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COMMITTEE ON
EDUCATION AND THE WORKFORCE

U.S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
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November 30, 2023

Mr. Kenneth L. Marcus Esq.
Founder and Chairman
The Louis D. Brandeis Center For Human Rights Under Law
1717 Pennsylvania Avenue, N.W., Suite 1025
Washington, D.C. 20006

Dear Mr. Kenneth L. Marcus Esq.:

Thank you again for testifying at the November 14 Subcommittee Higher Education and Workforce Development hearing on "Confronting the Scourge of Antisemitism on Campus."

Enclosed are additional questions submitted by a Subcommittee member following the hearing. Please provide written responses no later than December 14, 2023, for inclusion in the hearing record. Responses should be sent to Hans Bjontegard of the Committee staff who can be contacted at Hans.bjontegard@mail.house.gov or (202) 226-4004.

We appreciate your contribution to the work of the Subcommittee.

Sincerely,

Burgess Owens
Chairman
Subcommittee on Higher Education and Workforce Development

Enclosure

**Questions for the Record for
Kenneth L. Marcus**

**Committee on Education and the Workforce
Subcommittee on Higher Education and Workforce Development
“Confronting the Scourge of Antisemitism on Campus”
November 14, 2023
10:00 a.m.**

Rep. Llyod Smucker (R-PA)

1. Mr. Marcus, in your testimony you mentioned the importance of the Executive Branch adopting the International Holocaust Remembrance Alliance’s working definition of antisemitism, under which denying the Jewish people their right to self-determination and to the state of Israel is considered antisemitism. This was a process started under the Trump Administration but has been needlessly delayed and postponed. How would adopting this definition help the Office for Civil Rights pursue investigations of antisemitic incidents on campuses, and what is the impact on Jewish students and faculty in its absence?
2. Mr. Marcus, we obviously want to uphold all students’ free speech while we protect students from threats, harassment, and intimidation. What is the legal distinction between free speech and unlawful discrimination, and how should colleges and universities be approaching this issue to ensure that Jewish students and faculty are protected?