students and to university community. Dr. Nadell, this question is for you.

I'm glad, first of all, to see another Buckeye here, Ohio State, but as a former professor at a small college in North Carolina, Bennett College for over 40 years I taught there, I am deeply disappointed by the rise of antisemitism rhetoric that's happening across the country.

Antisemitism has no place on our college campuses, or anywhere, and it's been my mission to combat instances of antisemitism and hate, and racism alike. There are Jewish students across this country that are afraid to leave their dorms, afraid to step on campus because of the hateful rhetoric that's infiltrated our schools.

So this question is to actually all the Presidents, but I did want Dr. Nadell to answer first. Students should be able to express their views and opinions without fear of retaliation. How are you balancing the protection of free speech, academic freedom with the need to also oppose normalizing antisemitism attitudes that are radical and dangerous? And if we could just briefly answer that I want to hear from the Presidents on this.

Ms. Nadell. Sure. Just briefly, obviously we need to protect free speech, but we also need to protect the safety of our students on campus, and you used the word normalizing antisemitism, and the problem is antisemitism has been normalized in the nation, not just on campus.

Ms. Adams. Thank you. Dr. Gay?

Ms. Gay. Thank you. I'd say education is the key here. Making students, and

frankly the entire campus community more aware of the insidiousness of antisemitism, so that they're in a position to be able to recognize antisemitic tropes when they see them, and confront them in the moment.

Ms. Adams. Thank you.

Ms. Magill. I appreciate the question. At Penn our policies are guided by the U.S. Constitution, so our long-standing open expression guidelines follow the Constitution. I think in addition to education, which I agree with, so that students are, and faculty and staff can identify and combat antisemitic tropes and speech. I think it's important to call out antisemitism in a very visible and public way, and a specific way, in order to make clear how it's contrary to the values of the institution where we're talking about speech alone.

Ms. Adams. Thank you. So, Title VI provisions set the standard for what should be done to address racism, hate crimes and violence on campuses. Do you think that your DEI departments are equipped with the tools to combat antisemitism or hate on your campus, and if not, what changes do you plan to make? This is for all of the Presidents.

Ms. Kornbluth. I can jump in here.

Ms. Adams. Yes.

Ms. Kornbluth. Yes. So our diversity equity and inclusion staff are absolutely charged with making the campus welcoming for all students, and that absolutely includes our Jewish and Israeli students. We absolutely see antisemitism as an inclusion issue.

We're making sure that our staff who are dedicated to diversity equity inclusion are being trained about antisemitism, but you know it goes well beyond that staff. It's important that our leadership understands antisemitism, that our students and faculty understand antisemitism. And I'll just say one thing about MIT. We can make as many

top down initiatives as we want, but the heartening thing is that the discussion of antisemitism, and indeed Islamophobia is now proceeding at a grass roots level at MIT.

Ms. Adams. Thank you very much. The next President?

Ms. Magill. Our anti-bigotry efforts are also informed by a desire to make certain every person at the university feels welcome and can thrive, and that includes communities of faith and ethnicity. That's the value we have, and we're making sure that is from the top of the organization all through the organization.

And I believe over the longer term that's sort of an immediate action over the longer term, making sure the entire community is discussing understanding and capable of coming out and combatting antisemitism when they see it.

Ms. Adams. Thank you. Madam President?

Ms. Gay. Our DEI office is a resource for the entire community, and the professionals in that office are committed to ensuring that everyone feels a sense of belonging. But in building on an observation that President Kornbluth made, this is a shared responsibility that doesn't vest strictly in the hands of our DEI professionals, but it really is work that needs to be taken up by the entire community.

The leadership for sure, but also the faculty, and the students and also doing their work.

Ms. Adams. Thank you very much, and I'm out of time. Madam Chair, I yield back.

Chairwoman Foxx. Thank you. Ms. Stefanik, you're recognized for five minutes.

Ms. Stefanik. Dr. Gay, a Harvard student calling for the mass murder of African Americans is not protected free speech at Harvard, correct?

Ms. Gay. Our commitment to free speech --

Ms. Stefanik. It's a yes or no question. Is that correct? Is that okay for students to call for the mass murder of African Americans at Harvard? Is that protected free speech?

Ms. Gay. Our commitment to free speech extends --

Ms. Stefanik. It's a yes or no question. Let me ask you this. You are President of Harvard, so I assume you're familiar with the term intifada, correct?

Ms. Gay. I've heard that term, yes.

Ms. Stefanik. And you understand that the use of the term intifada in the context of the Israeli Arab conflict is indeed a call for violent armed resistance against the State of Israel, including violence against civilians and the genocide of Jews. Are you aware of that?

Ms. Gay. That type of hateful speech is personally abhorrent to me.

Ms. Stefanik. And there have been multiple marches at Harvard with students chanting, "There is only one solution, intifada revolution." And "globalize the intifada." Is that correct?

Ms. Gay. I've heard that thoughtless, reckless and hateful language on our campus, yes.

Ms. Stefanik. So based upon your testimony, you understand that this call for intifada is to commit genocide against the Jewish people in Israel and globally, correct?

Ms. Gay. I will say again, that type of hateful speech is personally abhorrent to me.

Ms. Stefanik. Do you believe that type of hateful speech is contrary to Harvard's Code of Conduct, or is it allowed at Harvard?

Ms. Gay. It is at odds with the values of Harvard. But our values also --

Ms. Stefanik. Can you not say here that it is against the Code of Conduct at

Harvard?

Ms. Gay. We embrace a commitment to free expression, even of views that are objectionable, offensive, hateful. It's when that speech crosses into conduct that violates our policies against bullying, harassment, hate crimes.

Ms. Stefanik. Does that speech not cross that barrier? Does that speech not call for the genocide of Jews, and the elimination of Israel? You testified that you understand that is the definition of intifada. Is that speech according to the Code of Conduct or not?

Ms. Gay. We embrace a commitment to free expression, and give a wide berth to free expression, even of views that are objectionable, outrageous and offensive.

Ms. Stefanik. You and I both know that's not the case. You are aware that Harvard ranked dead last when it came to free speech, are you not aware of that report?

Ms. Gay. As I observed earlier, I reject that characterization.

Ms. Stefanik. It's the data shows it's true. And isn't it true that Harvard previously rescinded multiple offers of admissions for applicants, and accepted freshmen for sharing offensive memes, racist statements, sometimes as young as 16 years old. Did Harvard not rescind those offers of admission?

Ms. Gay. That long predates my time as President so I can't speak to --

Ms. Stefanik. But you understand that Harvard made that decision to rescind those offers of admission?

Ms. Gay. I have no reason to contradict the facts as you present them here.

Ms. Stefanik. Correct, because it's a fact. You're also aware that a Winthrop House faculty dean was let go over who he chose to legally represent, correct? That was while you were dean.

Ms. Gay. That is an incorrect characterization of what transpired.

Ms. Stefanik. What's the characterization?

Ms. Gay. I'm not going to get into details about a personnel matter.

Ms. Stefanik. Well let me ask you this. Will admissions offers be rescinded, or any disciplinary action be taken against students or applicants who say from the river to the sea, or intifada advocating for the murder of Jews?

Ms. Gay. As I've said that type of hateful, reckless, offensive speech is personally abhorrent to me.

Ms. Stefanik. Are you testifying today that no action will be taken? What action will be taken?

Ms. Gay. When speech crosses into conduct that violates our policies, including policies against bullying, harassment or intimidation, we take action, and we have robust disciplinary processes that allow us to hold individuals accountable.

Ms. Stefanik. What action has been taken against students who are harassing and calling for the genocide of Jews on Harvard's campus?

Ms. Gay. I can assure you we have robust disciplinary processes with actions underway.

Ms. Stefanik. What actions have been taken? I'm not asking -- I'm asking what actions have been taken against those students?

Ms. Gay. Given students rights to privacy, and our obligations under FERPA, I will not say more about any specific cases, other than to reiterate that processes are ongoing.

Ms. Stefanik. Do you know what the number one hate crime in America is?

Ms. Gay. I know that over the last couple of months there has been an alarming rise of antisemitism, which I understand is the critical topic that we are here to discuss.

Ms. Stefanik. That's correct. It is anti-Jewish hate crimes. And Harvard ranks the lowest when it comes to protecting Jewish students. This is why I've called for your

resignation, and your testimony today not being able to answer with moral clarity, speaks volumes. I yield back.

Chairwoman Foxx. The gentlewoman yields back. Mr. Norcross is not here. Ms. Jayapal, you're recognized for five minutes.

Ms. Jayapal. Thank you Madam Chair. The Anti-Defamation League found that reports of antisemitism have nearly quadrupled since this point last year, and we're seeing that reflected on the college campuses with Jewish students reporting that they feel unsafe.

No student should feel unsafe. I think we all agree antisemitism and indeed, all forms of hate, have to be rejected everywhere. And while all of you as college administrators have a responsibility to condemn hate and acts of hate in all its forms, including antisemitism, I know that you also face the challenge of, and the responsibility of ensuring that people can engage in healthy debates of ideas in a way that fosters safety and inclusion for everyone.

So I want to thank you for your commitments to work to ensure continued diversity of perspectives on your campuses, a diversity of faculty, with varied lived experiences. I know that my republican colleagues have been trying to attack DEI initiatives, including the funding for those initiatives for some time, and I hope that that is clear in terms of some of the comments that have been made.

I want to just give Dr. Gay 30 seconds to respond to anything given the line of questioning that you had right before in case you wanted to say anything before I go to my lines of question.

Ms. Gay. Thank you for the opportunity, but I'm satisfied that I've conveyed our deep commitment to free expression, recognizing that it's uncomfortable.

Ms. Jayapal. Thank you Dr. Gay. Dr. Kornbluth, your institution is one of many

that have responded to incidents between pro-Israel and pro-Palestine groups. Many college campuses have been grappling with their responses to prevent antisemitism, to prevent Islamophobia, and other forms of hate, while also making sure that every student feels safe to express their thoughts in accordance with the principles of free speech, and to engage in the idea of critical thought on college campuses, which I think is what many of us appreciated about our college experiences.

Can you speak to the challenges that you've faced in condemning hate and acts of hate, while making sure that students were heard? And also, just want to appreciate the distinction that you made in one of your comments between what we can say and what we should say. And just say that frankly, I think there's been an explosion thanks to the previous President in part, that has shattered the norms of what is acceptable to say, and we're dealing with some of the effects of that.

But what challenges have you faced in condemning hate, and acts of hate while making sure students were heard?

Ms. Kornbluth. Thank you so much. You know --

Ms. Jayapal. And if you could just pull that microphone right up to you that would be great.

Ms. Kornbluth. Oh, I'm sorry. I'm sorry. Thank you. You know I have to say my absolute goal is to ensure the safety of students and the continuity of our research and educational missions. And these recent events have troubled me deeply, and we have mobilized as a campus.

I think the most important thing is first knowledge to understand that, as I mentioned in a previous answer, that our leadership, our students and our faculty have to have knowledge, but way more importantly right now is these students are thrown together in classrooms and laboratories, and dormitories every day.

This is where the dialogue is taking place. And we have to ensure that we have the tools for constructive communication across differences. We are bringing these discussions to the dormitories. We have a center for constructive engagement where the students are going to be able to have small roundtable discussions with each other.

We have funded and mobilized, and I cannot tell you how wonderful our faculty have been. They just issued a statement from 300 faculty about unity and working together with the students. And so, there have been lunches, there have been meetings for our Israeli and Jewish students with Jewish faculty, for our Arab and Muslim students, with Arab and Muslim faculty, but now they're working to figure out how to bring them together.

If we're all going to live and work together productively, we have to move beyond, you know, normal training, which we are committed to, but to actual real dialogue, and to actually model constructive and civil dialogue for our students. That's what being in university is all about.

Ms. Jayapal. Very powerful. Professor Nadell, these challenges of protecting free speech while denouncing antisemitism, Islamophobia, all forms of hate, that's not unique to MIT or to the institutions that are here. Can you speak to the same question of the most effective ways to facilitate education and dialogue to ease tensions at other colleges and in general?

Ms. Nadell. The most effective ways, and obviously I very much appreciate your question because this is happening across the United States on colleges and campuses, small and large. And the most effective ways are to recognize the many different levels and mechanisms for facilitating these dialogues at the student level, at the faculty level, at the administrative level, and bringing -- how to unite the campus.

Bringing the campus together. That's what we're all trying to do, and it doesn't

happen overnight.

Ms. Jayapal. Thank you all so much for your work. I yield back Madam Chair.

Chairwoman Foxx. Thank you. Mr. Allen you're recognized for five minutes.

Mr. Allen. Thank you Madam Chair, and I want to thank each of you for being here today. And first, and you know my colleague earlier asked the question what is the truth? Of course that question was asked 2000 years ago of Pilate, and of course you know, obviously knowledge is important, but what about wisdom?

In full disclosure, I am a student. I believe in the God of the bible and His Word. And the House of Representatives, we are without excuse. We have above the American flag In God We Trust. Really? And then we have the full face of Moses looking down on the entire body who gave us the first five books of the bible.

Let me tell you how serious this issue is. In 1885 B.C. B.C., not A.D. B.C. The bible says Genesis 12:3, "I will bless," talking about Israel. "I will bless those who bless you, and whoever curses you I will curse. And all peoples of the earth would be blessed through you." That is a serious, serious promise.

In fact, we heard one of the panelists talk about the Jesus of the bible, and of course our church was founded by Jesus, who was a Jew. The American church. In fact the church throughout the world. You know, this is the Committee of Education and Workforce.

Illiteracy is the number one problem in our workforce, but I think from a standpoint of truth, biblical illiteracy is the number one problem in America. We are a biblically illiterate society. We have no idea about these promises that are ancient, and this book that the prophecies, every one of them has come to fruition. Every single one of them.

So with that, Dr. Magill, like so many others I have been extremely

disappointed -- I'm sorry, Dr. Kornbluth, is that correct? Okay.

Ms. Kornbluth. Dr. Kornbluth.

Mr. Allen. At MIT Israeli and Jewish students were blocked from attending class by pro-Palestinian protests at the school's main entrance. The protest violated campus rules when the school ordered all protestors to leave the area or face suspension. The contingent Jewish counter protestors left. The pro-Palestinians stayed.

Can you explain how that is fair to Jewish American citizens whose rights are being violated when you said because we later heard serious concerns about collateral consequences for students such as visas, and that sort of thing. Can you explain yourself there?

Ms. Kornbluth. Yes. Thank you very much for the opportunity. I have to say when we started this protest, when the protest rather was started, I ordered a police presence to ensure safety, and we de-escalated when it was prudent, in a very tense situation amongst students.

We avoided altercations and we kept everyone safe. And we are now entering into a process of ensuring accountability. And with respect to the consequences, we strive for outcomes that are proportional to the transgression. In this case, a violation of our time, place and manner rules for demonstration.

I want to make one comment though about people attending classes. First of all, at no time --

Mr. Allen. Well I'm limited on time here, so could you submit that to us in writing?

Ms. Kornbluth. Absolutely.

Mr. Allen. I have another question here. In fact, you know going back to talking about wisdom. Proverbs 9:10 says, "The fear of God is the beginning of

wisdom." And so, with that President Gay and President Magill, do either of you plan to suspend foreign students who violate the law or school policies?

Ms. Gay. Thank you for your question. Our international students are a vibrant part of our community, and contribute significantly to Harvard's strength and are a real source of pride. But all of our students, irrespective of their citizenship are held accountable to following our policies, including our policies around bullying, harassment and intimidation. And we hold them accountable for that.

Mr. Allen. Okay. Well Dr. Magill, if you will submit those in writing, and I have a few other questions I'd like for you all to answer. Thank you for being here, and Chair and I yield.

