

No. 25-1529

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS, AMERICAN
FEDERATION OF TEACHERS,

Plaintiffs - Appellants,

v.

UNITED STATES DEPARTMENT OF JUSTICE,
(For Continuation of Caption, See Inside Cover)

Defendants - Appellees.

On Appeal from the United States District Court for the
Southern District of New York
Case No. 1:25-cv-02429-MKV (Hon. Mary Kay Vyskocil)

JOINT APPENDIX (JA587 – JA768)
VOLUME 5 OF 8

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(Caption Continued) PAMELA BONDI, in her official capacity as the U.S. Attorney General, LEO TERRELL, in his official capacity as Senior Counsel to the Assistant Attorney General for Civil Rights and head of the DOJ Task Force to Combat Anti-Semitism, UNITED STATES DEPARTMENT OF EDUCATION, LINDA MCMAHON, in her official capacity as the U.S. Secretary of Education, THOMAS E. WHEELER, in his official capacity as Acting General Counsel of the U.S. Department of Education, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, ROBERT F. KENNEDY, JR., in his official capacity as the U.S. Secretary of Health and Human Services, SEAN R. KEVENEY, in his official capacity as Acting General Counsel of the U.S. Department of Health and Human Services, NATIONAL INSTITUTES OF HEALTH, MATTHEW J. MEMOLI, in his official capacity as the Acting Director of the National Institutes of Health, UNITED STATES GENERAL SERVICES ADMINISTRATION, STEPHEN EHIKIAN, in his official capacity as Acting Administrator of the U.S. General Services Administration, JOSH GRUENBAUM, in his official capacity as Commissioner of the Federal Acquisition Service,

Defendants - Appellees.

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Announcing Task Force on Antisemitism

November 01, 2023

Dear fellow members of the Columbia, Barnard, and Teachers College communities,

Today we are announcing the formation of a Task Force on Antisemitism to enhance our ability to address this ancient, but terribly resilient, form of hatred. We are taking this step as part of a commitment to ensuring that our campuses are safe, welcoming, and inclusive for Jewish students, faculty, and staff, and all of us.

One would hope that by the twenty-first century, antisemitism would have been relegated to the dustbin of history. But it has been rising here in New York City, across the country, and around the world in recent years. We also know that antisemitism can escalate during conflicts far from our campuses, translating into hateful speech and acts directed at Jewish people here at Columbia, Barnard, and Teachers College. We have been distressed that a series of antisemitic incidents on campus have been reported in the three weeks following the October 7 terror attack in Israel and outbreak of war in Gaza.

We want to reiterate that we will not tolerate such actions and are moving forcefully against antisemitic threats, images, and other violations as they are reported, and we will continue to provide additional resources to protect our campuses. But we also need to address the root causes. The Task Force on Antisemitism will be a critical tool for making our institutions more inclusive and compassionate.

In the coming months, the task force will identify practical ways for our safety and inclusion work to enhance support for all members of the Columbia, Barnard, and Teachers College communities, particularly our Jewish students. Longer term, it will recommend more ambitious changes related to academic and extracurricular offerings and student, faculty, and staff training programs.

We are pleased that the task force will be led by Ester Fuchs, Professor of International and Public Affairs and Political Science and Director of the Urban and Social Policy Program at SIPA; Nicholas Lemann, Joseph Pulitzer II and Edith Pulitzer Moore Professor of Journalism and Dean Emeritus of Columbia Journalism School; and David M. Schizer, Harvey R. Miller Professor of Law and Economics and Dean Emeritus of Columbia Law School. In the coming days, we will appoint Barnard and Teachers College co-chairs along with additional diverse task force members from the three institutions, and build the foundation for a thoughtful, rigorous, and impactful process.

Community and values don't stand on their own. We must constantly reaffirm and reinforce them with action. The Task Force on Antisemitism represents the first in a series of steps we will be announcing in the coming days to reinvigorate community-building, develop robust support networks, and tackle head-on the destructive forces that seek to undermine our values and divide us across a range of issues. This is an opportunity for every academic

department, every faculty member and teaching assistant, every member of the administration, and every member of the Columbia, Barnard, and Teachers College student family to bring their ideas, life experiences, and spirit to help us emerge as a stronger and more cohesive community.

Sincerely,

Minouche Shafik
President, Columbia University in the City of New York

Laura Ann Rosenbury
President, Barnard College

Thomas R. Bailey
President, Teachers College

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About the Task Force on Antisemitism

The [Columbia Task Force on Antisemitism was created](#) by Columbia University President Minouche Shafik, Barnard College President Laura Ann Rosenbury, and Teachers College President Thomas R. Bailey to address the harmful impact of rising antisemitism on Columbia's Jewish community and to ensure that protection, respect, and belonging extends to everyone. Antisemitism has been rising around the world, around the country, and in New York City, and Columbia is far from immune. We must urgently address the reality that Jewish members of our three interconnected institutions feel vulnerable to antisemitic bias and harassment and lack the sense of belonging that should be shared by all of us.

