

December 12, 2017

The Honorable Bob Goodlatte, Chairman Committee on the Judiciary 2141 Rayburn House Office Building Washington, DC 20515

Dear Chairman Goodlatte,

Thank you for your letter, dated December 4th, which includes a question for the record, addressed to my attention from Rep. Blake Farenthold, for the hearing held on November 7, 2017 "Examining Anti-Semitism on College Campuses." Therein, I am asked whether I believe something such as "the free speech policy statement issued in 2015 by the Committee on Freedom of Expression at the University of Chicago" would be an effective way to address the problem of pro-Israel events being stopped, cancelled or curtailed due to disruptions and threats from those who oppose them. Below, please find my answer:

Rep. Farenthold, thank you for your thoughtful question and attention to this matter. Unfortunately, I do not believe that such policy statements are an effective way to address this problem. Many campuses have made statements condemning acts of hatred while effectively doing nothing to prevent discrimination in the context we are discussing. If university's had effective systems in place for dealing with anti-Semitic behavior, we would not continue to see a rise in such discrimination year-after-year. The problem is that anti-Semites are using opposition to Israel as a fig leaf for their hatred of Jews.

Ideally university administrators would see through this, but as the examples raised during testimony before the Judiciary Committee show, this is simply not the case. By codifying the State Department's definition of anti-Semitism for guidance purposes under Title VI, the Anti-Semitism Awareness Act provides a tool for university administrators and the Department of Education to differentiate between protected – albeit loathsome – speech and that which indicates the bullying actions associated with that speech rise to the level of prohibited discrimination.

That there have been zero cases of anti-Semitism prosecuted under Title VI, despite its undeniable rise on campuses, means one of two things: those who are tasked with identifying incidents of anti-Semitism do not know what it is or; those who are tasked with identifying incidents of anti-Semitism are wantonly ignoring it. Because I choose to believe in the goodness of those who have made the commitment to ensure the safe and viable educations of our nation's students, I hope the reason for the dearth of such prosecutions is due to the former, and I pray that your Committee will pass the Anti-Semitism Awareness Act for those who insist on the latter.

Once again Chairman Goodlatte, I thank you for your consideration of the foregoing and for your invitation to appear before the Committee on the Judiciary to discuss this important issue.

Most Sincerely,

Sandra H. Parker, Chairwoman