Chairwoman Foxx. Thank you, Mr. Allen. Ms. Wild, you're recognized for five minutes.

Ms. Wild. Thank you, Madam Chair. I so wish that this hearing was one where we were having a robust intellectual discussion, taking advantage of the brilliant minds that we have in front of us about free speech, the limits of free speech and so forth. I fear that we have gotten away from that.

I think the one thing that everybody in this room would agree on is that not all speech is protected or acceptable. For example, when elected officials lie, that's unacceptable. And that sometimes means that they have to be removed from academic institutions where they may serve on boards, or in the case of Harvard, the senior advisory committee based on false claims of election fraud.

But moving on to the subject of this hearing, let me just say as a Jewish mother of two students who are now fully launched, and I had to send off to college not so many years ago, I am very, very sympathetic to the concerns of the students and the parents about their safety, emotionally, physically, and otherwise.

But and it's not just about antisemitism, it's about all forms of hate speech, whether it's anti-LGBT, Islamophobia, whatever it is, racist language, our students deserve a place of safety. And again, emotionally and physically. But at the same time I think of college as the place where we learn to think critically.

And to me that's the most important part of going to college. So here we are in this strange balancing act, and believe me, I feel for all of you because it is a balancing act that you have to perform. So at what point do we determine, or do you determine that speech is such that it incites violence, or it constitutes hate speech?

And I'm going to ask President Magill from my home state of Pennsylvania, you saw a video at the beginning of this. And to the extent that the protests at hand were referenced, did you see that video as an example of hate speech, or speech that would incite violence?

Ms. Magill. I appreciate the question from the Representative from the great Commonwealth of Pennsylvania. I mean that video just as a human being, was very hard to watch. The chanting, I think calling for intifada global revolution very disturbing, and I can imagine many people's reaction to that would be one of fear.

So I believe that at a minimum that is hateful speech that has been and should be condemned. Whether it rises to the level of incitement to violence under the policies that Penn and the City of Philadelphia follow, which are guided by the United States Constitution, I think is a much more difficult question. The incitement to violence is a very narrow category.

Ms. Wild. So let me just ask you there. If you became aware that a similar protest or rally, or whatever you call it, was going to be occurring on your campus tonight or tomorrow, how would you respond? What would your approach be?

Ms. Magill. Well our approach with all rallies, vigils and protests is that our

public safety officers and something called the open expression observers are present at all of them. We have a longstanding expression policy that makes sure are open expression policies are followed, so I would make sure that those people were there.

Our public safety officers usually try to speak to the organizers of the conference, and talk to them about what our rules are about protests, I'm sorry, I think I said conference. About protests.

Ms. Wild. Could I just stop you because yes you know these are really short hearings. Were any actions taken to shutdown the protest? I think it was Sunday night, Saturday night, whichever night it was?

Ms. Magill. The Philadelphia Police, they're what's called their civil action division was the lead on this, and no, I think they were there to make sure there was no incitement to violence and no violence. I don't think any actions were taken.

Ms. Wild. Would you agree that your in this case, Jewish students, undoubtedly felt very uncomfortable following that?

Ms. Magill. I'm sure that's true. Yes.

Ms. Wild. And I'm sure you've heard from many of them and their parents as well.

Ms. Magill. Yes. Yes. And there were acts associated with that protest, which were defacing some buildings, which clearly would unquestionably be a criminal action, and the police are trying to determine who did that.

Ms. Wild. Thank you. Unfortunately as usual, my time has expired, but I hope we can continue this conversation in another format. Thank you.

Chairwoman Foxx. I want to ask our members to be very careful about the words they use about our colleagues. We don't want to engage in personalities and so I'm going to ask our members to hold themselves to a higher standard. I now recognize

Mr. Banks.

Mr. Banks. Ms. Magill, just weeks before the October 7 terror attacks against Israel, Penn hosted a Palestine Rights Literature Festival. The event featured Mark Lamont Hill, who was fired by CNN for calling for the destruction of Israel. It also hosted and included a member of the Palestinian youth movement, which has collaborated with the anti-Israel terrorist and maybe most notably, Roger Waters, the really whacky former Pink Floyd vocalist.

The same Roger Waters, by the way, who's publicly used anti-Jewish slurs, desecrated the memory of Anne Frank, and has dressed up as a Nazi and floated a pig balloon with the Star of David at many of his concerts. Why in the world would you host someone like that on your college campus to speak at the so-called Palestinian Rights Literature Festival?

Ms. Magill. I appreciate the opportunity to discuss this. Antisemitism has no place at Penn.

Mr. Banks. Why would you invite -- why did you invite Roger Waters? What did you think you would get out of him?

Ms. Magill. Antisemitism has no place at Penn, and our free speech policies are guided by the United States Constitution.

Mr. Banks. Why did you invite Roger Waters?

Ms. Magill. Antisemitism does not have a place at Penn, and --

Mr. Banks. Do you condemn what Roger Waters stands for?

Ms. Magill. Congressman, prior to the event I issued a statement calling out these antisemitism of some of the speakers at that conference.

Mr. Banks. Specifically Roger Waters? Yes or no?

Ms. Magill. Roger Waters was among them.

Mr. Banks. So you specifically called out a guy who floated pig balloons with a Star of David at his concerts?

Ms. Magill. I called out the anti --

Mr. Banks. I haven't seen the condemnation. I'm going to go look for it after this hearing. I hope I can find that well recorded condemnation from you.

Ms. Magill. I did call out the antisemitism of some of the speakers at a conference that had more than 100 people.

Mr. Banks. In the aftermath of the Palestinian Rights Festival, you and your Board Chairman wrote a memo outlining Penn's free speech policies. You said, "Penn does not regulate the content of speech or symbolic behavior." You wrote including speech, "Incompatible with the school's values."

You went on to say that Penn does not have a policy against hate speech because, "Defining and policing robust debate, even with respect to the most disturbing issues is unwise." That's what you wrote. But in 2013, Penn cancelled now Prime Minister Modi's scheduled keynote address at a Wharton hosted economic forum in the face of opposition from India and American professors.

And for the past year your administration has sought to punish Amy Wax, a tenured law professor for her stance on DEI and identity issues. And then you cancelled an event with former ICE Director Tom Homan due to disruptive student protest simply because he worked for former President Donald Trump.

Ms. Magill, the fact is that Penn regulates speech that it doesn't like. Everyone gets this. No one more than the faculty and students who know exactly where the lines are that they're okay to cross. Why did Penn let Professor Ahmad Almallah off the hook, who led hundreds of students in chanting, "There's only one solution intifada revolution." Why does that professor still have a job at your university.

Ms. Magill. Representative, our approach to speech is as I identified. It follows and is guided by the United States Constitution, which allows for robust perspectives. I disagree with the characterization that we treat speech differently, and I can't discuss any individual disciplinary proceeding.

Mr. Banks. The same goes for Penn Professor Ann Norton, who's repeatedly denied Hamas's worst atrocities on October 7. Or how about Huda Fakhreddine, who romanticized the murder of over 1,000 Israeli Jews as "Palestine inventing a new way of life," and clapped as a speaker said Jews should go back to Berlin and Moscow. Why does that professor still have a job at your university?

Ms. Magill. I'm very troubled by what you're describing, Congressman, that kind of, that's --

Mr. Banks. You're speaking out of both sides of your mouth. You're defending it. You allowed these professors to teach at your college. You create a safe haven for this type of antisemitic behavior. You said something earlier about antisemitism being symbolic of the larger society. Your university is a hot bed of it.

And one of the reasons that we're seeing a rise of antisemitism as an unsafe environment for Jewish college students all over this country, you're largely responsible for it. With that, Madam Chair, I yield back.

Chairwoman Foxx. Thank you. Mr. Norcross, you're recognized for five minutes.

Mr. Norcross. Thank you, Madam Chairwoman. And certainly for holding this hearing. What an incredibly important subject that has been thrust upon us, or should I say has been re-thrust. This is an issue that has been before our country and our world for quite some time.

But the one thing I do want to state before I go into my questioning is the idea of

making this a partisan issue. It's disgusting. This issue has nothing to do with being on a red or blue team. This is an American issue in terms of what we're facing on our campuses, and shouldn't be taken under the light of a partisan issue.

That being given, I do have some questions, particularly for the University of Pennsylvania and its President, who is within a couple thousand yards of my district. I will start with back during August Penn announced plans to host a Palestinian Rights Festival, that was going to be held in September.

And given that the ADL identified many of the speakers, I believe the number was 25 as antisemitic, this continued to happen. The idea of what happened during that event, after the event, and as much as last night, as I was traveling down here to see what is still happening in and around the campus is extremely disturbing given the atrocities that have happened in the Middle East.

So, Dr. Magill, did you have the power to stop this event?

Ms. Magill. Under our approach to academics and academic freedom and free expression, Congressman, we have probably thousands of speakers to campus every single year. Many of them I disagree with. I don't cancel or censor them in advance of their arrival to campus.

Mr. Norcross. So any time you use the word "censor." So any event on your campus, you would never interfere for the fear of censoring somebody. Is that what you're suggesting.

Ms. Magill. Well, Congressman, there are -- we are of course always concerned about safety and security, so that could be a constraint we would be worrying about and thinking about an event. It's a very rare occasion --

Mr. Norcross. So there would be times that you would stop an event under the terms of censoring if you, under your opinion or those advising you, say there would be a

security issue?

Ms. Magill. Well, our approach is not to censor based on the content, but to worry about things like the safety and security and the time, place and manner in which the event would occur.

Mr. Norcross. So given what happened in October, you could not see ahead that was going to happen. But the idea that groups coming on that are clearly identified as antisemitic would be of grave concern?

Ms. Magill. I was concerned about the antisemitism of some of the speakers at that conference, and also the timing of that conference was particularly painful, because it occurred during the holiest time of the Jewish year. And that's why, in advance of the conference, while saying that we are committed to academic freedom and free expression, the conference would go on. I specifically condemned the antisemitism of some of the speakers.

Mr. Norcross. Condemning. But you would have the power to stop it if, in your opinion, there was a security issue?

Ms. Magill. Well, Congressman, whether there is a security issue is something that I leave to our Public Safety individuals, and I defer to their judgments on those matters.

Mr. Norcross. Did you ask them?

Ms. Magill. We discuss the security and safety of every large conference that happens on our campus and yes, we did talk about this one.

Mr. Norcross. And they, in their opinion, along with you, decided that there were no security issues. By the nature, you would allow this to continue?

Ms. Magill. We did not believe -- we believed we were ready for any security concerns that might arise. So yes, it went ahead.

Mr. Norcross. In hindsight, do you think that was a proper decision?

Ms. Magill. I think cancelling that conference would have been very inconsistent with academic freedom and free expression, despite the fact that the views of some of the people who came to that conference I find very, very objectionable because of their antisemitism.

Mr. Norcross. Would you permit your academic departments to sponsor a conference with 25 speakers that the NAACP would identify as racist?

Ms. Magill. Congressman, we follow our policies always, and our policies are guided by the United States Constitution and the commitment to academic freedom and free expression.

Mr. Norcross. So, is that a yes or a no answer?

Ms. Magill. The answer is that we follow our policies.

Mr. Norcross. I yield back.

Chairwoman Foxx. Mr. Owens, you're recognized for five minutes.

Mr. Owens. Thank you. Let me just start off by saying being raised in the 60's, the days of segregation, this is truly déjà vu. One thing that I did learn through my growth over the years is that hate is not passed on in our genes. It's taught or untaught.

What we're seeing here is hate being perpetuated. We keep people segregated, keep them from building bridges of trust, never allowing them to find commonality. Teach them that everything that's going wrong in life is because of somebody else's actions, and teach them to look at our differences, our color, creed and culture, and then teach them to judge each other.

It's dehumanizing, it robs people of individuality, but the end game, if it is hate, it is very effective. We teach one race, all minorities, that they're oppressed. Through DEI, we then teach another race, whites and Jews, that they're oppressors. The result is

hatred, segregation, the ability -- inability for our children to see evil when it's present.

One of my Democratic colleagues was asked recently about the rape, the use of strategy by Hamas, to rape Jewish women and children, girls and women as terror. Her response was not to defend these women against these evil men, but to generally discuss hierarchical oppression.

That is DEI. It's a failure to protect Jewish communities across our country at your universities. Let me just say this also. October 7th was a very different day in our lifetime, and yet every single time we talk about antisemitism, we some kind of way drift off into every other sense of racism.

We're talking about 1,200 lives, babies being burned, beheaded, hostages and yet we cannot stay focused on antisemitism. I just remember a couple of years ago when we were dealing with Black Lives Matter, try to talk about Blue Lives Matter, Jew Lives Matter, Arab Lives Matter and you'll be called a racist.

It's time to focus on what's happening on your campuses. It might sound flowery all the ideas of what your values might be, but those values are not being translated to our kids. You have seen them in the streets every single day.

MIT, there was a -- we just -- we heard from a university student here that a DEI official liked the most posts on their media, a post calling President Biden a liar for saying that Hamas beheaded babies. She also posted saying that Israel doesn't have the right to exist, it's an illegitimate, settler colony like the United States.

I have a question regarding this idea of segregation, Dr. Gay. Harvard is now having graduations for black-only graduates, Hispanic-only graduates and gay-only graduates. How does that bring us together as opposed to dividing us based on color, creed and all the other things?

And by the way, is it okay for a white group to say we don't want other minorities

to be part of our graduation?

Ms. Gay. Thank you for the question. There are few scenes that are more inspiring than being --

Mr. Owens. I'm sorry, I'm sorry. I don't -- I'm going to ask you in a way that's going to be very quick, because I have little time. Is it okay to segregate people based on their color, yes, or no?

Ms. Gay. I oppose segregation.

Mr. Owens. Okay, well I do too, but it's happening on your campus, okay. Dr. Kornbluth, Kornbluth, I'm sorry. We have on your campus something called Chocolate City for blacks only -- black only dorms, where whites are excluded. Is it okay also for whites to set up a white-only dorm where minorities are excluded?

Ms. Kornbluth. You know actually at MIT; our students affiliate voluntarily with whichever dorm they want to. It's not exclusionary; it's actually positive selection by students, which dormitory they want to live in.

Mr. Owens. Okay. So it's okay for blacks to note make whites feel included. Is it okay for whites not to let blacks feel included on your campus? We're talking about segregation, and it's obviously happening on your campuses.

Ms. Kornbluth. You know - you know, I think it's really important to say that there's a distinction between sending an exclusionary message and looking to other students for common experiences and support.

Mr. Owens. Okay, okay. Let me just -- I'm sorry. I'm running out of time. And what you're saying is very simply in the 1960's, it would have been okay for whites and blacks to segregate themselves, because they felt more like the people they're with.

I disagree very, very much. But let me just say this. If in case we discover, and this is for everybody here real quick in the last few minutes, that there's a direct link from

DEI and CRT to the growth of Marxist centered groups like BLM, Antifa and pro-Hamas on campuses, would you then end the DEI initiatives on your campus, if there's a link between what that is and what the result of hatred? Would that be a, would that be finished on your campus? Real quickly. We have -- just yes or no. Dr. Gay let's start with you. Yes or no.

Ms. Gay. Our DEI efforts are about assuring that all of our community members welcomed --

Mr. Owens. Okay. So that's a yes or no. Okay, Doctor, I'm sorry. Ms. Magill, yes or no. If it's found to be link between Marxist, BLM, Antifa and hate groups, yes or no.

Ms. Magill. Our DEI Office is committed to having everyone for life.

Mr. Owens. Okay. So no, all right. And Ms. Kornbluth? Real quick. Just yes or no, sorry.