The task force is being led by Ester R. Fuchs, Professor of International and Public Affairs and Political Science and Director of the Urban and Social Policy Program at SIPA; Nicholas Lemann, Joseph Pulitzer II and Edith Pulitzer Moore Professor of Journalism and Dean Emeritus of Columbia Journalism School; and David M. Schizer, Harvey R. Miller Professor of Law and Economics and Dean Emeritus of Columbia Law School. The task force members are a diverse group of faculty from across the University equipped to assess where policies, practices and other tools and programs can be enhanced to improve the ability of Jewish students to learn and thrive on campus free from bias and harassment.

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Scope

The task force is focused on understanding how antisemitism manifests on campus and ways to improve the climate for Jewish students, faculty, and staff. Antisemitism most directly threatens the Jewish community. But it is also an affront to the core values of our community. And fighting it should not be the responsibility of Jews alone nor can progress be achieved by the administration alone. Every member of the Columbia community has a role to play in helping Jews and all communities feel safe and included. We expect that many task force findings and recommendations will also bolster efforts to prevent and mitigate all forms of hate, bigotry, and bias—and to improve the health of our campus as a welcoming place to learn and thrive.

The task force will work on three broad initiatives. First, it will engage in a serious and honest assessment of the sources and extent of the discomfort that many Jewish members of the Columbia community feel. This will take the form of listening sessions with students, faculty, staff, and others most directly affected. In this initiative, the task force will also seek insights and perspectives from a broad array of professionals who touch the lives of students, from faculty to teaching assistants to Residential Life professionals. The task force will document these various experiences and perspectives, so everyone in the Columbia community can gain a deeper understanding of the relevant challenges and the dynamics contributing to them.

Second, the Task Force on Antisemitism will review University policies, rules, and practices that impact the campus climate to make sure they protect the University's core commitment to free speech, as well as to a safe and inclusive environment for all Columbians, including Columbia's Jewish community. This work will be done in consultation with the University Senate and other governing bodies.

Third, the task force will also propose various other ways to sensitize the entire community to antisemitism, to counter it more effectively, and to support Jews at Columbia. It will also consider ways that academic and intellectual life can be enhanced to promote Jewish studies and ensure that it fully embodies the principles of free expression and viewpoint diversity.

The task force will make recommendations in stages, beginning in early 2024 in effort to have the most immediate possible impact. Longer term, it will recommend more ambitious changes that will help institutionalize and sustain progress toward an improved campus climate.

Areas of Focus

Review University policies, rules and practices that impact campus climate to make sure they are consistent, well-aligned and that they are being applied fairly and consistently in ways that protect students and honor Columbia's bedrock commitment to academic freedom and free expression.

Building awareness, understanding, and solidarity. The task force will propose approaches to better sensitize the entire community about antisemitism, how it functions and ways to counter it and to support Jews at Columbia. Extracurricular offerings and many facets of campus life can help strengthen social support networks by fostering cross community conversations, solidarity and understanding.

Academic and intellectual life can be enhanced to promote Jewish studies as well as to ensure that it fully embodies the principles of free expression and viewpoint diversity.

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Report #1: Task Force on Antisemitism

Columbia University's Rules on Demonstrations ⁽¹⁾

March 2024



(1) This report reflects the research and analysis of members of the Task Force's rules working group: David M. Schizer (Co-Chair, Law School), who drafted the report, as well as R. Glenn Hubbard (Business School), Magda Schaler-Haynes (Mailman School of Public Health), Matthew C. Waxman (Law School), and Gil Zussman (Fu Foundation School of Engineering and Applied Science). Extensive input also was provided by the other members of the Task Force: Clémence Boulouque (Department of Religion), Peter Coleman (Affiliate Co-Chair, Teachers College), Jeremy A. Dauber (Department of Germanic Languages), Ester Fuchs (Co-Chair, SIPA), Rebecca Kobrin (Department of History), Jennifer Lee (Department of Sociology), Nicholas Lemann (Co-Chair, Journalism School), Lisa Rosen-Metsch (General Studies), Nir Uriel (Columbia University Irving Medical Center), and Deborah Valenze (Affiliate Co-Chair, Barnard College).

On November 1, 2023, Presidents Minouche Shafik (Columbia University), Laura Rosenbury (Barnard College), and Thomas Bailey (Teachers College) announced the formation of a Task Force on Antisemitism (“the Task Force”) “as part of a commitment to ensuring that our campuses are safe, welcoming, and inclusive for Jewish students, faculty, and staff, and all of us.” (2)

[VIEW THE PDF VERSION](#)

[Report #1: Columbia University’s Rules on Demonstrations](#)

The Task Force is part of a broader series of campus-wide initiatives “to foster a community,” as President Shafik put it, “where debates and disagreements are rooted in academic rigor and civil discourse.” Another product of this “[our community, our values](#)” initiative is a pair of new interim policies for safe demonstrations (the “Interim Demonstration Policies”) from [Columbia University](#) (“the University”) and [Barnard College](#), which were issued on February 19 and 20th, respectively. The Task Force was pleased to provide input on these policies and, as discussed below, we strongly endorse them.

