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September 29, 2014

Secretary Arne Duncan  
U.S. Department of Education  
400 Maryland Ave SW  
Washington, DC 20202

Dear Secretary Duncan,

During a hearing in April, you and I discussed the International Education and Foreign Language Studies program, which advances national security, foreign policy, and economic interests. We agreed that it was necessary to strengthen Title VI of the Higher Education Act.

I was alarmed to read the attached statement from several education and Jewish advocates proclaiming a misuse of federal funds and that some recipients “fail to satisfy Title VI’s intended purpose, flout congressional intent, and thwart American national security and foreign policy interests.” The statement mentioned a number of problems with imbalanced programs of Middle East Studies that are disproportionately focused on and are biased against Israel. This could engender anti-Semitism or criticism of Israel that devolves into the defamation of the Jewish people.

Over the past year, your Department has revised many Title VI program performance measures. While those measures have focused on quantitative metrics, I strongly urge you to immediately adopt standards to prevent imbalanced programs, particularly those that may spread anti-Semitic attitudes, from receiving funds. Additionally, as Congress considers amendments to the Higher Education Act, I am interested in any proposals you may have to reform Title VI to exclude programs with a strong anti-Israel bias.

Thank you for your consideration, and I look forward to working with you to improve Title VI programs.

Sincerely,

Nita M. Lowey  
Member of Congress

## **JOINT STATEMENT ON THE MISUSE OF FEDERAL FUNDS UNDER TITLE VI**

We, the undersigned, are deeply concerned about the misuse of federal funds under Title VI of the Higher Education Act (“HEA”). Despite congressional reforms adopted during the 2008 reauthorization of the HEA, many recipients of federal aid under Title VI continue to use taxpayer funds to support biased, politicized, and imbalanced programs of Middle East Studies. These programs fail to satisfy Title VI’s intended purpose, flout congressional intent, and thwart American national security and foreign policy interests. We support efforts to effectuate the intention underlying the 2008 congressional reforms. In particular, we support accountability and transparency measures to implement the 2008 congressional action.

### **Background**

Enacted by Congress to strengthen the nation’s security by training future national security professionals and educating the public on international affairs, Title VI provides federal funds to 129 international studies and foreign language centers at universities nationwide.

Such centers are obligated by statute to conduct “public outreach” programs for K-12 teachers, educators, and the general public in return for Title VI funds. Today these outreach programs, which have no congressional oversight, often disseminate anti-American and anti-Israel falsehoods.

In 2006, Congress mandated a review of Title VI-funded programs by the National Research Council. Their report, issued in 2007, found that Title VI programs had become ineffective in achieving their original goals, and greater oversight by the Department of Education was needed. The programs used taxpayer funding to disseminate biased one-sided views that criticized American foreign policy and national security.

During the 2008 reauthorization of the HEA, Congress sought to address these concerns. The statute was amended, adding that “grants should be made . . . on the condition that” descriptions, assurances, or explanations are provided on how the program “will reflect diverse perspective and a wide range of views and generate debate on world regions and international affairs.”

### **Current Problems**

The evidence shows that many centers funded under Title VI still do not serve the basic objectives of the program, namely, to advance American national security and international relations interests. They too often exclude scholars with diverse perspectives while stifling discourse on critical issues. The biased learning environment that results suppresses the academic freedom of students and faculty with different views. At some institutions, students are afraid to disagree with their professors.

Particularly troubling is that these government-funded centers also disseminate one-sided views to an audience far wider than on our college campuses. The centers conduct “public outreach” programs as a condition of receiving Title VI funds and present their biased and often inaccurate views to K-12 teachers, educators, and the general public. Teachers, educators, and members of the public are thus being misled by programs that promote a particular political agenda, rather

than a balanced and accurate perspective. Rather than serve American national security and foreign policy interests, these programs do the opposite.

These problems have persisted despite the 2008 congressional reforms that were intended to curb them. There are more than just a few isolated examples of the problem. In 2014, the AMCHA Initiative issued a report chronicling the public outreach activities of UCLA's Center for Near East Studies (CNES), funded in part by Title VI, from 2010 to 2013. Among its findings:

- Of 149 public events sponsored in full or in part by CNES related to fourteen Middle Eastern countries, more than one-quarter of the events (40, or 27 percent) focused on Israel.
- Of 49 public events relating to significant Middle East political conflicts, 30, or 61 percent of the events focused on the Arab-Israeli conflict.
- Of 28 Israel-related public events, 93 percent exhibited bias against Israel.

There are many examples of similar bias at other Title VI recipients:

- Speaking at a 2011 event on "The Arabs and the Holocaust" at UC-Berkeley, Gilbert Achcar of the University of London began his lecture by stating, "Don't expect me to take a pro-Israel view. I'm an Arab." He characterized terrorist acts as "counter-violence" that "pales in scale" to actions by Israel, and asserted that "Holocaust denial is a form of protest."
- At the University of Texas, Austin, Professor Samer Ali called Israel a "racist" state, implied parallels to Nazi behavior by stating that no group should claim superiority over another "like Zionists do," and claimed to be the subject of a "pro-Zionist fatwa."
- The UNC-Chapel Hill and Duke University Consortium for Middle East studies has held events seeking to delegitimize Israel by characterizing it as an "oppressive state" that violates countless human rights, claiming that Israel practices South African-style apartheid, and comparing the Palestinians to the Native Americans in the United States.
- The University of Pennsylvania, Cornell, Tufts, Brown, UNC-Chapel Hill, and Columbia hosted public screenings of the film "The Great Book Robbery," which claims that the modern state of Israel at its founding in 1948 victimized Palestinians by stealing both their homes and, through their books, Palestinian culture. No alternative views were offered.

As these examples illustrate, Middle East centers funded under Title VI have failed to comply with federal law, by using taxpayer dollars to present biased, anti-American, anti-Israel views in their outreach programs.

## **A proposed solution**

Systems are needed to ensure accountability and transparency to effectuate the 2008 congressional reforms. We recommend the following two steps as a means of dealing with the problem that Title VI programs have no measure of accountability after receiving taxpayer funding:

- Require recipients of Title VI funds to establish grievance procedures to address complaints that programs are not reflecting diverse perspectives and a wide range of views.
- Require the U.S. Department of Education to establish a formal complaint-resolution process similar to that in use to enforce Title VI of the Civil Rights Act of 1964. (This would not have a material effect on the Department's budget given the existence of an investigative and enforcement arm already available to address noncompliance with other statutes.)

Arguably, Title VI programs no longer serve a legitimate purpose because they have been disserved by the centers. In 2011, Congress reduced Title VI funding nationwide by 40 percent, from \$34 million to \$18 million. Unless effective and necessary reforms can be enacted, Congress may have to consider reducing or eliminating Title VI funding from Middle East studies centers.

Respectfully submitted,

ACCURACY IN ACADEMIA  
AMCHA INITIATIVE  
AMERICAN ASSOCIATION OF JEWISH LAWYERS AND JURISTS  
ENDOWMENT FOR MIDDLE EAST TRUTH  
THE LOUIS D. BRANDEIS CENTER FOR HUMAN RIGHTS UNDER LAW  
MIDDLE EAST FORUM  
SCHOLARS FOR PEACE IN THE MIDDLE EAST  
SIMON WIESENTHAL CENTER  
UNION OF ORTHODOX JEWISH CONGREGATIONS  
ZIONIST ORGANIZATION OF AMERICA