Ms. Kornbluth. I find it hard to understand how equity and inclusion as a concept, is a hatred inducer --

Mr. Owens. Okay. That's no. Okay. Thank you so much. I think that says a lot. Thank you. I appreciate it.

Chairwoman Foxx. You can give an answer in writing, and I have to remind Members not to engage in personalities. Ms. McBath, you're recognized.

Ms. McBath. Thank you so much, Chairwoman Foxx, Ranking Member Scott, to our staff, and thank you so much to our witnesses today. It is not lost on me that the intellect, the intelligence that we have on this panel today. The most intelligent minds that are leading our highest institutions are women. So thank you so very much.

I had the privilege of attending a very similar hearing in the Higher Education Subcommittee just a few weeks ago, and I'm glad to see that we're continuing this

conversation at a full Committee level. Active expressions of antisemitism have no place in our society, and definitely not on any college campus or institution here in the United States.

What we must all understand is that this is not just the Jewish community's struggle. This is all of our struggle, and the Jewish community does not get to bear this burden alone. It is up to all of us to learn more and stand in solidarity against hate in our daily lives, to ensure that the violence and the tragedies that follow unchecked hatred will never be allowed to repeat themselves.

I lost my son to that very hatred, so I understand it in my core. Similar to other expressions of racial and religious hatred, all freedom loving people, all those who truly believe in the ideals that this country was founded on and continues to strive towards, must stand together in the face of this disturbing increase in hate across the country and across the world.

An outpouring of support for the Jewish community and public condemnation of this heinous acts by interfaith and community leaders and elected officials of all backgrounds is the exact type of action that we need to take to confront this form of radical evil. Unity in the face of intimidation is how we are effectively going to resist hate in all of its forms.

These actions seek to divide and intimidate us. We must show that we will not be intimidated, that we will not falter when our neighbors need us the most, that we are united against hate and we choose to love instead, irregardless of our political ideologies or our ethnic differences.

As Dr. King once said, and I quote "Returning hate for hate multiplies hate, adding deeper darkness to a night already devoid of stars. Darkness cannot drive out darkness. Only light can do that. Hate cannot drive out hate, only love can do that."

My community in metropolitan Atlanta is home to the largest community in the Deep South, the largest Jewish community in the Deep South, and it is no stranger to these incidents of antisemitism. I recall participating in a press conference with interfaith leaders, our local law enforcement and elected officials.

The Antidefamation League and the Consul General of Israel came to the Southeast to condemn the appearance of antisemitic vandalism and white supremacist symbols that were definitely expressed in our neighborhoods and our communities. While the reason for our gathering was very somber, it was uplifting to see so many different people from so many different faiths and backgrounds all come together to make it clear that this is antithetical to what our community and our society stands for.

Dr. Nadell, I've had you before me before, and it's good to see you again. Can you please discuss some of the schools or the communities that have built strong interracial and interreligious connections and relationships in the aftermath of a racist or antisemitic incident, and what building those connections looks like, and why they're so critical and imperative to healing?

Ms. Nadell. So what -- first of all, thank you. It's wonderful to see you again. What really stands out is how at the personal level change can happen. So for example, at the University of California at Berkeley, which is a campus that has been riled, as these campuses have also been riled, a professor of Israel Studies and a faculty member from Middle Eastern Studies sent out a joint letter pleading with the campus to speak in a civil tone.

These are two faculty members who do not agree politically on what has been going on, but they got together to write this, and then it was sent out to the entire community. It is those kinds of actions that we need to be applauding, and we need to be elevating and uplifting, and as I said before, they just don't tend to make headlines.

Chairwoman Foxx. Thank you.

Ms. McBath. Thank you so very much, and I yield back.

Chairwoman Foxx. Thank you, Ms. McBath. Mr. Good, you're recognized for five minutes.

Mr. Good. Thank you, Madam Chairman. Ms. Magill, September 21, a Penn student was taken in custody after bursting into a Jewish organization's morning prayer service shouting antisemitic comments, disrupting property and so forth.

On November 10, after the October 7 Hamas attack, Penn issues an apology for a display of light projected on the campus buildings with anti-Israel messages, including phrases such as "From the river to the sea, Palestine will be free," and "Zionism is racism."

On November 15, the Department of Ed announces that Penn is under investigation for possible civil rights violations of Title VI, and then just two days ago, another pro-Palestinian march happened on the edge of campus with Penn property being graffitied with offensive messages such as "F the IDF, Intifada," the Arab word for uprising and so much -- and more.

There is a deeply troubling tendency by many on the Left, as has already been expressed in this hearing, in media, academia, among elected officials and even some on this Committee, who try to somehow conflate or equate antisemitism with so-called Islamophobia.

It's troubling that it seems that it's only Jews or Israelis who when they're attacked or victimized, somehow become the oppressors or instigators of those attacks in the eyes of leftists or some on Penn's campus specifically.

It's wrong to suggest antisemitism and Islamophobia are equivalent problems in this country, as noted already in this hearing. Jewish hate crime is the most

predominant hate crime in this country today.

Ms. Magill specifically, again just this past Sunday night, there was another march on the edge of UPenn campus, an anti-Israeli march. Has there at any time since October 7, been an equivalent large scale gathering of crowds in support of the slaughter of Muslims or the elimination of an Arab or predominantly state. Has that happened on your campus or anywhere near your campus that you're aware of since October 7th?

Ms. Magill. Congressman, any act of hate, I find abhorrent --

Mr. Good. I asked a specific question. Has there been any large gathering, you know, in support of the slaughter of Muslims or the elimination of an Arab state on or near your campus that you're aware of since October 7th?

Ms. Magill. Congressman, not that I'm aware of. There have been --

Mr. Good. Okay, thank you. So you would agree that it would be immoral or dishonest to treat the two as equivalent problems on campus, meaning antisemitism and Islamophobia, that there is equivalency there on the scale or the scope of the problem on campus. Would you agree that would be immoral or dishonest to equate the two?

Ms. Magill. Congressman, I abhor all acts of hate.

Mr. Good. Would you agree that it's immoral or dishonest to equate the two, that the problems are equal on your college campus or other college campuses? Any evidence of that effect?

Ms. Magill. Congressman, I abhor all acts of hate.

Mr. Good. Thank you, thank you. Dr. Gay, on October 8, nearly three dozen Harvard student groups authored a statement holding Israel responsible for the Hamas attack. On October 18, a Jewish Harvard Business School student was surrounded, accosted, and shoved to the ground while walking near and filming an anti-Israel protest.

On November 10, when you condemned the use of the phrase "From river to the

sea,” over 100 faculty signed a letter criticizing your response to that, criticizing that phrase, you're condemning the use of that phrase.

A Harvard Crimson survey of the class of 2022 said that -- showed that 93 percent of respondents viewed President Trump as unfavorable. Six percent of students said that they were conservative. 34 percent of students viewed favorably the Palestinian boycott, divestment and sanctions or BDS movement.

Currently, Harvard is being investigated by the Department of Education for Title VI violations of civil rights. Title VI, as you know, prohibits recipients of federal funds from discriminating on the basis of race, color or national origin.

A Title VI violation would occur when institution has allowed, permitted or created a hostile environment that targets someone based on their race, color or national origin. We know, of course, that Harvard has a history of dividing people based on race, based on the Supreme Court's decision in *Students for Fair Admission v. Harvard*.

Does Harvard actually teach antisemitism in classes?

Ms. Gay. Thank you, Congressman, for the question. No, we do not and we condemn antisemitism at Harvard. There is no place for antisemitism.

Mr. Good. As you know, Harvard received over the last four years \$3.2 billion in federal grants and contracts.

During the 2021 school year, Harvard received 104 million through Title IV. Why should Congress continue to invest money in Harvard when Harvard clearly violates Title VI and helps foster a hostile Jewish -- a hostile environment for Jewish students?

Ms. Gay. We are committed at Harvard to ensuring that all of our students thrive, that they feel safe and secure, and we're grateful for our --

Mr. Good. Well apparently, 100 professors who -- 100 professors who sent that letter to you criticizing your condemnation of antisemitic remarks don't agree with that,

and your students, your institution is clearly producing students who are sympathetic to a terrorist organization. Don't you think that's a misuse of taxpayer dollars? My time has expired. I yield back, Madam Chair.

Chairwoman Foxx. Thank you, Mr. Good. Ms. Hayes, you're recognized for five minutes.

Ms. Hayes. Thank you. First, I would like to frame my comments in the basic idea that I condemn all forms of hate. I don't think there's any splitting hairs there. That does not make me radical left. It makes me human to think that all people should feel safe in their environment.

In the wake of the October 7th Hamas terrorist attacks in Israel, there's been a dramatic nationwide rise in reported antisemitic incidents, especially on college campuses. Antisemitism has been on the rise for at least a decade. The ADL found that the number of antisemitic incidents in the U.S. increased by more than 35 percent from 2021 to 2022, and we've seen those numbers skyrocket in the last two months.

A few weeks ago, at Central Connecticut State University in my district, a racial slur and a swastika were written on a bathroom stall on campus. We should all be working to find solutions this problem, not doing what we're doing here today in this Committee.

The Biden administration released the National Strategy to Counter Antisemitism earlier this year. The strategy seeks to increase awareness and education in schools, communities and the workplace about antisemitism. This includes having the United States Holocaust and Memorial Museum launch the first ever U.S.-based Holocaust Education Research Center, to promote effective Holocaust education.

As a history teacher, I know the immense power of storytelling, and how healthy dialogue is -- and how healthy dialogue is imperative to finding common ground. I

would also like to make the point that teachers, professors, educators do not enter this profession to hate any group of people.

I'm happy to hear that all of the people on the panelists responded to the question by my colleague that you do not collect data under conservative or liberal views of faculty. I'd argue that that would be unconstitutional.

I would also like to note, in the case of Harvard, you had a very conservative, notable alum who was invited to join your advisory committee. So diversity of thought is important, and all those views should be welcome on any college campus.

President Magill, what steps has the University of Pennsylvania taken in the history -- to ensure students have an understanding of the history of antisemitism, in order to address the rise of hate on your college campus?

Ms. Magill. I appreciate the question very much. There are a wide variety of things we do at Penn. We are very proud to be home to a very strong Jewish Studies Department, with faculty members who are expert, like Dr. Nadell, on the History and Manifestation of Antisemitism.

Many students are taking those classes. We are proud to call Penn home to the Katz Center for Judaic Studies, which is a world resource in historical materials about Judaica and antisemitism and many centuries of history actually, and many of our faculty and staff and students participate in programs at the Katz Center through their fellowships in education.

And we -- the third thing I'd identify and there's more to say, are we have many student groups that engage with one another across lines of disagreement, and they talk together, usually with the leadership of faculty, to learn from one another and from the faculty.

Ms. Hayes. Which is exactly what is supposed to happen on a college campus.

I also want to acknowledge the increase in Islamophobia after the October 7th attack, not so-called Islamophobia but Islamophobia. Palestinian students on and off college campuses have been targeted.

President Gay, in your November 9th open letter to members of the Harvard community, you mentioned specific steps that you are implementing in connection with your ongoing work with the Antisemitism Advisory Group.

Specifically, you mentioned work being conducted at the Office of Equity, Diversity, Inclusion and Belonging. I'll also just say that 18,000 complaints have been received by the Department of Education Office of Civil Rights, the same office that my colleagues are trying to defund.

48 percent of those have been sex discrimination, 32 percent disability discrimination and 17 percent based on race or national origin. We have a problem. We need to welcome and embrace diversity in this country and teach young people why it is important to have a full understanding.

My time has expired, and I know I'm going to be gavelled out. So if you can just submit that question for the record, I would appreciate it, and thank you all for the work that you are doing.

Ms. Magill. I'd be happy to. Thank you.

Chairwoman Foxx. Thank you, Ms. Hayes. Ms. Steel, you're recognized for five minutes.

Ms. Steel. Thank you, Dr. Foxx, for leading this important hearing. In October, I introduced H.R. 5933, the Deterrent Act, to bring greater transparency and accountability for institutions of higher education, accepting donations from foreign entities.

This bill will pass the House hopefully tomorrow, and I'm hoping the Senate will take it up. Yet the involvement of hostile foreign entities in our postsecondary

institutions is one of the biggest threats facing colleges and universities.

Question number one is Ms. Kornbluth. In September 2019, then-Secretary DeVos opened Section 117. It's avoiding disclosures section investigation into MIT that has not been closed. What concrete steps that has MIT taken to address the lack of Section 117 reporting?

Ms. Kornbluth. So let me say and thank you for the question. We have cooperated fully. I can't comment on an open investigation, but I have to say we have greatly increased our reporting to be fully compliant.

Ms. Steel. So it's not that all done yet, but it's still under investigation?

Ms. Kornbluth. As I understand it.

Ms. Steel. Okay. A study released just last month by the Institute for the Global Study of Antisemitism found that from 2015 to 2020, institutions that accepted unreported money from Middle Eastern donors have been on average 300 more antisemitic incidents than those institutions that did not.

President Gay, Magill and Kornbluth, any of you can answer this. Do you believe foreign nations with views hostile to Israel would desire U.S. students to echo their views? I think Dr. Gay can start.

Ms. Gay. Thank you for the question. So we have alumni all over the world, and those alumni, through their philanthropy, support student aid, scholarships, cutting edge research.

One thing that their philanthropy does not do is influence how we run the university, how we enforce our policies, or how we keep our students safe.

Ms. Steel. Okay.

Ms. Magill. Thank you for the question. At Penn, we of course follow every law and regulation about donations from individuals in other countries. Beyond that, we do

not accept any gift that would compromise our mission or create any sort of conflict of interest.

So we have a very elaborate vetting process, and we have declined gifts where we have a worry that would be inconsistent with our mission, and we're very clear about this.

Ms. Kornbluth. Yes, thank you. So all funds that come to MIT in any form are for open, publishable research. We retain full control over what research is conducted. We also have an extensive internal review process for reviewing foreign gifts. We also adhere to all federal laws, and we see these reviews through the national security, economic security and importantly human rights.

Ms. Steel. Thank you for your answers, and I hope that's really true. President Magill, from 2014 through 2019, Penn received a total of almost \$300 million in Section 117 funding.

Are you aware of the amount that was given by Qatar, where any of these donations conditioned on the inclusion of a pro-Palestinian curriculum or pro-Palestinian events? Are you aware if any of these donations were conditioned only for pro-Palestinian professors?

Ms. Magill. I appreciate the question. I want to repeat that we follow all laws, and we accept nothing that is inconsistent with our mission of teaching, research and service, and we would never accept conditions on gifts.

My understanding is we have taken no government gifts from the Government of Qatar. We have a small number of alumni in Qatar who have given some gifts for annual gifts to schools, a very small number.

Ms. Steel. But almost \$300 million.

Ms. Magill. Congressman, that figure as funds from Qatar is not one I'm familiar with. That's I've -- that's not what my information tells me.

Ms. Steel. Do you know exactly how much you received from Qatar of Section 117 funding?

Ms. Magill. The data I have -- yes, I am aware of our 117 filings. I've, I've -- maybe I can follow up with you afterwards. That's not consistent with what I understand our 117 filings show, which is no government, no gifts from the Government of Qatar, and a very small number of annual gifts from alumni living in that country.

Ms. Steel. Dr. Foxx, thank you very much and I yield back.

Chairwoman Foxx. We'll look forward to a follow-up. Ms. Stevens, you're recognized for five minutes.

Ms. Stevens. It is absolutely essential that the Committee on Education and Workforce have a hearing about rising antisemitism in the United States of America, and what is unfolding on our college campuses.

In particular, as we -- many of us have the where were you moment on 9/11, I have the where were you on 10/7 moment, when I woke up to the news of the horrific and barbaric attack on Israel and what we learned that unfolded that day and horror.