In the course of its work, the Task Force has heard of the isolation and pain many Jewish and Israeli Columbia affiliates (3) have experienced in recent months. While mourning Hamas’s unspeakable atrocities on October 7, some Jewish and Israeli Columbia affiliates have been the object of racist epithets and graffiti, antisemitic tropes, and confrontational and unwelcome questions, while others have found their participation in some student groups that have nothing to do with politics to be increasingly uncomfortable. Israeli Columbia affiliates have been criticized and stereotyped for serving in the military, something most Israelis are required to do. Some Jewish students have felt isolated in supporting Israel, while others have felt isolated in criticizing Israel. While there is strong support among Jewish and Israeli Columbia affiliates for the right to protest, as well as widespread heartbreak about the tragic loss of civilian life in Gaza, many have heard chants at protests like “Globalize the Intifada” and “Death to the Zionist State” as calls for violence against them and their families.

Across Columbia University, there also have been repeated violations of the rules on protests. Although peaceful demonstrations are permitted at Columbia and Barnard—and, indeed, are an indispensable element of civic life in a free society—the University has rules to keep them from interfering with our academic mission. Unfortunately, these rules often have been violated in recent months. Protesters have disrupted classes and events, taken over spaces in academic buildings, held unauthorized demonstrations, and used ugly language to berate individuals who were filming these protests or just walking by. There also have been reports of physical harm to students, including Columbia affiliates who were protesting against Hamas and Columbia affiliates who were protesting against Israel. Needless to say, the University must guarantee the physical safety of all Columbia affiliates, and a welcoming environment for everyone is essential.

In the coming months, the Task Force will issue a series of reports, examining various aspects of this difficult situation. We are conducting research on the experiences and views of members of the Columbia community and are analyzing a range of university policies and practices. This first report considers Columbia’s rules on demonstrations. (4) We focus on Columbia’s rules, since our work on Barnard and Teachers Colleges’ rules is still at an early stage. (5)

Even though our charge is antisemitism, we know that Jews and Israelis are not the only ones targeted in this difficult time. Heartbreak, fear, and loss are widely shared experiences both on and off campus. Although our report focuses on antisemitism, our recommendations can also bolster efforts to combat Islamophobia, anti-Arab racism,

and other types of bigotry. We condemn all these toxic forms of hate and look forward to working with colleagues, and partnering on initiatives, to counter it across the University. Together, we must strengthen the fabric of our University community for all.

▼ Footnotes

(2) [Announcing Task Force on Antisemitism](#), Nov. 1, 2023.

(3) The phrase “Columbia affiliate” in this report includes students, faculty, and staff of Columbia University (including Columbia University Medical Center), Barnard College and Teachers College.

(4) Columbia University defines “demonstrations” as “a group of people coming together in an event of public expression on campus.” See the [Interim University Policy for Safe Demonstrations](#).

(5) Teachers College and Barnard College are affiliates of Columbia University and separate 501(c)(3) entities.

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[About the Task Force on Antisemitism](#)

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[About the Second Report](#)

I. Executive Summary

The University’s rules on demonstrations must accomplish three critical goals: first, safeguarding every Columbia affiliate’s right to protest, regardless of their viewpoint; second, ensuring that protests do not interfere with the rights of other Columbia affiliates to speak, teach, research, and learn; and, third, combating discrimination and harassment, including antisemitic harassment.

To protect every Columbia affiliate’s right to protest, while also ensuring that protests do not interfere with the free speech rights and academic freedom of others, the University must regulate the timing and location of protests. We support a “speaker’s corner” approach that permits protests in designated areas like the Sundial, South Lawn, and Futter Field, but not in academic buildings, libraries, dining halls, or dormitories. Every Columbia affiliate should have the right to protest in these designated areas, regardless of their cause or viewpoint. This is the approach of the new Interim Demonstrations Policies, and we consider them a major step forward. We also recommend clearer limits on the use of noise amplification and banners, as well as a minimum distance between competing protests.

Although we generally agree with the language of the University’s rules, we have serious concerns about their enforcement. The University generally has not tried to stop violations as they have occurred, and instead has focused on imposing discipline after the fact. The priority during protests has been to avoid violence and escalation. In our view, avoiding violence is necessary, but not sufficient. The University also needs to keep protests from interfering with the rights of others to speak, teach, research, and learn. So the University should do more to stop

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unauthorized protests as they occur, using approaches that are effective but not confrontational. For example, if protesters gather in an academic building, they should be told that they are violating the rules and given the opportunity to leave within a specified period of time (e.g., ten minutes). Those who remain should be required to show IDs and given a warning, followed by discipline for subsequent violations.

In addition to doing more to stop rule violations as they occur, the University needs to be more effective at investigating and enforcing violations after the fact. We recommend a simpler process for filing complaints, more flexible deadlines for adjudicating them, more effective use of informal processes, and aggregate reporting on the results. Unlike most other universities, Columbia uses a separate disciplinary process for rules on protests, which is coordinated by the University Senate. Since this process has rarely been used, robust efforts are needed to make sure it works, including rigorous training, safeguards to ensure consistent treatment, and periodic reviews of the process.

In addition to free speech rights and free speech responsibilities, the University's rules ban discrimination and harassment, as required under Title VI (6) and other laws. Since the University's legal team is responsible for legal compliance, they should clarify what speech contributes to a hostile learning or working environment. Like in the [gender-based misconduct rules](#), the University should offer "scenarios." These clear cases should illustrate what violates our rules and what does not, so adjudicators can consider whether a particular incident, which may be harder to classify, is more like the "good" or "bad" scenarios. These scenarios should be about all protected classes, not just Israelis and Jews.

