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March 25, 2025

Hon. Bill Cassidy, Chairman  
Hon. Bernie Sanders, Ranking Member  
U.S. Senate Committee on Health, Education, Labor and Pensions  
Washington, DC  
by electronic mail

Dear Chairman Cassidy, Ranking Member Sanders  
and Senators of the Health, Education, Labor and Pensions  
Committee,

I write to you on behalf of the Union of Orthodox Jewish  
Congregations of America – the nation’s largest Orthodox Jewish  
umbrella organization – regarding your March 27<sup>th</sup> hearing: “*Antisemitic  
Disruptions on Campus: Ensuring Safe Learning Environments for All  
Students*”.

We greatly appreciate that the Committee is holding this hearing and  
your prioritizing the need to address the unprecedented surge in  
antisemitism in the United States that has occurred since the October  
7, 2023 Hamas attack upon Israel. The ensuing dramatic rise in  
antisemitism across all parts of our country remains a prevalent threat  
to our community.

In 1790, President George Washington wrote to the Jewish community  
of Newport, RI and famously said that Jews would enjoy  
unprecedented freedom in the United States because the newly  
founded nation would “give to bigotry no sanction, to persecution no  
assistance.”

Since October 7, American Jews have been subjected to physical  
assaults on sidewalks, slander and harassment in subways, raucous  
protests outside our synagogues and array of attacks – physical and  
verbal – on school campuses. This has been going on for too long.  
It’s made headlines. President Trump has spoken out and taken initial  
actions to address the crisis. Last year, the surge of antisemitism in the  
U.S. was the subject of multiple hearings by various committees in the  
House of Representatives in the previous Congress. We appreciate  
that today, the Senate HELP Committee, is demonstrating for the first  
time since October 7<sup>th</sup>, 2023, its commitment to addressing this  
ongoing crisis.

There is still much this Committee, and the U.S. Senate, can and must  
do to respond to the wave of unprecedented antisemitism in America  
and thereby uphold the basic civil rights of American Jews – and

recommit to fulfill George Washington's promise to the American Jewish community. In that constructive spirit, we offer the following.

1. Federal authorities should give better guidance to campus administrators and police about First Amendment law. As Senators on this Committee are well aware, "freedom of speech" is not a right without any limitations. Content neutral – time, place and manner restrictions are constitutional as are other limitations when speech can be inciteful and lead to harassment and violence. Yet, we have seen over the past year that antisemites, especially on university campuses, hide behind invocations of "free speech" and too many administrators and campus police seem to know how to respond appropriately. The Department of Education should offer more detailed guidance with illustrative examples to both inform and hold accountable university officials who are responsible for protecting the rights of their Jewish students to be free from harassment.
2. The Senate should pass legislation that will concretely address and combat the crisis of antisemitism. Several bills passed the previous House on a bipartisan basis and have been reintroduced in this Congress. These bills include the following:
  - a. Antisemitism Awareness Act (H.R.1007, S.558)  
The AAA will codify the IHRA definition of antisemitism and expand its usage across the Federal government. It is currently utilized by the Dept. of State and the Dept. of Education. The IHRA definition has been endorsed by more than 40 countries and is recognized as the gold standard and a critical tool in combatting antisemitism.<sup>1</sup>
  - b. Deterrent Act (H.R.1048)  
The Defending Education Transparency and Ending Rogue Regimes Engaging in Nefarious Transactions Act is a bill about transparency. The bill requires an institution of higher education to annually disclose to the Department of Education (ED) or another appropriate enforcing agency, any year in which the IHE: receives a gift from a foreign country of concern (e.g., China or Russia) or foreign entity of concern of any dollar amount; receives a gift or contract from a foreign source (other than a foreign country of concern or foreign entity of concern) that is valued at \$50,000 or more, considered alone or in combination with all other gifts or contracts within a calendar year (current disclosure threshold is \$250,000 or more), or which has an undetermined monetary value; enters into a contract with a foreign country of concern or foreign entity of concern after receiving a waiver for such contract; or is substantially controlled by a foreign source. The bill passed the House on a broad bipartisan vote last year, the House will vote on it again later today.
  - c. Protecting Students on Campus Act (S.163)/Civil Rights Protection Act (tbd)  
The Protecting Students on Campus Act and Civil Rights Protection Act are complementary bills introduced in the Senate and House, respectively. While the Civil Rights Protection Act (H.R.8648 in the 118<sup>th</sup> Congress) has not yet been reintroduced, both bills share the goal of increasing enforcement of Title VI in order to better protect Jewish Students at institutions of higher learning across the country whether through

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<sup>1</sup>

<https://forward.com/fast-forward/642348/deborah-lipstadt-antisemitism-jerusalem-declaration-nexus-ihra/>

enforcement by OCR at the Education Department, robust efforts based at the Department of Justice or another appropriate platform.

Requiring an awareness campaign to better inform students of their rights under Title VI, monthly congressional briefings from the Assistant Secretary for Civil Rights, an audit of Title VI complaints and OCR process reforms, the Protecting Students on Campus Act will significantly improve the ability of Jewish students to fight back against antisemitic harassment. The Civil Rights Protection Act would require many of these same actions, but would also add a requirement for institutions of higher learnings to appoint a Title VI coordinator similar to the existing requirement under Title IX, would increase responsibility for communicating the outcomes of their investigations and would necessitate their following these requirements or they would become ineligible for federal funding. The Civil Rights Protection Act passed out of the House Education and Workforce Committee in the previous congress on a bipartisan basis.

Since October 7, the American Jewish community has endured a wave of antisemitism that is unprecedented in our history in the U.S. Since the founding of this nation, Jews have experienced freedom and liberty of a kind our ancestors never experienced in any nation outside Israel in which Jews lived. That is because religious liberty and equality was built into the foundational ‘DNA’ of America.

The terrible events we have experienced these past seventeen months – and the inability of national leaders and institutions to act effectively and reverse this tide of antisemitism – has caused too many Jews to question whether the promise of liberty and equality for Jews in America will continue for future generations. American Jews of 2025 are wondering whether George Washington’s words to the Jews of Newport 235 years ago remain true.

Today, we thank this Committee and you, U.S. Senators, for giving this crisis its due attention and taking action in the U.S. Senate to defend the civil rights of American Jews and ensure the continuity of America’s promise to its Jewish citizens.

Sincerely,

***Nathan J. Diamant***

Executive Director