My thoughts went to our college campuses, and what would happen on our college campuses, particularly as Jewish students have felt persecuted and attacked and their families have been concerned for a multitude of years.

And I want to say that it is, it is incumbent on us to let Jewish students know that they are supported and that they belong. We know that the rule of university presidents encompasses a lot of things, and in my home state of Michigan, and in my home district at Oakland University our university president, Ora Pescovitz, wrote a very compelling op-ed, and she said, "One of my roles is to decipher and distinguish between protecting free speech and tackling unlawful harassment."

I was wondering if our university presidents could chime in on how you balance

that do that distinguishing and also that enforcing, to make sure that we do not have unlawful harassment or the incitement of violence on our college campuses? Would you like to start, Dr. Kornbluth?

Ms. Kornbluth. Oh yeah, sorry. Yes. So thank you for raising that. You know, college campuses are the crucible of ideas, where students are side by side and it's part of the education to hear things that they feel are uncomfortable.

But to be absolutely clear, speech can become a form of harassment, and our policies make absolutely clear that harassment is punishable. Speech that targets individuals, or again as we've heard, incites violence on our campus or crosses the line -- these cross the line into harassment. This is taken very, very seriously.

Ms. Stevens. And we obviously know that you're subject to the Clery Act and adhere to its rules and clauses. And look, we have now data from the ADL. It says that since 10/7, we've now seen a 388 percent increase in antisemitism. We have to one, call out antisemitism, but two, make sure that we have the right anti-hate laws in place.

And it's important for us as a Congress to be partnering with all stakeholder groups. But something else along these lines, and maybe I'm sharing, sharing this as a fellow student of the humanities, someone -- I hold a master's in philosophy, and so a lot of times it's what's the question, not necessarily what is the answer.

By the way Dr. Nadell, I hail from American University. Two people graduated from my class in '06. So we need to have the proper place to exchange ideas and have the space to ask tough questions. What happens when we remove humanities?

What happens when we, when we allow for government to dictate what is being taught on our college campuses, similar to what we're seeing in Florida and in West Virginia? What risk does that pose, particularly when we talk about the proper teaching of history?

Ms. Kornbluth. May I take that?

Ms. Stevens. Yeah.

Ms. Kornbluth. Yeah. You know, it's interesting. Coming from a majority STEM institution as I said, I can't even think of a place where it's more important that our students also learn humanities, have a humanistic perspective.

We all have to live and work together as people, and in order for us to be successful when I think about the technologies that are coming down the road, we want our students to understand the moral implications --

Ms. Stevens. We need to do both.

Ms. Kornbluth. We need to do both.

Ms. Stevens. We need to do both, and we will continue to call out antisemitism as members of Congress and push on this topic. Five minutes is certainly not enough, and I call on our committee chair. Let's have a hearing about affirmative action and what the Supreme Court ruling has now done to minority students and minorities being able to join institutions of higher education.

Let's have a hearing about Islamophobia and let's talk about anti-LGBTQ practices that are affecting the mental health of students on college campuses. Thank you, and I yield back.

Mr. Kiley. The representative from Michigan, Ms. McClain, is recognized.

Ms. McClain. Thank you. Thank y'all for being here today. I listened to your opening statement, and we all talked so passionately about what was happening on the college campuses as it pertains to antisemitism is absolutely unacceptable, and I appreciate that.

However, talk is cheap, and we really need action. So what I'd like to talk a little bit about today is what actual action items, not lip service, but action items have

happened? So I'll start with you. President Gay, under your leadership, Harvard has done little to condemn Hamas' brutal murder of woman and children, promote Israel's right to defend itself or protect Jewish students from harassment.

For example, I'm curious. What action was taken from Harvard when a Jewish student was mobbed on your campus last month? Action. Not lip service, action ma'am.

Ms. Gay. So this specific incident I've communicated with -- I've communicated about publicly. So as you may know, that is an incident that is currently under investigation by HUPD and the FBI.

Ms. McClain. Any action. I'm looking for the action.

Ms. Gay. And when that -- and when that investigation is complete, we will address it through our student disciplinary process.

Ms. McClain. So you can't answer. I'm going to move on to my next question. Do you have an action item or not as of this time? Was any action taken? Any action.

Ms. Gay. I can't share more about a student --

Ms. McClain. Okay. Thank you. Will these students intimidating Jewish students just because they are Jewish be expelled from the university?

Ms. Gay. I'm sorry, I didn't catch your question.

Ms. McClain. Will the students who are intimidating Jewish students just because they're Jewish be expelled?

Ms. Gay. You're describing conduct that sounds like it would violate our policies against bullying and intimidation and harassment, and if that is the case, it will be addressed through our policies.

Ms. McClain. So a simple answer, yes. Thank you. Another question. Why did you allow protestors to occupy University Hall for 24 hours, and not only were these

students not punished, but two of your deans provided them with food and promised no disciplinary action would be taken? And that was reported by the Harvard Crimson.

Ms. Gay. I can assure you that we have very strong disciplinary processes, and where conduct violates our policies, we use those policies.

Ms. McClain. So did conduct violate your policies during that incident?

Ms. Gay. We have disciplinary processes underway.

Ms. McClain. So is there an answer to that or not?

Ms. Gay. We have disciplinary processes underway.

Ms. McClain. So was any discipline action? I love the lip service. I do, and you academics, I love that. I'm looking for an action item. Yes, no, was anybody expelled, any action item? And if you don't know, that's okay too.

Ms. Gay. We hold our community to account for our policies.

Ms. McClain. All right. I'll reclaim my time. Thank you. President Magill, under your tenure swastikas have been drawn outside residence halls where Jewish students live. The Hillel House was broken into. Jewish students urged not to where symbols of their ethnicity, and those same students harassed when they go to collect challah for Shabbat.

I will be submitting questions for the record on outbreaks of antisemitism at UPenn, and I look forward to your response, because obviously five minutes is just way too short of an answer. But I would encourage you to give answers.

We deserve answers. People deserve answers, not rhetoric. Action items. It is clear that the Jewish students on all of your campuses are afraid to be themselves, because you have refused to take real action. There's that word, action against antisemitism, right?

A lot of rhetoric, no action. I strongly encourage all of you to look at the

Holocaust Learning Experience set up by MorseLife Health System in Florida, to teach lessons from the actual Holocaust to students in 5th through 12th grade. This program has trained hundreds of teachers in two short years and has gone a long way to teaching students about the harm antisemitism has in our communities.

Harvard, UPenn and MIT, I think y'all could learn a little bit about this. With the remainder of my time, I will yield to Ms. Stefanik.

Ms. Stefanik. Thanks for yielding. Harvard receives funding from foreign entities and governments which support its Middle East Studies Department; correct?

Ms. Gay. We receive funding from variety of sources, because we have alumni from all over the world.

Ms. Stefanik. But that is correct, right? The Middle Eastern Studies Department?

Ms. Gay. We receive funding from various sources.

Ms. Stefanik. It's a yes or a no. Are you not aware when Middle Eastern Studies Department receives funding?

Ms. Gay. We are receiving funding from various sources.

Ms. Stefanik. I am asking you a yes or no question. You are under oath in front of the United States Congress. You are giving lip service provided by your attorneys. It's a yes or no question. Harvard receives from foreign entities and governments which support its Middle Eastern Studies Department; correct?

Ms. Gay. We have alumni all over the world, and we benefit --

Ms. Stefanik. So the answer's correct, yes? Yes? The answer's correct.

Ms. Gay. We receive support from our alumni from all over the world, from individuals.

Ms. Stefanik. And what amount of support is that reported to the federal

government?

Ms. Gay. I'd have to actually look at our filings.

Ms. Stefanik. You don't know? As the president of the University, you don't know?

Ms. Gay. Not that particular number, no.

Ms. Stefanik. It's \$1.5 billion over the past three years. Are you aware of that.

Ms. Gay. I don't know if that is the correct number, but that's the number you shared.

Ms. Stefanik. Has Harvard reported all of the federal -- oh, my time.

Chairwoman Foxx. Ms. Manning, you're recognized for five minutes.

Ms. Manning. Thank you, Madam Chair. For years, virulent antisemitism has been on the rise on college campuses, and sadly since October 7th, the October 7 Hamas terrorist attack, campus antisemitism has skyrocketed on your campuses and all across the country.

It is shocking, it is pervasive, it is threatening, and it is stunningly visible. The fear Jewish students are facing is real, and it's justified. Jewish students are trying to get an education while entrance to their classes is blocked by protests outside and inside classroom buildings.

They sit in classes disrupted by protestors with bullhorns, accusing Israel of genocide, with students chanting "Long live the Intifada." And by the way, as we all know, the Intifadas in Israel included years of terrorist bus bombings and restaurant bombings that resulted in countless deaths of Jewish and Arab civilians.

Jewish students in college dining rooms are confronted with banners that say, "From the river to the sea," a phrase that calls for the end to the Jewish state and the killing of Jews. Don't take my word for it. You can listen to the leader of Hamas, who

has been quite vocal about what that phrase means.

A Jewish student at Harvard was asked by the professor to leave his class, because the other students weren't comfortable having their discussion in front of that Jewish Israeli student. Jewish students have been pushed, spat upon, punched and told not to leave their dorms for their own safety during protests.

A Jewish student in my home state was told to rewrite a paper he wrote that supported an Israeli view of the conflict, or he risked failing the course. And Jewish students had their class interrupted when a professor told the students that they were going to take a break, so that all the students could go with him to attend the anti-Israel protest on campus.

This intimidation, humiliation and exclusion of Jewish students is simply unacceptable. It would not be tolerated against any other minority group, and we need university presidents to do more to protect Jewish students.

President Gay, you and I have talked about antisemitism. You have told me your goal is to eradicate antisemitism at Harvard. That is a lofty goal, but will you commit to doing everything necessary to keep Jewish students and faculty safe, and be able to participate in the full range of Harvard's learning experiences?

Ms. Gay. The short answer is yes.

Ms. Manning. Thank you, and will you enforce all the codes of conduct against students and faculty who violate those codes, and will you communicate those codes and your intention to hold students and faculty accountable?

Ms. Gay. Absolutely.

Ms. Manning. Will you endeavor to recenter the conversation about the Middle East back to a place of fact based exchange, and evaluate your course offerings and your faculty to ensure that you have intellectual diversity and multiple perspectives about

Israel and Zionism, including professors who support the right of Israel to exist, and support the right of Jewish people to self-determination in the Middle East Studies Department?

Ms. Gay. Absolutely committed.

Ms. Manning. Thank you, and will you commit to work with Jewish and Israeli scholars, to make sure Harvard has a full range of lectures and scholarship described, as described in Dr. Nadell's testimony?

Ms. Gay. Education is the path forward here.

Ms. Manning. So I understand that you have condemned the phrase "From the river to the sea." But I also know that the Harvard School of Public Health has a course called the "Settler Colonial Determinants of Health," that introduces students to the concept of settler colonialism and its health equity implication. It uses case studies in the United States and Palestine and talks about poor health outcomes for indigenous and other non-settler communities.

President Gray, are you aware that Jews were indeed indigenous to the land of Israel and have lived there for 2,000 years?

Ms. Gay. I do know about the long history in Israel.

Ms. Manning. So what is Harvard doing to educate members of the community about these phrases and other false accusations that Israel is a racist, settler, colonialist, apartheid state, even that Harvard is actually teaching courses with the underlying premise that Israel is a settler, colonial state?

Ms. Gay. We have faculty. We have outside speakers who come and over the last couple of months in particular, have been providing more insight into the nature of the conflict and the way forward. Obviously, we have more work to do and that's part of how we're going to eradicate antisemitism on our campus.

Ms. Manning. Sadly, my time is expiring, but I'd like to follow up on that and other courses at Harvard, and I'd also like to follow up with Ms. Magill about how her students felt, her Jewish students felt after the Palestinians Writers meeting, whether they in fact felt threatened and intimidated.

Chairwoman Foxx. Thank you, Ms. Manning.

Ms. Manning. Thank you, Madam Chair.

Chairwoman Foxx. Ms. Miller, you're recognized for five minutes.

Ms. Miller. Thank you. Dr. Gay, when Harvard allows foreign students to enter the U.S. on a student visa, you are responsible for ensuring that they uphold our American values of free speech and free exercise of religion.

Harvard can expel students who are here on a visa if they commit acts of violence or threaten violence against American citizens, which would terminate their student visas. Dr. Gay, has Harvard expelled any foreign students who are here on student visas for threatening violence against American students?

Ms. Gay. Our international students are an enormous source of pride for Harvard, and part of our strength as an institution. And we hold those students accountable – we hold those students --

Ms. Miller. Absolutely. I just want to know if you -- have you expelled anybody?

Ms. Gay. We hold those students accountable to the same set of disciplinary processes that we hold all of our students accountable to.

Ms. Miller. So you have not expelled anybody? I'm assuming your non-answer is an answer to the students. They now know you have not expelled any foreign student for threatening the Jewish students.

Dr. Gay, if Harvard found out that a student organization was taking money or

taking money from or coordinating with a foreign terrorist organization, would you immediately suspend that student organization?

Ms. Gay. So our student organizations are recognized on the condition that they comply with Harvard policies. When they violate those policies, there are repercussions.

Ms. Miller. Thank you. Doctor or Ms. Magill, today you said that you defend free speech at UPenn and follow the U.S. Constitution to determine your speech guidelines. Would you allow President Trump, who's a graduate of UPenn, to speak at UPenn if a student group invited him?

Ms. Magill. Yes.

Ms. Miller. That's excellent. I'm sure President Trump will be happy to hear that you would welcome him on the UPenn campus. Ms. Magill, earlier this year, a former UPenn student told the House Judiciary Committee that she was forced to undress and change next to a grown man with male genitalia 18 times a week in the locker room.

Ms. Magill, do you think it's appropriate for UPenn to force young women to change in a locker room with biological men against their will?

Ms. Magill. I appreciate the question. At Penn, we follow the rules of competition, and if a student complies with the NCAA rules, they can compete for Penn.

Ms. Miller. Yes. This is a clear violation of Title IX. You're violating the civil rights of your female students, and you will be held to account for it. Ms. Magill, as president of UPenn, can you give us some insight into why Joe Biden was paid almost a million dollars by UPenn? What were his responsibilities when he is at UPenn? Did he teach a class?

Ms. Magill. I appreciate the question. President Biden was a professor of Practice at the University of Pennsylvania for a little over two years. My understanding

is that his salary was \$400,000 a year. We also had Mr. Jeb Bush as a professor of Practice at the University of Pennsylvania. Professor -- President Biden had a wide variety of obligations. He was in many different classes --

Ms. Miller. What obligations exactly did he have?

Ms. Magill. He was -- he held seminars. He was in many different classes. He interacted with thousands of students over the time he was there. He invited speakers. The goal of the Center was to enhance --

Ms. Miller. For \$400,000? Anonymous student -- anonymous Chinese donations poured into UPenn after your university hired Joe Biden, and he appeared to have a no-show job. The House Oversight Committee is going to get to the bottom of this, and I yield the remainder of my time to Dr. Foxx.

Chairwoman Foxx. Thank you very much. President Magill, on Sunday I received a letter from the Wharton Club of Israel, outlining their efforts to secure a briefing for you and other leaders of your campus by a representative of the Israeli Defense Forces.

We have seen significant efforts to deny the seriousness of Hamas's attacks of terror on October 7th. So I assume providing your campus leadership information about what actually happened would be helpful, as you address the explosion of antisemitism.

Unfortunately, they said they were informed by your office that briefing will not happen this calendar year. That leaves the impression that you don't want the information, President Magill. Will you commit to getting a briefing scheduled before the end of the year from the IDF?