Indeed, to comply with the law, the University must be consistent in its treatment of different protected classes. For example, if members of a protected class say that particular phrases or comments interfere with their ability to learn and work, should the University defer to them? Or should the University focus instead—not on how the protected class *hears* these words—but on what the speakers *intend* in saying them? In recent years, it has become increasingly common at Columbia to defer to a protected class's views. But when some Israeli and Jewish Columbia affiliates have complained about phrases or comments in recent months, the response has been different, defending the intentions and free speech rights of the speakers. While there are important reasons to value the perspective of both the speaker and the audience, the University must be consistent in its approach.

Finally, it is worth emphasizing that even when offensive words are permissible under the University's rules, they may still be disappointing or even reprehensible. In discussing difficult issues, we should always strive to state our position with civility and collegially.

Part II of this report identifies key principles the rules need to uphold. Part III emphasizes the critical role of content- and viewpoint-neutral "time, place, and manner" restrictions, and recommends ways to make them more effective. Part IV focuses on antidiscrimination rules, analyzing how the University can effectively combat harassment while also protecting free speech rights.

In writing this report, the Task Force has benefited enormously from repeated consultations with the Office of the President, the Office of the Provost, University Life, faculty members of the University Senate, the Kraft Center, and members of task forces at other universities, as well as deans, senior administrators, faculty members, alumni, staff, and students from across the University, including in listening sessions we have been holding across the campus. We are deeply grateful for the valuable insights so many have shared, and appreciate their staunch commitment to addressing the challenges considered in this report.

Before turning to our analysis, we should clarify its scope. This report discusses general issues of policy, not specific protests or other incidents from recent months. This focus reflects the Task Force's charge. We were convened to perform an important but limited task: to gain a deeper understanding of the situation on campus and to make

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recommendations about how the University should respond. We do not have management authority, and we are not an adjudicative body. Therefore, we do not offer public comments “in real time.” For the same reason, this report addresses broad challenges, instead of particular events.

A number of rules are not analyzed in this report, including those governing the recognition and discipline of student groups, classroom conduct, off-campus activity, and social media. In future reports, we will consider some of these other rules, as well as other issues.

▼ Footnotes

(6) As the Department of Justice has explained, “Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.” Civil Rights Division U.S. Dep’t of Justice, [Title VI of the Civil Rights Act of 1964](#).

II. Three Fundamental Principles

Before turning to the specifics of our rules, we begin with basic principles. Our rules must embody an unshakeable commitment to three core ideas: first, the right to free speech and academic freedom; second, the responsibility to respect the free speech rights and academic freedom of others; and, third, our communal commitment to antidiscrimination.

A. Free Speech Rights

The mission of a great university is to expand the frontiers of knowledge and to educate future generations. This mission requires uncompromising rigor in uncovering facts and analyzing ideas. Truth is found not by seeking to justify what we want to believe, but by constantly testing, and then updating, our knowledge and understanding.

This timeless process can function effectively only if our minds remain open. There can be no orthodoxies. The fact that an idea is widely accepted should not exempt it from scrutiny. The fact that an idea is controversial, or even offensive, should not render it off limits. “The right of members of our university to share views that may be unpopular or deemed offensive,” observed the seventeen deans of our faculties and schools in a [recent statement](#), “is protected and fundamental to an academic community that depends on the free exchange of views and ideas.”

(7) In the words of Section 440 of the Senate’s [Rules of University Conduct](#), “the University is a place for received wisdom and firmly held views to be tested, and tested again, so that members of the University community can listen, challenge each other, and be challenged in return.” This bedrock principle of academic freedom must never be compromised.

B. Free Speech Responsibilities

Just as we all have the right to speak our minds in pursuit of truth, we also have the responsibility to respect—indeed, to protect—this right for other Columbia affiliates. Needless to say, violence, threats, and intimidation also have no place at a great university.

In addition, our right to speak must not come at the expense of the right of others to speak, teach, research, and learn. We must not use the “heckler’s veto” to shout down other speakers, tear down or deface posters, disrupt classrooms, or impede other essential functions of the University. These “rules of the road,” which are known as “time, place, and manner” restrictions, are essential to the academic enterprise. Intellectual inquiry cannot proceed without them.

These limits, which protect all of us, are not about *what* we say, but about *where*, *when*, and *how* we say it. Every Columbia affiliate has the right to explore and defend the causes they cherish. But no one has the right to drown out other voices or interfere with the University’s teaching mission. As Section 440 of the [Rules of University Conduct](#) explains, “The right to demonstrate, for example, cannot come at the expense of the right of others to counter-demonstrate, to teach, or to engage in academic pursuits requiring uninterrupted attention.”

These limits must be applied consistently and evenhandedly. It would be unacceptable for them to be invoked selectively to silence particular voices. Rather, time, place, and manner restrictions must be content- and viewpoint-neutral.

C. Antidiscrimination

Just as we cherish and nurture the pursuit of truth, we also are committed to treating all members of our community with respect. Every Columbia affiliate deserves to feel safe. They must know that they belong here. The University must be a welcoming home to all students, faculty, and staff, regardless of their race, national origin, gender, religion, sexual orientation, age, disability, military service, or other legally protected status. This obligation flows not only from our values, but also from Title VI, Title IX, and other federal, state, and local laws.

To discharge this obligation, the University does not guarantee that others will always agree with us. This surely will not happen and, in a place of intellectual ferment, it *should not* happen. Each of us will encounter ideas and perspectives we reject—indeed, even ones we find offensive. This is part of the compact we make with each other: everyone can express their views.

But harassment and discrimination cannot be tolerated. Nor should anyone be free to engage in violence or to call for violence against members of our community or groups to which they belong. This reprehensible conduct denies members of our community the experience they deserve.

▼ Footnotes

(7) [Deans’ Message on Columbia and Community](#), Dec. 20, 2023.

III. Enhancing the University’s Time, Place, and Manner Restrictions

To operationalize these three essential commitments—free speech rights, free speech responsibilities, and antidiscrimination—the University needs effective rules of the road. These “time, place, and manner” restrictions are an essential protection for every member of our community, so the University has to ensure that they are effective.

A. Timing & Location of Demonstrations

Every Columbia affiliate must have the right to engage in peaceful protests. But although this is a proud tradition at Columbia, it must not interfere with the rights of other Columbia affiliates to speak, teach, research, and learn. To protect this right for everyone, the University needs to specify when and where demonstrations are permitted.

In our view, demonstrations should not be allowed in academic buildings, libraries, dormitories, or dining halls, as well as too close to the entrances to these buildings. (8) Unfortunately, this has not always been the practice in recent months.

The right place for demonstrations is in outdoor spaces like the South Lawn and the Sundial in Columbia's Morningside campus, Futter Field in Barnard's campus, and comparable locations on other campuses. (9) The locations should be prominent. Our goal is not to consign demonstrations to remote locales where they will go unnoticed. Yet the location must ensure that demonstrations do not interfere with classroom learning and other essential functions of the University.

In this spirit, Section 443(14) of the [Rules of University Conduct](#) renders it a violation when someone "incident to a demonstration . . . disrupts a University function or renders its continuation impossible." This is the right principle.

To operationalize this principle more effectively, we recommend focusing more explicitly on location. After all, a standard based solely on "disruption" can be ambiguous, and can require more nuanced fact-finding. For example, some participants in a demonstration in an academic building might claim that, unlike others, they were speaking in a low voice and thus were not disruptive. Sorting out these facts is not always easy. In contrast, the question of *where* a protest was, and whether someone *actually attended it*, is easier to answer. (10)

As a result, we are pleased that Columbia and Barnard's new Interim Demonstrations Policies adopt this location-based approach, requiring demonstrations to be in "Demonstration Areas" (East South Lawn, West South Lawn, and the Sundial on Columbia's Morningside campus and Futter Field on Barnard's campus) at designated times, inviting members of the community to reserve these spaces, and guaranteeing access to them regardless of the views expressed in the demonstration. We consider this a major step forward in Columbia and Barnard's efforts to protect the free speech rights and academic freedom of every member of our community.

B. Sound Enhancement

Keeping demonstrations outside academic buildings protects everyone's rights by putting distance between demonstrations and academic work. Yet sound amplification systems and megaphones can negate this distance. As a result, "a noise that substantially hinders others in their normal academic activities" is a violation under Section 443(12) of the [Rules of University Conduct](#), and rightly so.

More specific guidance should be offered about what sound enhancement (if any) is permitted. (11) While it can help protesters hear speakers, it also can disturb Columbia affiliates in nearby classrooms, dormitories, or libraries. For this reason, Barnard's Interim Demonstration Policy provides that "those participating in registered Demonstrations may not use noise amplification (e.g., megaphones, bull horns, etc.) or sound machines (e.g., pots, pans, instruments, etc.) during Demonstrations."

C. Safety, Notice, and Physical Separation

The University's highest priority must always be physical safety. When members of our community exercise their right to protest, they must be free to do so in safety and without fear. Unfortunately, this has not always been the case in recent months, and this is not acceptable.

To be fully prepared to guarantee safety during demonstrations, the University requires notice of when they will take place. The new Interim Demonstrations Policies generally require two business days, which we think is reasonable.

The rules also must ensure a minimum distance between competing protests. While Section 443(18) of the [Rules of University Conduct](#) authorizes rules delegates to give reasonable orders to keep protests apart, we recommend also specifying a minimum distance and rigorously enforcing this rule.

D. Banners

Like the location of protests, the location of signs and banners should be subject to viewpoint- and content-neutral time, place, and manner rules. In general, holding signs and banners in authorized demonstrations should be permitted. But hanging banners on any interior or exterior surface of a building should be prohibited unless the administration of the relevant school has approved it.

E. Limiting Access to Campus

Columbia affiliates must be allowed to demonstrate on campus, as well as to invite speakers and a reasonable number of guests to participate in the demonstration. But aside from these invited guests, non-affiliates are not entitled to this privilege. Unfortunately, their participation can come at a cost, if only because they do not know the University's rules and have less reason to abide by them. We realize that the need to present IDs can be inconvenient for Columbia affiliates and can affect the atmosphere on campus, but on balance we think the University generally should limit demonstrations to affiliates.