Ms. Magill. Madam Chairwoman, I do not in any way deny the brutality and barbaric nature of the Hamas attack on October 7th.

Chairwoman Foxx. But will you get a briefing? We in Congress have had a

briefing and seen the films.

Ms. Magill. I receive many invitations. I do have to attend to my calendar.

Chairwoman Foxx. Dr. Kornbluth, will you hear what these people have to say?

Ms. Kornbluth. I will hear what anyone who wants to give me information wants to say.

Chairwoman Foxx. Thank you, thank you. I yield back. Mr. Bowman, you're recognized for five minutes.

Mr. Bowman. Thank you so much, Madam Chair, and thank you to our witnesses for being here. I really appreciate you taking the time and sharing your experiences and expertise during this very difficult time.

A quick yes or no question. Do you all feel that education globally is very important in addressing the issue of antisemitism? You can just shake your head or say yes, yes.

Ms. Kornbluth. Absolutely.

Mr. Bowman. Education is key, okay. Thank you for saying that. I'm asking that question because, you know, a lot of this conversation has been framed around, you know, holding students accountable for their threats of violence towards Jewish students, as they should be held accountable, absolutely, and some of it has been framed around, you know, additional punishments, of course.

But there's been a lot of political pandering discussed here, without the action that goes with the accountability and the condemnation that must happen when we see antisemitism as it raises its head. And what I mean by that is I introduced something called the Great Replacement Theory Resolution, and I wanted us as Congress to condemn the Great Replacement theory.

The Great Replacement Theory is a white supremacist theory that says Jews,

blacks and immigrants are looking to replace white people in America. I introduced that theory last Congress. It passed along Democratic lines. I don't believe any Republicans voted for that particular resolution.

In addition, my colleagues on the other side of the aisle continue to look to cut funding to the Department of Education, which will be critical to helping us fight antisemitism. In addition, we have discussed already cuts to the Office of Civil Rights that my Republican colleagues support, that also is critical to fighting antisemitism. I would also add cuts to the Department of Health and Human Services as part of this conversation.

So absolutely we must condemn. Absolutely we must hold people and students accountable. But how do we get into the mud and do the real work of fighting antisemitism, without investing in education in the way that we need to invest? Not just at the higher education level, but in our K to 12 schools as well.

I'm a former K to 12 educator for 20 years. I taught elementary school. I was a dean in a high school, and I was a middle school principal for 10-1/2 years. Our kids read The Diary of Anne Frank. I have had students who have gone to the Holocaust Museum. I still have students in my district from the Bronx, black or brown, visiting the Holocaust Museum, becoming educated and wanting to learn more.

Talk to me about the need, not just for you all as leaders in higher education, but every single person in this room's responsibility to fight antisemitism and anti-hate in all its forms. I just want to add, we have an Original Sin in our Nation of slavery and discrimination.

That sin continued to evolve as segregation, separation and a lack of understanding and empathy of knowledge of each other. Can you just speak briefly to all of that? We'll start here and go down the line.

Ms. Kornbluth. Yes. Thank you, Congressman Bowman. This actually echoes what I had said earlier, which is it's every single one of our responsibilities, and this is why I am heartened by the full MIT community taking up this problem. It's a human problem.

Mr. Bowman. Yes.

Ms. Kornbluth. Person to person. So I appreciate what you had to say about this.

Ms. Nadell. I want to add that I'm so glad that you've raised K through 12, because everybody here is talking as if what has happened on the college campus happened de novo, and those kids came to campus, and they never had an education before. So we need to be teaching about antisemitism, not just the Holocaust antisemitism, and racism in America.

Mr. Bowman. And our kids live in segregated communities. So you have white kids living with white kids, black kids living with black. They never interact with each other. They don't go to school together. They don't know each other. So of course hate is going to be a major part of our society if we continue our segregation in our communities, in our homes. I'm sorry, please.

Ms. Magill. Congressman, I so appreciate what you asked, and I think one of the thoughts I have is that immediate action is very important, and the calling out of the hateful action and for the longer term. It's an all-societal education obligation, as well as every one of our responsibilities to be fighting antisemitism.

Mr. Bowman. Thank you. Dr. Gay.

Ms. Gay. Thank you so much for your question. We have spent a lot of time here talking about the importance of accountability for behavior that crosses the line. We talked about how important it is to denounce language that offends our values.

Mr. Bowman. As we should.

Ms. Gay. But it's as we should. But ultimately the path forward is education. It's education about the history of this hate and this bigotry. It's also education about how it manifests in the present and what modern antisemitism tropes look like, and it's also education about how do you actually engage in civil dialogue on really complex and divisive issues.

Mr. Bowman. Thank you so much. I yield back.

Chairwoman Foxx. Ms. Letlow, you're recognized for five minutes.

Ms. Letlow. Thank you, Dr. Foxx. To our university presidents, yes or no. Have you established rigorous programs and rules to address and prevent sexual harassment and violence against women on your campuses, yes or no? Dr. Gay.

Ms. Gay. Yes.

Ms. Letlow. Yes. Ms. Magill.

Ms. Magill. Yes.

Ms. Letlow. Yes.

Ms. Kornbluth. Yes.

Ms. Letlow. Thank you. Please bear with me because as a mom, a daughter and a woman, what I'm about to share is hard. An article from CNN which examines the Israeli investigation into acts of sexual violence by Hamas during the events of October 7th includes a testimony from a female witness of the Nova Festival attack.

“They bent someone over, and I understood he was raping her, and then he was passing her on to someone else.” The woman who was not identified said of what she saw, “She was alive. She stood on her feet, and she was bleeding from her back. I saw what he -- I saw that he was pulling her hair. She had long, brown hair. I saw him chop off her breast, and then he was throwing it toward the road, tossed it to someone else

and they started playing with it.”

The witness added “I remembered seeing another person raping her, and while he was within her, he shot her in the head.” This is just one of hundreds of accounts of sexual assault that happened on October 7th. Dr. Gay, an article in the Harvard Crimson dated October 10th includes a statement from the Harvard Undergraduate Palestine Solidarity Committee, co-signed by 33 other student organizations at Harvard. I'd like to read the statement to you.

“We, the undersigned student organizations, hold the Israeli regime entirely responsible for all unfolding violence.” How, Dr. Gay, do you reconcile the blatant hypocrisy of allowing your students a forum to promote and celebrate terrorist groups that make the rape and mutilation of women and children a core function of their operations, while at the same time working for years to combat sexual violence towards women?

And by allowing a month to pass before addressing with a real plan the demonstrations and intimidations on your campuses? What message is this and this delay conveying to your women on your campuses? I can only imagine how terrifying it is to be a Jewish woman on any of your campuses.

Just last night, a Jewish student from MIT wrote to me that she felt fearful and was forced to leave her study group during her doctoral exams because someone in her group told her that the women at the Nova Festival deserved to die because they were partying on stolen land.

Now while I am grateful for your condemning of antisemitism in statements to your students and to this Committee, it's not enough. There has been no real action to hold antisemitic students accountable for their behavior. They should be expelled.

The bottom line is that the buck stops with university presidents and all students

should feel safe on a college campus, especially in this case Jewish women, as it would be terrifying to know that my administration is not doing more than simply condemning student groups perpetuating terrorist messaging, and as a former administrator myself in higher education, this is a major step backward in all that we have done to stand up against sexual violence towards women.

I have always defended higher education and this institution. But quite frankly today, I am embarrassed. I yield back the remainder of my time to Ms. Stefanik.

Ms. Stefanik. Dr. Gay, did anyone contact you about flying the Israeli flag over Harvard Yard?

Ms. Gay. Yes.

Ms. Stefanik. And the decision was made not to allow the flag to be flown over Harvard Yard?

Ms. Gay. It's been standard protocol at the university for years to only fly the American flag unless we have a visiting dignitary.

Ms. Stefanik. So the decision was made to allow the Ukraine flag to be flown over Harvard Yard?

Ms. Gay. That was a decision that was made by my predecessor as an exception to a long-standing rule.

Ms. Stefanik. So it was an exception. So you made an exception for the Ukrainian flag, but not the -- the university made an exception for the Ukrainian flag, but not the Israeli flag?

Ms. Gay. That was a choice made by my predecessor.

Ms. Stefanik. Are you aware that there are stickers that are placed on Harvard University Dining Services food calling for Israeli apartheid? It says "Warning. Sabra funds Israeli apartheid and the murder of Palestinians." Is that acceptable?

Ms. Gay. I can assure you that we have strong disciplinary processes when there are violations of our rules.

Ms. Stefanik. And this is a violation of the rules?

Ms. Gay. I can't see that very clearly but I –

Ms. Stefanik. Are you not aware of the stickers being placed on the food items provided to Harvard students?

Ms. Gay. I do recall an episode like that.

Ms. Stefanik. And there are disciplinary actions ongoing?

Ms. Gay. Given students' privacy and FERPA, which I'm sure you know well, I will not say more about these particular cases, other than to say that disciplinary processes are underway.

Chairwoman Foxx. Thank you. Ms. Leger Fernandez, you're recognized for five minutes.

Ms. Leger Fernandez. Thank you very much and thank you to the witnesses for being here. And I am struck by the passion which we all are bringing, because we know that the issue we're talking about today, antisemitism, white supremacy, you know, the issues that give rise to this, the issues of hate need to be addressed.

What saddens me is that my colleagues on the other side of the aisle recently passed an appropriations bill out of the Committee that would cut funding to the Office of Civil Rights by 25 percent. We know that we must investigate these and hold universities, including your universities, or the universities in my home state of New Mexico accountable if they do not protect students from antisemitism.

They do not protect students from Islamophobia. They do not protect students from the many versions of hate that we too often see in our communities. So I would urge and encourage and ask and plead with my colleagues to fully fund the Department

of Education and the Office of Civil Rights, so we could go after those instances where universities fail to do what they're required to do.

Recently, I sat with students from New Mexico, from the University of New Mexico, to ask them to share with me so I could bring their stories here about what are you facing on our campus back home? And sadly, the stories I heard would make your heart cry. They made my heart cry. We heard from Sephardi students who are proud of the heritage they bring with them, having suffered through for their minds, the inquisition.

We heard from Ashkenazis who have parents and grandparents sorry, their, grandparents and great grandparents suffered through the Holocaust, and how there is a normalization they are worried about the fact that antisemitism is now being normalized, and we all have a duty to fight back against that.

One of the things that I pointed out is that there seems to be a lack of understanding of the history of antisemitism. There seems to be a lack of understanding of the attacks on Jews over the centuries. As we mentioned from the Inquisition and before that too, the Holocaust to the latest that we are now seeing.

They said how come there isn't general curricula that requires that we talk about the importance of K through 12 understanding that? We know at Harvard, for example, that you have I believe a course on the Holocaust. Well, what do you have for before you get that specialized course? Like how are we making sure that all students understand that. And you, Madam President, if you could answer that. I know you looked like you wanted to respond.

Ms. Gay. You make an excellent point. So already in our curriculum, there are so many opportunities for students to learn more about the relevant history.

But I think one of the things that has become apparent over the last couple of

months is that we have to find ways of making that education more broadly available to our campus community, to all of our students and also to our faculty and to our staff, and we have work to do on that for sure.

Ms. Leger Fernandez. And because this idea that they are – that Jewish students and that Jews are not indigenous to these lands I think is something that needs to be pushed back against, right, and that some of these false narratives, I think, are really important.

And I think one of the questions then is what do we do when there has been that loss of faith when students at UNM say we're being told we're not from that land, right? And students who have, who are indigenous, you know, who share both, you know, heritage of the Sephardi, heritage of the Zuni Pueblo, heritage of being Latino, who want to deserve to be able to claim it all.

Like I would ask, and maybe Dr. Nadell or I think you wanted to say something, how do we regain that trust?

Ms. Kornbluth. So what you're saying is really, really important. We're making a real effort to educate our students on the history of the Middle East. Our Center for International Studies has organized an online course, and really understanding the facts.

The other thing I do want to say though about your comments on the Holocaust, as the last survivors of the Holocaust are passing away, it really behooves us to make sure our students at all levels understand the history of the Holocaust.

And as you say, this starts at K to 12, not just once they get to a state university.

Ms. Leger Fernandez. Dr. Nadell, did you want –

Ms. Nadell. I would just add that the magical word, online. We can really reach millions and millions of people with online programs about this history.

Ms. Leger Fernandez. Thank you, and with that, my time has expired, and I yield

back.

Chairwoman Foxx. Thank you, Ms. Leger Fernandez. Mr. Kiley, you're recognized for five minutes.

Mr. Kiley. President Gay, a few months ago the Foundation for Individual Rights in Education released its rankings of how good colleges are at protecting free speech, and out of 248 schools ranked, Harvard ranked dead last, number 248.

In fact, it was the worse score in the history of the rankings, zero out of 100. Now you've quibbled with the study, the methodology, but you don't get to be dead last without there being some truth there. And yet in the aftermath of October 7th, including several times today, you've repeatedly stressed Harvard's commitment to free speech.

You've certainly been more outspoken about free speech after October 7th than you were before. I don't think there's any doubt about that. So anyone looking at this objectively will see that you had literally the worst record in the country on free speech, and it was once' chance of globalizing the Intifada started disrupting classes and harassing students, that you suddenly became a stalwart for free speech. Do you understand why that's troubling to people?

Ms. Gay. Respectfully I disagree with that perspective, and I don't think it's an accurate representation of how Harvard treats speech on campus. We are committed to free expression and making space for a wide range of views and voices and opinions, it's bedrock value to our institution --

Mr. Kiley. Well thank you Dr. Gay, but I asked if you understand why people are troubled, and you proceeded to try to defend yourself, which suggests to me that you don't really understand and haven't adequately tried to.

I'm going to ask you a few questions, and I'd really appreciate a yes or no answer if

you could. Do you believe Hamas is a terrorist organization?

Ms. Gay. Hamas is a terrorist organization.

Mr. Kiley. Senator Schumer in a speech a few days characterized October 7th as a vicious, blood-curdling premeditated massacre of innocent men, women and children and elderly. Do you agree with that characterization?

Ms. Gay. That characterization is accurate, and I've condemned the heinous and barbaric terrorist attacks.

Mr. Kiley. Thank you. Senator Schumer also said that when students on college campuses across the country who wear yarmulke or display a Jewish star are harassed, verbally vilified, pushed and even spat upon and punched, that is antisemitism. Do you agree with him that that's antisemitism?

Ms. Gay. I agree.

Mr. Kiley. Do you acknowledge that some incidents of that nature have been occurring on Harvard's campus?

Ms. Gay. I have been talking with students over the last couple of months, and they have shared searing testimony about some of the things that they have experienced.

Mr. Kiley. And I'm glad you've made that outreach. But if you were talking to a prospective student's family, a Jewish student's family right now, could you look them in the eye and tell them that their son or daughter would be safe and feel safe and welcome on your campus?

Ms. Gay. We are absolutely committed to student safety and to making sure that every --

Mr. Kiley. Yes, but I didn't ask that question about your commitment. I said could you look them in the eye right now, the family of a prospective Jewish student, and assure them that their son or daughter would feel safe and welcome on your campus?

Ms. Gay. We are taking every step to ensure their physical and their psychological safety, and I stand by that.

Mr. Kiley. So yes or no to my question though. Did you want to answer it?

Ms. Gay. I answered your question.

Mr. Kiley. I guess not. If -- would you say that a person who is an avowed neo-Nazi is someone that you would want to be part of the Harvard community?

Ms. Gay. Those are not consistent with Harvard's values, but at the same time, we allowed a wide berth for free expression and a variety of views.

Mr. Kiley. But the question was would you want such a person who was an avowed neo-Nazi to be part of the Harvard community, yes or no?