F. Enforcement During Demonstrations

While we generally agree with the *language* of the University's rules, we have serious concerns about their *enforcement*. To the University's credit, a senior team of administrators with different expertise and responsibilities has been meeting regularly to prepare for demonstrations, making daily (and at times even more frequent) judgments about staffing and other aspects of the University's response. This degree of coordination is impressive. It signals how seriously the University takes these issues.

Nevertheless, enforcement has fallen short in two ways. First, the University has regularly failed to stop violations of rules as they occur. Second, there also have been challenges in imposing discipline after the fact. We discuss these two issues in turn.

1. "Real Time" Efforts to Prevent Protests in Academic Buildings

First, when an unauthorized demonstration is taking place, representatives of the University should intervene more proactively "in real time." Obviously, these interventions are especially important to protect physical safety. In addition, we would prioritize interventions to prevent disruption of classes and other academic work, for instance, when there is an unauthorized demonstration in an academic building.

We recognize how challenging it can be for the University to manage and respond to demonstrations, and we truly appreciate the strenuous efforts of rules delegates and public safety officers in recent months. The volume of protests has spiked, and the campus climate is more tense than at any time in recent memory. Enforcing our rules, while also avoiding confrontation, is no easy task.

Even so, we urge these colleagues to be more ambitious. They should not be content just to “wait out” a demonstration and prevent violence. This sort of deescalatory posture is necessary, to be sure, but it is not sufficient. The University also has to prevent the disruption of classes and, more generally, to protect the academic freedom and free speech rights of the rest of the Columbia community.

2. Avoiding Physical Confrontation

To be clear, we are not recommending the forcible removal of protesters or routine reliance on the NYPD. On the contrary, the University should not repeat its overly aggressive response to protests over half a century ago in 1968. Physical interventions are appropriate only to break up fights and protect protesters and bystanders from violence. Our understanding is that this is the only circumstance in which public safety officers initiate physical contact, and we agree.

3. Better Nonconfrontational Approaches

Instead, the focus should be on developing better nonconfrontational options. We stand ready to offer input in analyzing alternatives. In that spirit, we recommend that rules delegates should tell demonstrators they are violating the rules, offer a card with the relevant rules, and ask them to disperse within a specified period of time (e.g., ten minutes). Protesters should also be told that names will have to be taken and disciplinary processes will have to be initiated for anyone who is still there after the specified time has elapsed. After this time has passed, if any protesters are still in the academic building, public safety officers should ask for their IDs. If the protesters refuse—a rule violation in and of itself—public safety officers should take their photos, a step that can help identify them even if they are masked.

Section 443(16)–(18) of the [Rules of University Conduct](#) authorize delegates of the University to regulate demonstrations in these and other ways. We understand that other universities have had some success with these sorts of steps. Fortunately, some of these steps are starting to be taken more frequently on our campus.

As long as this effort during a demonstration is paired with effective investigation and adjudication after it is over, as discussed below, we expect that most protesters will choose to comply with the rules. This should be all the more true because they can still hold demonstrations: these protests simply have to be during designated hours in authorized locations (e.g., on South Lawn or Futter Field), and not in academic buildings, libraries, dorms, and the like.

4. Expertise, Conflicts of Interest, and the Number of Rules Delegates

The steps suggested above should be assigned to professionals with the right expertise. In recent years, our rules delegates have been student affairs professionals. They are well suited to make an initial approach, gently reminding students of the rules, as well as of the prospect of discipline for protests in academic buildings. In contrast, public safety officers have a comparative advantage in the subsequent steps of asking for IDs and taking photographs.

In assigning roles, the University should consider how responsibilities at protests interact with a rules delegate’s other responsibilities. For example, student affairs professionals may be wary of confronting student protesters, worrying that a negative encounter may undercut their effectiveness in other work with these students. Unfortunately, student affairs professionals also face another risk: *failure* to intervene—and, indeed, the perception that they implicitly endorse rules violations—can undermine their relationship with other students.

One way to address this challenge is to staff protests with rules delegates from other schools. For example, if there is an unauthorized protest at the law school, the rules delegates assigned to it could be from the business school, and vice versa. Our understanding is that this already is the University's practice.

Another solution is to broaden the pool of rules delegates, so they include colleagues whose other responsibilities do not create this potential tension. Another advantage of broadening the pool in this way is that rules delegates may benefit from having a wider range of expertise within their ranks.

The University should also invest more resources in this effort. Currently, the compensation for rules delegates is a modest stipend, so more may be warranted in the current climate. We also need more of them, at least in the current environment. The increased number of protests poses the risk of burnout for a small group. In addition, the more proactive approach recommended here may require a larger presence at unauthorized protests.

5. Communal Support for This Effort

While rules delegates and public safety officers play a central role in enforcing time, place, and manner restrictions, they cannot do this alone. The rest of our community must support them in this effort. Every Columbia affiliate has a stake in protecting the right to protest, while also ensuring that protests do not interfere with the free-speech rights and academic freedom of others.

Unfortunately, some faculty and administrators have failed to convey this message. When they speak at unauthorized demonstrations, or when they help shield the identity of students who are violating the University's rules, their apparent endorsement of unauthorized protests sends a confusing signal to students. In response, we encourage deans and department chairs to communicate the importance of time, place, and manner rules, while also discouraging colleagues from undercutting these rules.

G. Enforcement After Demonstrations

In addition to intervening "in real time," the University also must take the right steps after the fact. The University must investigate incidents, initiate disciplinary processes, and impose sanctions when warranted. Yet unfortunately, we are concerned that these efforts after an incident are falling short in four ways, which we discuss in turn. We would be pleased to work with the Administration and the Senate to explore alternatives for addressing these problems.

1. Identifying Masked Demonstrators

First, our understanding is that investigating incidents has been a challenge in part because many demonstrators have been masked. A more proactive effort is needed to identify them during demonstrations, as noted above.

2. Deadlines

Second, Columbia's deadlines in the [Rules of University Conduct](#) are too tight. "Generally, . . . [i]nvestigation begins within five (5) business days after an incident" and is supposed to be "completed within fifteen (15) business days after the investigation begins." (12)

We understand why the drafters of this timetable did not want unnecessary delays. Speed ensures that memories are fresh, respondents are not subjected to a protracted process, and any necessary discipline is administered promptly.

4. An Untested Process

Unlike most other universities, Columbia uses a separate process, coordinated by the University Senate, when individuals are charged with violating rules governing protests. Although a version of this process has existed for many years, it has been used only a handful of times since it was significantly modified in 2015, and not at all during the Fall Semester. In contrast, the University's other disciplinary processes are used much more regularly. (15)

Since this process is largely untested—with all the downsides that entails—strenuous efforts are needed to ensure that it is effective. For one thing, rigorous training is essential. After all, unlike the experienced decisionmakers in the University's other disciplinary processes, a number of the members of the Senate's Judicial Board—a body that includes faculty, students, and administrators—presumably have relatively little experience adjudicating disputes.

Clear delineation of institutional roles is also important. For example, the Senate Rules Committee is responsible for drafting and revising rules, while the Judicial Board is responsible for adjudicating matters under the rules. It is important not to blur the lines between legislative and adjudicatory functions.

Sharing information internally also is critical. Unlike in the U.S. court system, where outcomes are publicly available, student discipline generally is confidential under the Family Educational Rights Privacy Act ("FERPA"). (16) Since there are no reported precedents, respondents cannot confirm that they have been treated the same way as similarly situated respondents. This must not be the case with members of the Judicial Board. They must have access to the necessary information, and we have been told that they do. This is essential, so members of the Judicial Board will know how similar incidents have been treated and treat them the same way. Indeed, consistency is not just a moral imperative, but also a legal requirement (e.g., since singling out a protected class for different treatment can violate Title VI).

As the Judicial Board gains experience, it is essential to review their decisions and address any issues that are identified. For example, we endorse the Senate Executive Committee's commitment to conduct periodic reviews of Judicial Board decisions under Columbia's Interim Demonstrations Policy.

H. Education About the Rules

To ensure that everyone complies with the rules, we need not just better enforcement, but also better education. A concerted effort is required to ensure that Columbia affiliates know the rules, as well as the rationale for them.

As we have emphasized, time, place, and manner restrictions are there to *protect* speech, not to *suppress* it. In a community where academic freedom and free speech are bedrock values, we should all comply with these restrictions not just to avoid discipline, but to honor our values and show respect for the rights of others.

Interim Provost Mitchell's [January message](#), summarizing key features of the rules governing demonstrations, was a productive step. We recommend additional efforts within every school and department to educate members of our community about the right way (and the wrong way) to exercise their free speech rights.

I. Simpler Process for Reporting

Under Columbia's rules, filing a report is a key way to initiate investigations and disciplinary processes. Yet although Columbia affiliates are supposed to file a report when they witness a rule violation, many are not doing so. The University has already taken productive steps to address this problem, but more should still be done.

First, many Columbia affiliates do not understand the function of these reports. For example, some mistakenly assume that there is no reason to report something that administrators also witnessed. The (understandable) assumption is that if these administrators already know about a situation, there is no need to report it. But reports should be filed not just to inform those administrators, but also to initiate an investigation of (and, potentially, discipline for) the relevant incident. Administrators can ask for an investigation, and we encourage them to do so when one is warranted. But every Columbia affiliate has this power—not just administrators—and we should all use it.

Second, in addition to knowing *why* they should file, Columbia affiliates also need to know *how* to do it. This process should be simplified. At the moment, different forms are required for different types of violations. There are separate links for academic violations, discrimination by students, discrimination by faculty and staff, gender-based misconduct by students, gender-based misconduct by faculty and staff, and general concerns (including violations of the rules governing protests).

To help Columbia affiliates navigate this maze of reporting requirements, the University has put all of these links on a [single webpage](#). They also have introduced a helpline, as well as a help desk, to guide members of our community in this process.