Ms. Gay. Those are not consistent with Harvard values.

Mr. Kiley. So you would not want such a person to be part of the community?

Ms. Gay. Those are not consistent with Harvard values.

Mr. Kiley. Would you want someone who has called for the eradication of the Jewish people to be part of the Harvard community?

Ms. Gay. Again, those are not consistent with Harvard values, where we are committed to making no space on our campus for antisemitism --

Mr. Kiley. Would you want someone who has called for the elimination of the state of Israel to be part of the Harvard community?

Ms. Gay. There is no place at Harvard for antisemitism.

Mr. Kiley. But the elimination of the state of Israel, someone who advocates for that, is that someone you'd want to be part of the Harvard community?

Ms. Gay. There is no place for antisemitism at Harvard.

Mr. Kiley. You haven't answered my questions very well, Dr. Gay, so I'll move on. You said today that you're proud of Harvard's initial response, the initial steps Harvard

has taken in the immediate aftermath of October 7th. But one of your predecessors, Dr. Larry Summers, was anything but proud.

He said in his 50 years of Harvard affiliation, I have never been as disillusioned and alienated as I am today. The silence of Harvard's leadership has allowed Harvard to appear at best neutral towards acts of terror against the Jewish state of Israel.

Looking back, is there anything you would have done differently in the aftermath of October 7th?

Ms. Gay. So to be clear about what I was doing on October 7th, it was identifying whether or not we had any faculty or students who are in Israel --

Mr. Kiley. Is there anything you would have done differently?

Ms. Gay. Had I known that the statement issued by the students would have been wrongly attributed to the university, I would have spoken sooner about it. But I was focused on action that weekend, not statements.

Mr. Kiley. Well, I appreciate you saying that, but it's clear for me from your testimony, President Gay, I don't think you're a person of any kind of prejudice yourself. But you clearly seem to believe that you need to -- that the forces of antisemitism are a constituency that needs to be catered to.

I think that's clear from your silence, from the carefully parsed statements from the Orwellian passive voice, and unfortunately that message was heard loud and clear by the forces of antisemitism on your campus and has reverberated across American higher education and seeped into our broader culture.

So we need fundamental cultural change on university campuses.

Chairwoman Foxx. Thank you, Mr. Kiley.

Mr. Kiley. Thank you.

Chairwoman Foxx. Thank you, Mr. Kiley. Mr. DeSaulnier, you're recognized for

five minutes.

Mr. DeSaulnier. Thank you, Madam Chair. I want to thank the witnesses and just comment. I guess this is the best and worst of times from my perspective for this Committee, that looking at the panel and the positions you hold are not something that I could have imagined when I went to college many years ago. So thank you for your vocations. I mean that with all sincerity, not your careers.

Dr. Gay, I want to just mention last night I had a wonderful conversation with a dear friend who I started my friendship with at your institution. Gabby Giffords and I were both in state and local government. We went through that program, and it was a wonderful experience.

It was one of those examples of where academia interacted with the real world and the world of action. So I want to thank you for that.

Dr. Nadell, I wanted to talk to you as somebody from the Bay area and very involved with technology for many years, about its impact on our public discourse, on hatred, on antisemitism, on racism. I am reflecting on a Berkeley professor, Michael Goldhaber, I think.

Let me check, yeah. Yes. He's the Cassandra of the Internet, according to the New York Times, where 30 years ago he predicted that once people started to connect with technology, that the sociology of reality and knowledge would change. I would say this hearing is a comment to that.

So could you comment on social media's impact on antisemitism and hatred, both in academia and as you see it in your research.

Ms. Nadell. Thank you for the question. Social media has been probably the most destructive force for spreading antisemitism ever imaginable, certainly in my own lifetime. When a pop star like Kanye West can put out a few messages that are

antisemitic and he has millions and millions of followers, and in the wake of that, Jewish students were also feeling terribly unsafe and insecure.

And we have seen this over and over, and we have seen it harnessed not only from the left, but we've also seen it harnessed from the right. Social media in various chat forums, various different platforms were used to create the Unite the Right Rally in 2017, and of course the man who's been convicted of murdering 11 people at the Tree of Life Synagogue also posted on social media that he wasn't waiting any longer and he was going in. So it's been terrible.

Mr. DeSaulnier. And there's been so much really good research and writing on the subject matter in the last ten years, where I'm thinking about *The Shallows* from Nicholas Carr in 2005, where his research shows that globally our cells are actually decreasing because of how we retain and absorb information.

So all of this on the educational side. Now I'll ask, maybe starting with Dr. Gay, this is about the short term political moment that we're in.

But I'm equally concerned with, and I've had this conversation with the Chair and the Ranking Member, about what you see in education and how our brains are changing, because how neuroscience, everything we've learned because of research about how this works in the last 50 years.

But until the Congress figures out how we role in this in this Committee, what is it doing to our -- to young people. In Nicholas Carr's book, in *The Chaos Machine*. Susan Lynn, a distinguished member of your faculty, I just had a lovely conversation about her book, about who's minding our kids.

I can't help but ask this question, because it's part of a larger long term problem that this Committee really should be dealing with in a nonpartisan, thoughtful way. What do you see when it comes to cognitive development and your students?

Ms. Gay. So recognizing that I'm not an expert, particularly on adolescent development on social media, but will share an observation, which is that one of the things that's been laid bare over the last couple of months is how illequipped the community is and has been to deal with dialogue in moments of crisis.

And instead, what is substituted for that is the social modification of dialogue. It's intemperate, it's ahistorical and just mean, and it's a way of engaging that has been deeply socialized through social media, and is reflexive for a lot of the students on our campus.

Mr. DeSaulnier. Dr. Kornbluth, just because I just finished a book, Reestablishing Conversation, by one of your faculty, who talks about this.

Ms. Kornbluth. Yes.

Mr. DeSaulnier. Maybe you can just briefly --

Ms. Kornbluth. No. I agree completely with President Gay and I would say that, you know, social media is like a drug, right. It's addictive and it reinforces over and over again messages regardless of their truth.

And so as educational communities, we need to strive for making sure our students know truth and speak to each other as human beings.

Mr. DeSaulnier. That's beautiful. Thank you, Madam Chair. Hopefully we can have a further discussion about that particular issue in this Committee. I yield back.

Chairwoman Foxx. Thank you, Mr. DeSaulnier. Mr. Bean, you're recognized for five minutes.

Mr. Bean. Thank you, very much and good afternoon to you and good afternoon panelists. Thank you so much for being here and your testimony today. There's a problem in your testimony, and I don't know if you know it. You testified that you value free speech so much that it doesn't harm [off mic].

Very good, thank you. It came off, Madam Chair. Your testimony today. You've all testified that you value free speech, so long as it doesn't interfere on students. You've said that you've created a very safe haven, and you value safety for your students.

The problem is the evidence doesn't support your testimony. Just as we started our meeting, the videotape showed what's really happening on your campuses. America sees what's happening, not only on your campuses but on campuses across America.

And then just today, we had some courageous students, some of which are still in this room today, courageous students that testified on your campuses, contradicting, contradicting your testimony that it's a safe space. It's not a safe space.

Imagine trying to be a Jewish student on campus, and just going to the library, going to class, going to wherever on -- just being scared to death. That's real, that's real. So these videos and the testimony just doesn't add up.

Here is some things that are -- that we've seen, America has seen. There are these anti-Jewish campus organizations called Students for Justice in Palestine. They've been suspended and kicked off many campuses, but none of yours -- since October 7th. Their purpose is just to harass and intimidate Jewish students into retreating from campus life.

President Gay, there are numerous videos of Students for Justice in Palestine. At Harvard, they're known as Palestine Solidarity Committee, assaulting and intimidating Jewish students on your campus. When Palestine Solidarity Committee took over University Hall, instead of removing them, your administration gave them burritos.

President Kornbluth, in one of the most absurd, crazy campus incidents over the past two months, a viral video went of a math professor at MIT handing his lecture over to MIT's version of Students for Justice in Palestine, the MIT for Palestine Coalition, who

invoked lies and just called for hatred and harm against Jewish students, and he sat and watched this.

So here's your chance to tell America who's gotten fired, what organizations you've kicked off your campuses. Anybody want to jump in and say we've kicked them off or we've expelled students? Anybody want to jump in?

[No response.]

Mr. Bean. You've all also said that you value academic diversity, but you have no idea how many of your professors are liberal or how many of your professors are conservative. So how do you know -- if you don't know that, that's a pretty important piece of information.

If you don't know that, how do you know that you're academically diverse? Anybody jump in. Just go for it.

[No response.]

Mr. Bean. I just happen to have the Harvard Crimson, which did a study of their professors on a -- on Harvard campuses. This is dated last year. 80 percent of professors either identified as liberal or very liberal. 80 percent of the, of the faculty there versus one percent identified as conservative, zero percent identified as very conservative.

So 80 percent versus one percent. President Gay, is that the type of academic diversity that you brag about at America's leading institution, Harvard?

Ms. Gay. We seek to have a very diverse campus on every dimension --.

Mr. Bean. 80 percent versus one percent. You would say that's diverse. Madam Chair, I'd like to yield the remaining time to the gentlewoman from New York, Ms. Stefanik.

Ms. Stefanik. Thank you. Dr. Gay, according to Hillel College Guide, the

Crimson Freshman Survey and even Harvard's own Education Next journal, the population of Jewish undergrads at Harvard has plummeted from roughly 25 percent in the 1980's to between five and ten percent now. Why is that?

Ms. Gay. That is not data that we collect as part of the admissions process. So I can't speak to those numbers or to the trajectory.

Ms. Stefanik. So what is the percentage of students who are Jewish at Harvard in undergraduate now?

Ms. Gay. We do not collect religious affiliation as part of the admissions process.

Ms. Stefanik. Do you not rely on data collected by Harvard Hillel, which you visited for the first time after October 7th? I'll just be honest with you. When I was a freshman, I enjoyed going to Harvard Hillel and have the opportunity to celebrate Shabbat dinners with my fellow undergrads.

The fact that it took you until after October 7th to go to Harvard Hillel is unacceptable. Yield back.

Chairwoman Foxx. Thank you. Mr. Moran, you're recognized for five minutes.

Mr. Moran. Thank you, Madam Chair. Dr. Gay, I'd like to direct my questions to you, if that's okay. In an open letter to members of the Harvard community that's posted on Harvard's website, you stated the following:

"Antisemitism has no place at Harvard." You also said "We are committed to doing the hard work to address the scourge." Just a moment, just moments ago when Representative Kiley asked you questions, you reaffirmed one of those statements and said "There is no place at Harvard for antisemitism." Will you now reaffirm those statements today with me?

Ms. Gay. Yes.

Mr. Moran. Good. Are these mere words, or is Harvard willing to put action

behind these words?

Ms. Gay. We are acting on that commitment.

Mr. Moran. Tell me how you're acting on that commitment in a very specific manner.

Ms. Gay. Well to begin with, the immediate actions that are focused on, the physical security of our students and our campus. There's enhanced police presence, 24-7 threat monitoring, coordination with local, state and federal law enforcement, and when necessary, we close the gates of Harvard Yard, so that outside actors are limited in their ability to use our campus as a platform. We've also --

Mr. Moran. When you talk about -- when you talk about "outside actors," let's talk about the inside actors. So you've had a number of students and student organizations that have made many, many antisemitic statements in the past few months and past years frankly, and it's gone, in my opinion, without any response from the university.

President Gay, a report by AMCHA Initiative for the 2021-2022 academic year found that Harvard saw the most antisemitic incidents, that's 25 of any university surveyed. You were dean at the time; correct?

Ms. Gay. I'm sorry, what was the date?

Mr. Moran. 2021-2022.

Ms. Gay. Yes, I was. I was dean of the Faculty of Arts and Sciences, yes.

Mr. Moran. In 2022, after the editors of the Harvard Crimson endorsed the antisemitic BDS movement, which seeks the destruction of Israel, a group of 49 faculty penned a letter defending the Crimson editors. Did you ever speak out against BDS during that time?

Ms. Gay. The university and I am clear on our positions about BDS. We do not

support that position. It's counter to academic freedom and at odds with the openness which is part of our strength as an institution.

Mr. Moran. Well when you say -- you said earlier, and you reaffirmed to me the statement "There is no place at Harvard for antisemitism." Well those words really ring meaningless if those folks remain at Harvard that promote antisemitism. Would you agree?

Ms. Gay. We do not sanction individuals for their political views or their speech. When that speech crosses into conduct that violates our behavior-based policies, bullying, harassment and intimidation, we take action.

Mr. Moran. Have any students been expelled or disciplined for bullying, harassment or these actions that you're listing?

Ms. Gay. I can assure you we have robust student disciplinary processes, and we use them.

Mr. Moran. No, no, no, no. I am not -- I didn't ask about -- I did not ask about your process. I asked if any students have been disciplined or removed from Harvard as a result of the bullying and the harassment that's taking place based on their antisemitic views in the past months since the October 7th attack?

Ms. Gay. We consistently apply our policies.

Mr. Moran. So have any students -- can you give me a number? Has it been two, ten, 20 or have there been zero students that have been actually disciplined for their activity? Not their speech, their activity.

Ms. Gay. Students have been held to account for any episode in which they violated our behavior-based policies.

Mr. Moran. Do you know approximately how many of those students have been held to account in your mind, or is that something you're going to keep from public view?

I'm not asking for identification of students. I just want to know how many people; how many students actually have been held to a disciplinary standard?

Ms. Gay. I'm happy to have my office follow up with some specific numbers, if that would be helpful to you.

Mr. Moran. That would be very helpful. I'm frankly surprised that you can't appear before this body, having going to talk about this issue, and not be prepared to tell us whether or not any students, or to the extent or how many have actually been disciplined for their antisemitic behavior in the past months? But you can't tell me that?

Ms. Gay. But I can assure -- what I can assure you is that we use our policies. We use our processes, and we hold students to account for their behavior.

Mr. Moran. Recently a coalition of student groups on your campus posted an open letter that placed the sole blame of the Hamas attack on Israel. In fact, in that letter, they said that they --

Mr. James. Thank you, sir. The gentleman's time has expired.

Mr. Moran. I yield back. Thank you.

Mr. James. I'd like now to acknowledge myself for five minutes of questions. I came across an opinion article in the Michigan Daily, of U of M student paper written by an anonymous source with Michigan in Color.

The article stated in the opening paragraph the following: "On October 7th, Palestinians in Gaza launched a surprise attack on the colonizing force of Israel, one of the largest-ever Palestinian liberation operations in modern history.

"They invaded colonial settlements, bulldozed territorial walls and captured Israeli soldiers. Although any violence is unconscionable, the rebellion was unavoidable."

This makes me think of a recent book written by Bari Weiss, that seeks to define antisemitism.

“Antisemitism successfully turns Jews into the symbol of whatever a given civilization defines as its most sinister and threatening qualities. When you look through the dark lens, you can understand how under Communism, the Jews were capitalists. How under Nazism, the Jews were the race contaminators.

“And today, when the greatest sins are racism and colonialism Israel, the Jew among nations, is being demonized as the last bastion of white racist colonialism, a unique source of evil not just in the region but the world. Whatever the role the Jews are needed for, well that's the part they are forced to play.”

And that's the part they are forced to play on your campuses, which is why you're here today. Now I know this article did not come out on your campuses, but this rhetoric is in lock step with much that we see on campuses today, and much of the heinous attacks against Jews we've seen throughout the 19th and 20th centuries.

I want to ask for the record, because many of us here on Capitol Hill hear from our public and our constituents that you are failing to create space where issues of the day are debated without fear of cancellation or ostracization.

Are you all concerned about the antisemitic rhetoric that we're seeing on these college campuses around the nation, at each of your own? And I don't think we can state enough individually, if you can give me maybe 15 to 10 seconds, what each of you are doing. Just remind us of what you're doing on your college campuses, 10-15 seconds each if you please.

[No response.]

Mr. James. Nothing. Okay, great. Some of your peers have turned a blind eye or even permitted antisemitic speech by faculty, students and outsiders on campus. The question today is again, what you're doing about it. I got silent a couple of seconds ago.

Maybe you've been giving a couple of seconds to think about it. But I'll -- I'll make this easier. Will each of you commit to conducting a review or what is taught and promptly report back to this Committee with recommendations on how to address these topics?

[No response.]

Mr. James. Okay. I'll take silence as a no. I want to just say that I'm greatly concerned that students are being taught to view certain groups as oppressors, and now apparently that includes Jewish people. The silence on my two direct questions, I think, serves as a glaring answer for your lack of commitment for standing, standing in opposition.

I fear our future and the future of our nation when oppression is used so generally to green light reverse discrimination by people that hide behind your institutions, and this institutional leaders themselves. So with that, I'm just going to go ahead and move on, because I don't think you have any satisfactory answers for me.

The House is currently in a series of votes, and members need to be on the House floor. As such, the Committee shall stand in recess until immediately following this last vote.

I urge my colleagues to return quickly to the hearing following votes, and I appreciate the patience of our witnesses and the audience. I would ask that you all remain in your seats, so our witnesses are able to leave.

[Recess.]

Chairwoman Foxx. The Committee will be in order. I thank everyone for your patience while we recessed to go vote. I now recognize Ms. Chavez-DeRemer for five minutes.

Ms. Chavez-DeRemer. Thank you, Madam Chair, for holding this unfortunately

necessary hearing. President Gay, Magill, Kornbluth while I appreciate your testimony, I am a bit confused. In each of your testimonies, you address antisemitism on your campuses in the present and future tense, as if there is no underlying cause predating October 7th, which explains why many of your students were at the ready to harass, threaten and attack Jewish students.

Are we really to believe that antisemitism didn't exist on your campuses before the Hamas attack? As presidents of the universities, your jobs don't stop at fundraising and promoting academic success. The cultures of your campuses have no greater influence than you and what you choose to prioritize.

And at an educational institution, the most powerful mover of culture is the education itself. The opportunities to learn about people's history provide students the best chance to challenge pre-conceptions, biases and inspire curiosity to understand rather than villainize.

At each of your schools, there are numerous classes focused on Latino, black, indigenous and AAPI history. The existence of such classes is necessary, speaks to your commitment to these communities. The commitment to the amplification of those voices.

Minority groups need their voices at the table. The Jewish people make up 2.4 percent of America's population and are only .2 of the global population. For the past 5,000 years, they have been enslaved, lynched and systematically murdered. During the same time, they have relentlessly improved the course of humanity, selflessly contributing to societies which eventually betrayed them.

And yet President Gay, your university Harvard teaches only two courses on the history and culture of the Jewish people at the undergrad level. And one of those classes is focused on portraying all Jews who support Israel's existence as colonialist and racist.

Compared to the roughly 125 classes Harvard offers on Latino, black, indigenous and AAPI history, the discrepancy feels odd. But you're not alone. President Magill the University of Pennsylvania offers three classes on Jewish history to undergrads, and President Kornbluth, MIT only offers two classes on Jewish history to your undergrad students.

This gives the impression that your deans and professors view Jews as an exception, that their voice as a minority group isn't worth amplifying. This mere erasure of Jewish history from offered courses is chilling to me. Harvard, MIT and the University of Pennsylvania offer its students an incredibly limited opportunity to learn about the 5,000 years of Jewish history. It's no wonder so many of your students see Jews as having less humanity than the rest of us.

In denying the Jewish voice a seat at the table, in denying your student body equitable access to Jewish history, you have created a hostile environment for Jewish students. If you provide your students real opportunities to learn about Jewish history at the same rate as you teach the history of groups, there would be wait lists for those classes.

That would provide students the appropriate venue to discuss, debate and learn. It will inspire your students to have meaningful discussions amongst themselves about the full history of Jewish people. President Gay, Magill and Kornbluth, you assemble all the task forces you want, and organize countless students' discussions on the issue.

But I can assure you that your students, especially your Jewish students, those options come across as lazy and disingenuous. None of you have presented solutions which would address the causes of antisemitism at your schools. In your testimony, I've heard no self-reflection or acknowledge of failure.

President Gay, in your testimony you said that you are guided by the simple

mantra asking why not. To the three of you, I urge you to think of one simple question. Why not teach Jewish history? And Madam Chair, I will yield the rest of my time.

Chairwoman Foxx. Thank you. Thank you Ms. Chavez-DeRemer. A study, a study from -- a 2021 study from Jay Green and James Paul of the Heritage Foundation examined the social media feeds of 741 DEI personnel at 65 universities.

Those DEI staff interacted with almost three times as many posts about Israel as about China. Of those interactions about Israel, 96 percent were critical, while 62 percent of the interactions about China were favorable.

What is your reaction to the fact that the DEI staff on your campuses appear more favorably disposed to one of the most depressive regimes in the world than they are to Israel. Dr. Gay?

Ms. Gay. Thank you, Congresswoman. Our DEI Office and all the professionals in that office are committed to being a resource for the entire campus community, all of our students, all of our faculty, all of our staff. Their priority is ensuring that everyone feels a sense of belonging and they do that work motivated by a commitment to safety, security, to well-being and not within an ideological framework.

Chairwoman Foxx. Thank you. The time is up. Mr. Comer, you're recognized for five minutes.

Mr. Comer. Thank you, Madam Chair. Many of our country's top universities and colleges are for sale. That's a fact, and our biggest foreign adversaries know it. Take for instance China and the Chinese Communist Party.

They have used so-called Confucius Institutes on college campuses to spread CCP propaganda. Now we're learning about billions of dollars flooding into our universities and colleges from countries supporting terrorists, terrorists that hate what our country stands for.

For example, the U.S. Department of Education data shows that Qatar, a key backer and ally of Hamas, is one of the largest investors in U.S. universities. It has given more than \$5 billion to U.S. institutions of higher education since 2001.

Ms. Magill, data from Department of Education shows UPenn has received more than 1 and a 1/2 billion dollars from foreign sources. Earlier, you shared with Representative Steel that Penn does not accept gifts from the Government of Qatar but has received gifts from alumni who reside in Qatar. Do you know the total amount of those gifts from alumni in Qatar?

Ms. Gay. Thank you for the question, Congressman Comer. We of course follow all of the laws, and we accept no gifts that are inconsistent with our academic mission, that would create any interference with doing what we do at Penn.

What I know about Qatar is what I mentioned earlier, is that I'm not aware of any government gifts, and we have a few alumni in Qatar. The number I have in front of me is about \$2,000 a year from the donors that we have, the private individuals in Qatar.

Mr. Comer. Does Penn have a policy to not accept donations or gifts from countries that harbor and support terrorists.

Ms. Gay. Congressman Comer our -- we are guided by the federal government on this matter, and we follow all of the rules.

Mr. Comer. Dr. Kornbluth, this report from the National Contagion Research Institute and the Institute for the Study of Global Antisemitism and Policy shows MIT received a total of \$859 million from foreign sources between 2014 and 2019. Has MIT accepted money from Qatar?

Ms. Kornbluth. So all of our -- as I said previously, all of our funds are for open, publishable research. We maintain full control over the research being conducted. I would have to get you the specific funding on Qatar via the staff after this session. It's

publicly available information in the public record.

Mr. Comer. Well, does MIT have a policy of not accepting money from countries that harbor or support terrorists?

Ms. Kornbluth. So our review of all foreign money is seen through the lens of national security, economic security and human rights.

Mr. Comer. So I take it's no then? Do you -- do you and your university think it's a good policy to accept donations from countries that support and/or harbor terrorists.

Ms. Kornbluth. I told you what our policy is. Thank you.

Mr. Comer. I ask unanimous consent to submit this report, Madam Chair, titled "The Corruption of the American Mind" into the record.

Chairwoman Foxx. Without objection.

[The information of Mr. Comer follows:]

*****COMMITTEE INSERT*****

Mr. Comer. Dr. Gay, how much money does Harvard receive from foreign sources that support Hamas or have links to terrorist organizations, like Qatar, Lebanon and the Palestinian Authority?

Ms. Gay. Excuse me, sorry Congressman. Harvard has policies that govern the acceptance of gifts and contracts, beginning with respecting federal law, which means that we don't accept gifts or contracts from entities that are on restricted lists.

Then we go further and only accept gifts that align with our mission and that provide autonomy for our research and our faculty. We have alumni all over the world, and their philanthropy supports student aid and scholarships and cutting-edge research.

Mr. Comer. Okay. The Department of Education reports that Harvard has received more than \$19 million from Qatar, 2 and 1/2 million from Lebanon and more than 1 and 1/2 million from the Palestinian Authority as of October 2023. As university president, do you think Harvard should be accepting money from countries that support terrorists?

Ms. Gay. Again, we have strict policies that govern the gifts and contracts that we accept. We comply fully with federal law.

Mr. Comer. But do you have a personal opinion?

Ms. Gay. And we will not accept gifts that do not align with our mission and retain autonomy --

Mr. Comer. So will you make a commitment to not accept money from countries that we know support terrorists?

Ms. Gay. We follow federal law.

Mr. Comer. The antisemitism on college campuses across the country, including your campus, has been shocking to witness, and that goes to all the witnesses I've asked questions to. We've seen the celebration of terrorism on all of your campuses, including

from faculty.

But when we see how much foreign money, including from our most dangerous adversaries, is going into our colleges and universities, maybe we shouldn't be that surprised. You need to immediately reevaluate the sources of foreign donations and recognize the poisonous effect that this is happening on your campuses.

Thank you, Madam Chair, and I yield back.

Chairwoman Foxx. Thank you, Mr. Comer. Mr. Burlison, you're recognized for five minutes.

Mr. Burlison. Thank you, Madam Chair, and thank you for the witnesses that are here today. In response to the ongoing harassment of Jewish students, including supporting a National Day of Resistance, the Antidefamation League and the -- sent a letter to colleges and universities around the country, urging them to investigate the activities of their local campus chapter of Students for Justice in Palestine.

Several universities followed through with that, and as a result some universities kicked those chapters off their campuses. In some instances, Columbia University suspended the SJP and the Jewish Voice for Peace. What steps have your universities taken to address the Students for Justice in Palestine? Dr. Gray, Dr. Gay.

Ms. Gay. Thank you for the question. So as I indicated earlier, I reject so much of the hateful and reckless speech --

Mr. Burlison. I don't want a long answer-- I just want to know what -- have you taken any steps like -- have you followed suit with these other universities to remove this hateful organization from your campus?

Ms. Gay. We do not punish students for their views, but we hold them accountable for their conduct and behavior, and any conduct that violates our rules against bullying, harassment or intimidation, we take action.

Mr. Burlison. So your answer is no. Does it not -- doesn't it concern you that your policies say that intimidation is factor for removal, and yet this group clearly, their very presence is an intimidating factor to Israeli students. Do you have any concerns?

Ms. Gay. I'm concerned about students who don't feel safe and welcome on our campus and wanting to make sure -- and I want to make sure that they receive all the support that they need. And when other students transgress and violate our policies, they will be held accountable.

Mr. Burlison. Thank you. Ms. Magill, can you tell me at your university, have you taken actions to remove the Students for Justice in Palestine?

Ms. Magill. Thanks for the question, Representative Burlison. We have similar policies, which is that any organized student group must comply with the rules of the university, and if they have violated those rules, they can be non-recognized.

Mr. Burlison. Okay, and then Mrs. Kornbluth, same question.

Ms. Kornbluth. So as far as I know, we do not have an SJP chapter. We do have students who are allied with you know, are interested in advocating for the Palestinian cause. But we are not aware of any national links of that group.

Mr. Burlison. Thank you. My next line of inquiry has to do with your lack of reporting standards when it comes to these foreign contributions, as was mentioned by my colleague. I understand that Harvard and MIT are under Section 117 investigations. A New York Post article just recently revealed that MIT received over \$859 million in foreign funding.

I think Harvard received similar numbers, nearly, nearly \$900 million. And as was stated, some of this money is coming from countries in the Middle East that have a history of large contributions to fund these academic centers called the Middle East Study Centers. Are you -- has Harvard taken any money to fund the Middle East Study

Centers?

Ms. Gay. We receive support from a variety of sources, and our alumni are all over the world, including in the Middle East, who support our activities on campus.

Mr. Burlison. Well, an analysis has indicated that there is a direct correlation between the universities that have received money for these Middle East Study Centers and the activity of the SJP. So I would highly encourage you to examine and I'll ask, I'll just ask it directly.

Is it because of the money that you're receiving from these foreign countries that you're not kicking these, this, these hate groups off campus?

Ms. Gay. Our donors do not influence how we run the university, how we enforce our policies or how we keep our students safe.

Mr. Burlison. Thank you. I yield the rest of my time to my colleague from New York.

Ms. Stefanik. Dr. Gay, does calling for the genocide of Jews violate Harvard's rules of bullying and harassment?

Ms. Gay. The rules around bullying and harassment are quite specific, and if the context in which that language is used amounts to bullying and harassment, then we take -- we take action against it.

Ms. Stefanik. Can you say yes to that question, of does calling for the genocide of Jews violate Harvard's rules on bullying and harassment?

Ms. Gay. Calling for the genocide of Jews is antisemitic.

Ms. Stefanik. So yes?

Ms. Gay. And that is antisemitic speech, and as I have said --

Ms. Stefanik. And it's a yes?

Ms. Gay. When speech crosses into conduct --

Ms. Stefanik. And it's a yes? I've asked the witnesses each --

Ms. Gay. Once when speech crosses -- when speech crosses into conduct, we take action.

Ms. Stefanik. So is that a yes? Is that a yes? The witness hasn't answered. Madam Chair, is that a yes? You cannot answer the question --

Ms. Gay. When speech crosses into conduct, we take action.

Chairwoman Foxx. I'm sorry. I'm sorry, Dr. Gay. I have to cut you off.

Ms. Gay. Of course.

Chairwoman Foxx. Mr. Williams, you're recognized for five minutes.

Mr. Williams. Thank you, Madam Chairman. I have the unfortunate distinction of being a graduate of the University of Pennsylvania, as well as a visiting student at Harvard University for a year. The purpose of this hearing is to assess the health of our most elite, and until recently esteemed educational institutions in this country.

We raised the question, whether your institution and others like them deserve to enjoy the benefits of partnerships with our government. Research investments, student loan guarantees, tax-free status for your endowments. Funding for veterans to receive education is tied to their prior service, like myself, or their ongoing service.

It's been stated several times that this runs in the tens of billions of dollars across higher education, perhaps even into \$100 billion.

Dr. Gay, you've repeatedly in your testimony today claimed that you believe in accountability, that acts of hate are personally abhorrent to you, that you follow federal law, that you believe all parts of your community must feel safe and secure, and that education is the solution for antisemitism. Does this accurately reflect your views?

Ms. Gay. I've expressed those views, yes.

Mr. Williams. And those are your testimony today. How long have you been president of Harvard?

Ms. Gay. Five months.

Mr. Williams. Sorry?

Ms. Gay. Five months.

Mr. Williams. Uh-huh. What is your annual budget?

Ms. Gay. For the entire university?

Mr. Williams. Yes.

Ms. Gay. About \$6 billion, pretty close to that.

Mr. Williams. Six billion. How many employees?

Ms. Gay. We have 19,000 faculty and staff.

Mr. Williams. And how long is the -- how large is the university endowment?

Ms. Gay. It is just over \$50 billion.

Mr. Williams. And how long has Harvard been in existence?

Ms. Gay. 387 years.

Mr. Williams. 337 years.

Ms. Gay. 87.

Mr. Williams. 87, sorry. Cut you by 50 there. You said that education is the solution. All of you agreed actually, that education is the solution for antisemitism, yet your educational institution under your leadership and previous leaders, is seething with hateful and threatening antisemitic demonstrations.

But these are only -- as I mentioned, these are only against the Jewish students. No one else, just Jews at your school. Yet you say you believe in accountability. Should the federal government keep shoveling money and privilege to institutions like yours that fail so profoundly in their mission?

Your mission is to educate. Education's the solution. You have 387 years and you've arrived at this place of virulent antisemitism and hate. Why should the federal government continue to partner with you on such a failed accomplishment or lack of accomplishment?

Ms. Gay. The federal-university partnership is not only a critical source of the success of all American higher education, but also its --

Mr. Williams. Well maybe we should redirect it to the ones that are, because there are other universities that are succeeding. I'm trying to get at the heart of if education is the solution. You don't seem to be accomplishing that solution, even though you've had a 387-year run up to stamp out antisemitism. What happened? Is it leadership?

Ms. Gay. We have work to do to build the community that our students and our faculty deserve --

Mr. Williams. Ha! Well, it's -- I'm looking backwards. I'm saying how did you arrive here, if education is your mission and antisemitism is your result? How did you arrive here?

Let me, let me help. 100 years ago, Harvard, University of Pennsylvania, other Ivy League schools actually publicly and actively began restricting Jewish enrollment. Now I'm proud to say that Syracuse University in my district resisted this trend and did not implement those kinds of policies.

But today, we actually see the fruit of those decisions, and it seems to me that the leadership that we need needs moral clarity to understand the moment that we're in, and I'm not really hearing that frankly from anyone. Ms. Magill, how long have you been the president of the University of Pennsylvania?

Ms. Magill. Just under a year and a half.

Mr. Williams. And the budget and employees there?

Ms. Magill. About \$12 billion because we have a large health system. We have about 45,000 employees.

Mr. Williams. The endowment please.

Ms. Magill. About 20 billion.

Mr. Williams. Do you not have enough resources to complete your mission, your stated goal of education?

Ms. Magill. We have many resources that we invest in the education of our 30,000 students.

Mr. Williams. So if education is the mission and education is the solution, how did you Penn arrive at this horrible place, that actually I'm ashamed to be an alumni of your university?

Ms. Magill. I'm very sorry to hear that Congressman.

Mr. Williams. I'm not alone.

Ms. Magill. We have -- we have work to do, I agree.

Mr. Williams. Well, I keep hearing that. I think you have a need for leadership or a need of federal intervention to cut off the resources that allow this continued failed -- this mission that's failed to continue. I yield back.

Chairwoman Foxx. Thank you. Ms. Houchin, you're recognized for five minutes.

Ms. Houchin. Thank you, Madam Chair. Thank you to the witnesses for testifying today. I want to just say how frustrated I am that this hearing is even necessary. I would be naïve to recognize -- not to recognize though, antisemitism on our university campuses, including my home state.

As you may know, this fall two members of the Indiana University Student Government published a resignation letter due to the blatant antisemitism of the student body president. According to their firsthand testimony, this student body president was intentionally neglecting the experience of Jewish students on campus, by not only refusing to meet or work with Jewish students, but by actively ignoring the voices of those who tried to bring attention to their issues, and the concerns for the well-being of their Jewish students.

It's especially appalling when we recognize that ten percent of Indiana University student body is Jewish. Campus life in the United States has become a daily trial of intimidation and insult for our Jewish students, a hostile environment that began with statements from pro-Palestinian student organizations justifying terrorism has now rapidly spiraled into death threats and physical attacks, leaving Jewish students alarmed and vulnerable.

At least 124 antisemitic incidents have been reported on campuses since October 7th, and that's likely a severe undercount. The response to this has been empty rhetoric. Words have been weak; action has been slow. No action has resulted in Jewish students feeling safe or welcome.

This is an example as why I'm an original co-sponsor of a Congressional resolution condemning the support of Hamas, Hezbollah and other terrorist organizations at our institutions of higher education. We will not tolerate the creation of a hostile environment for our Jewish students.

Faculty and staff on college campuses, if you won't do it, then we will take action ourselves. Madam Chair, I'd like to yield the balance of my time to the gentlewoman from New York.

Ms. Stefanik. Dr. Kornbluth does -- at MIT, does calling for the genocide of Jews

violate MIT's code of conduct or rules regarding bullying and harassment, yes, or no?

Ms. Kornbluth. If targeted at individuals not making public statements.

Ms. Stefanik. Yes or no, calling for the genocide of Jews does not constitute bullying and harassment?

Ms. Kornbluth. I have not heard calling for the genocide of Jews on our campus.

Ms. Stefanik. But you've heard chants for Intifada?

Ms. Kornbluth. I've heard chants, which can be antisemitic depending on the context, when calling for the elimination of the Jewish people.

Ms. Stefanik. So those would not be according to the MIT's code of conduct or rules?

Ms. Kornbluth. That would be investigated as harassment if pervasive and severe.

Ms. Stefanik. Ms. Magill, at Penn, does calling for the genocide of Jews violate Penn's rules or code of conduct, yes, or no?

Ms. Magill. If the speech turns into conduct, it can be harassment, yes.

Ms. Stefanik. I am asking specifically calling for the genocide of Jews, does that constitute bullying or harassment?

Ms. Magill. If it is directed and severe or pervasive, it is harassment.

Ms. Stefanik. So the answer is yes?

Ms. Magill. It is a context-dependent decision, Congresswoman.

Ms. Stefanik. It's a context-dependent decision? That's your testimony today? Calling for the genocide of Jews is dependent upon the context? That is not bullying or harassment? This is the easiest question to answer, yes, Ms. Magill. So is your

testimony that you will not answer yes.

Ms. Magill. If it -- if it is -- if the speech becomes --

Ms. Stefanik. Yes or no.

Ms. Magill. If the speech becomes conduct, it can be harassment, yes.

Ms. Stefanik. Conduct meaning committing the act of genocide? The speech is not harassment? This is unacceptable, Ms. Magill. I'm going to give you one more opportunity for the world to see your answer. Does calling for the genocide of Jews violate Penn's code of conduct when it comes to bullying and harassment, yes or no?

Ms. Magill. It can be harassment.

Ms. Stefanik. The answer is yes, and Dr. Gay, at Harvard, does calling for the genocide of Jews violate Harvard's rules of bullying and harassment, yes or no?

Ms. Gay. It can be, depending on the context.

Ms. Stefanik. What's the context?

Ms. Gay. Targeted as an individual, targeted at an individual.

Ms. Stefanik. It's targeted at Jewish students, Jewish individuals. Do you understand your testimony is dehumanizing them? Do you understand that dehumanization is part of antisemitism?

I will ask you one more time. Does calling for the genocide of Jews violate Harvard's rules of bullying and harassment, yes, or no?

Ms. Gay. Antisemitic rhetoric when it crosses over into conduct --

Ms. Stefanik. And is it antisemitic rhetoric --

Ms. Gay. Antisemitic rhetoric, when it crosses into conduct, it amounts to bullying, harassment, intimidation, that is actionable conduct and we do take action.

Ms. Stefanik. So the answer is yes, that calling for the genocide of Jews violates Harvard code of conduct; correct?

Ms. Gay. Again, it depends on the context.

Ms. Stefanik. It does not depend on the context. The answer is yes, and this is why you should resign. These are unacceptable answers across the board.

Chairwoman Foxx. Mr. Scott, you're recognized for five minutes.

Mr. Scott. Thank you. Freedom of speech protects not just popular speech. I've heard many of you refer to that. Can you comment on what speech is protected and what speech is not protected? Starting with Dr. Gay.

Ms. Gay. Speech is protected, and that protection extends even to speech we find objectionable and offensive and even outrageous. It's when speech crosses into conduct that violates our very clear policies around bullying, harassment, intimidation, that it becomes actionable.

Mr. Scott. And when it's targeted and creates imminent threats of violence, that can actually be criminal?

Ms. Gay. Yes.

Mr. Scott. But the Title VI standard isn't that -- it doesn't require all that. You can just have a -- you have much less of a standard to create a violation of Title VI. When do you know -- what is the Title VI standard for when speech violates Title VI and creates a hostile environment?

Ms. Gay. I cannot recite that from memory.

Mr. Scott. Anybody know of the kinds of things that would constitute a Title VI?

Ms. Kornbluth. Yeah, a hostile environment that prevents the students from attaining their educational acquisition.

Mr. Scott. Students have a right to feel safe on campus. Would the standard of a hostile environment apply to all students, or just Jewish students?

Ms. Kornbluth. All students.

Mr. Scott. Dr. Magill, a lot has been said about some of the speakers that have been invited. Who invites the speakers?

Ms. Magill. Congressman, it varies. It might be a student organization, it might be a faculty member, it might be a staff member. It might be my office.

Mr. Scott. Does your office always control who the speakers are, what speakers are invited?

Ms. Magill. No. There's no preapproval process for the speakers who are invited. It's quite decentralized.

Mr. Scott. And if some group, student group invited somebody that the university found offensive, what happens?

Ms. Magill. Well, we don't prevent a speaker from coming to campus, following the guidance of the United States Constitutions, based on the views that we think they're going to express.

We sometimes condemn those views if they're deeply inconsistent with our values. But we don't censor or prevent speakers from coming based on their views, even if they're offensive.

Mr. Scott. And Dr. Gay, you said several students are participating -- subject to disciplinary actions. Typically, how long does that disciplinary action take to be completed?

Ms. Gay. So the process, we try to move with all deliberate speed. But it varies depending on the complexity of the incident. It could be a matter of days or weeks, or it could be a bit longer than that. And the range of consequences vary, but up to and including expulsion from Harvard.

Mr. Scott. Several comments have been made that the campuses are full of antisemitism and that's the only problem on campus. Can the university presidents

comment on that?

Ms. Gay. It is not the only problem on campus. It's particularly acute at this moment, and as I've mentioned before, students have offered searing testimony about what they've been experiencing. But it's not just antisemitism. It's also Islamophobia and frankly just hostility to individuals who are visibly Muslim or Arab or Palestinian.

And then we also have other student communities that feel marginalized, not just in this moment but have been struggling to feel a sense of belonging at Harvard for some years, including students of color.

Mr. Scott. Ms. Magill?

Ms. Magill. I would describe very much the same experience at the University of Pennsylvania, as Dr. Gay described.

Mr. Scott. And Dr. Kornbluth?

Ms. Kornbluth. Racism, Islamophobia, anti-LGBTQ sentiment. One thing I might add about free speech on campus with these issues is that the best way to fight negative speech is more speech, to have speakers and individuals who fight antisemitism and can speak to our students on campus.

Mr. Scott. Thank you. Yield back. Thank you, Dr. Foxx, and I want to thank our witnesses for participating in today's hearing. Protecting students from discrimination and harassment are central to fostering safe and welcoming campuses.

Regrettably following the October 7th attacks, college campuses have experienced a disturbing rise in incidents of antisemitism and Islamophobia. It's great to have the opportunity to hear directly from campus leaders on what they are doing to be more proactive and prevent incidences of violence and harassment on campus.

I applaud President Biden's leadership and the administration for actively helping institutions protect students as part of the White House's National Strategy to Combat

Antisemitism.

Under the President's direction, the Department of Education has provided additional guidance to colleges and universities on how to uphold their obligation under Title VI of the Civil Rights Act of 1964, and better address antisemitism, Islamophobia and other forms of discrimination on campus.

We've already opened about 15 Title VI investigations in the recent incidences on campus since October 7th. And finally, as members of Congress, we also have the responsibility to condemn discrimination as we see it, and we should fully fund the Office of Civil Rights, so that they will have the resources to investigate these cases. Thank you, Madam Chair, and I yield back.

Chairwoman Foxx. Thank you, Mr. Chairman -- Mr. Ranking Member. Postsecondary education has never been held in such low esteem in our country as it is today. Indeed, I do not refer to colleges and universities any longer as higher education, because it's my opinion that higher order skills are not being taught and learned.

And I think today's hearing indicates that. I think Mr. Williams was on to something in his line of, of a questioning about why are we here, at this stage when you all talk about education being the answer to the problems.

Now I want to remind everyone why we're here. I started the hearing by recognizing the students we have in the audience today. You're the ones bearing the brunt of the hate that is festering on our campuses. You're the reason we're calling attention to these issues, and we'll continue holding college leaders accountable for failing to protect you.

You are heroes, and I thank you for your courage. One of the students here today is Talia Khan. She's an undergraduate alumna of MIT, and currently a graduate student there. And she wrote a letter to the Committee. I request unanimous consent

to submit her full letter for the record. Without objection.

[The letter of Mrs. Foxx follows:]

*****COMMITTEE INSERT*****

Chairwoman Foxx. I encourage all the members to read it. Unfortunately, I don't have time to read the whole thing, but I want to give you a sample.

“I'm a Jewish student, the daughter of a Jewish mother and an Afghan-Muslim father. I'd like to bring to your attention my perspective as a Jewish student currently immersed in an extremely toxic atmosphere at MIT.”

She goes on to describe a litany of violence, harassment and bullying against Jewish students on MIT's campus, and inaction by the MIT administration. She then concludes with a plea for help from the MIT administration. “Unfortunately, I have been put in charge of working to keep MIT students feeling safe. I have been put in charge of advocating for hundreds of frightened students, afraid of retribution.

“I want to stop being told about the most recent antisemitic incident and feeling like I have to push and – push and push to report it, even though nothing ever gets done. This should not be my job. Sally Kornbluth, please let be a student again. It is your job to keep Jewish students safe, not mine.”

Talia, thank you for sharing your ordeal with this Committee. Talia happens to be a student at MIT. Unfortunately, her story isn't unique to that campus. Horrific acts of hate, violence and intimidation are happening at the University of Pennsylvania, Harvard and institutions all over the country, and institutional leaders are failing to meet the movement with courage, clarity or decisive action.

I also ask unanimous consent to submit for the record a Wall Street Journal op-ed from this past Sunday by Lance Morrow. The op-ed is called “The New Antisemitism is the Oldest Kind.” Without objection.

[The information of Mrs. Foxx follows:]

*****COMMITTEE INSERT*****

Chairwoman Foxx. This op-ed is clear-eyed about the threat we face. Talking about the antisemitism of the post-war era, Morrow said “America's antisemites in those days were more fools than monsters.” Then he says “The antisemitism that is poured forth onto the country's streets and campuses in the autumn of 2023 is a different thing. A reversion to a politics of aggressive, unapologetic hate.

“Of course, the new Jew haters, especially young people on campuses, think of themselves as perfectly virtuous. What is a thousand times worse, they think of their Jew hatred as righteous. It's morally fashionable among them.”

And this brings me back to the beginning. Presidents Gay, Magill and Kornbluth, you have real and important practical challenges. These are real students sitting here, and they need to be protected. But you also have a moral challenge. It is fashionable among too many members of your campus communities to hate Jews. It is ideologically acceptable.

As you do the practical work of protecting your campus, you must also do the rhetorical work of changing hearts and minds. That's your job as a campus president. That means being willing to risk your job to speak truth clearly, consistently and unapologetically, even when the Jew haters turn their hate to you.

We'll now be watching, and I genuinely hope for the sake of our nation you will rise to meet the challenge. Without objection, there being no further business, the Committee stands adjourned.

[Whereupon, at 3:40 p.m., the hearing was adjourned.]