While these are productive steps, we recommend something more ambitious: the University should consolidate the various links and forms to a single one. After affiliates fill it out, an administrator should review it and route it to the appropriate department. This administrator will know—far more readily than a student—which rules and policies are implicated, as well as who should investigate and adjudicate it. By relieving the complainant of this obligation, the University can make filing a report easier, faster, and less daunting.

Finally, the University also should help Columbia affiliates understand what happens after they file a report, including what else may be expected of them. This process is not well understood, and there has been only limited communication after reports are filed.

J. Aggregate Reporting on Discipline

Another reason why some are not reporting violations is that they believe nothing will happen. This is problematic not only in discouraging reporting, but also in shaping perceptions of the University among important stakeholders, including current and potential students, faculty, staff, alumni, and parents. Even more importantly, this perception may induce students to violate rules. As a result, the University needs to share more information about the results of disciplinary processes.

Under FERPA, the University cannot share information about specific individuals. But there is no bar on aggregate reporting. On a regular basis, the University should share information about the number of disciplinary investigations underway, the number of adjudications, and the range of consequences administered, while also ensuring that this reporting is done in a way that respects the privacy of the individuals involved. Consistent with FERPA, the University also should communicate with those who have filed complaints, reassuring them that their concerns have been taken seriously.

▼ Footnotes

(8) The University has legal obligations to ensure that entrances to these buildings are clear. For example, the University has to ensure that Columbia affiliates with disabilities have ready access to these entrances, as well as an obligation under Title VI to ensure that protected groups have access to educational opportunities, and thus to

these buildings.

(9) In choosing the right locations in the health sciences campus, the University must also account for the needs of patients.

(10) Some nondisruptive forms of expression should be permitted in an academic building, such as wearing a particular T-shirt or pin.

(11) This guidance could appear either in an updated version of the Demonstrations Policy or as an addition to Rule 443(12).

(12) Section 446, [Rules of University Conduct](#).

(13) [Rules of University Conduct](#), Sec. 445(a) (authorizing Rules Delegate to “organize informal settlements”); see also Sec. 447 (providing for informal resolutions).

(14) [Rules of University Conduct](#), Sec. 446 (“A respondent may decline to participate in the investigative or adjudicative process.”).

(15) [Dean’s discipline](#)” is used for academic, behavioral, and other student misconduct (e.g., plagiarism, vandalism, discrimination, harassment, etc.). The University also has other processes for student gender-based misconduct. Misconduct, including discrimination, involving faculty and other employees is addressed through a separate track.

(16) Department of Education, [The Family Educational Rights Privacy Act](#).

IV. Antidiscrimination

In addition to free speech rights and free speech responsibilities, our rules also advance a third principle: our collective opposition to discrimination and harassment. [Columbia University’s Non-discrimination Statement and Policy](#) bans discrimination based on a number of protected statuses, including “citizenship status; . . .color; . . . disability; familial status; gender (sex); gender identity; . . . national origin; . . . race; religion; . . . sexual orientation; . . . veteran or active military status; or any other applicable, legally protected status.”

A. Discrimination and Harassment are Not Protected Speech

So although the University must protect speech vigorously, it does not do so absolutely. While we all pledge to tolerate speech that we consider misguided or even offensive—in a collective commitment to protect everyone’s right to speak their minds and pursue the truth—the University does not tolerate speech that constitutes discrimination or harassment against protected classes. This commitment is grounded not only in our collective values, but also in the law.

Indeed, a key function of the University’s antidiscrimination rules is to comply with Title VI, as well as with other federal, state, and local laws. While the University has latitude to offer *more* protection against discrimination than the law requires, it cannot offer less.

So even as the [Rules of University Conduct](#) protect free speech rights, the Affirmative Statement in Rule 440 acknowledges that “the University may restrict expression that constitutes a genuine threat of harassment,” recognizing that harassment does “little if anything to advance the University’s truth-seeking function” and “impair[s] the ability of individuals at the University to participate in that function.”

Under federal, state, and local law, discrimination and harassment can be caused not just by conduct, but also by speech. Applying these rules, the University defines “discriminatory harassment” to include “unwelcome conduct” that is “verbal” as well as “physical”:

“Subjecting an individual to unwelcome conduct, whether *verbal* or physical, that creates an intimidating, hostile, or abusive working, learning or campus living environment; that alters the conditions of employment or education; or unreasonably interferes with an individual’s work or academic performance on the basis of the individual’s membership in a protected class is harassment which is a form of discrimination.” (Emphasis added.) (17)

Applying Title VI and other applicable laws, University policies include speech of various kinds in their definition of harassment:

Harassment may include, but is not limited to: verbal abuse, epithets, or slurs; negative stereotyping; threatening, intimidating, and hostile acts; denigrating jokes; insulting or obscene comments or gestures; and the display or circulation of written or graphic material (including in hard copy, by email or text; or through social media) that denigrates or shows hostility or aversion toward an individual or group members of a protected class. (18)

The University’s antidiscrimination rules are administered by the University’s general disciplinary processes (“dean’s discipline” for students, and human resources processes for faculty and staff under the Equal Opportunity and Affirmative Action Office or “EOAA”), not the special rules for protests (such as the Senate’s [Rules of University Conduct](#) and the new Interim Demonstrations Policy). This division of labor reflects the reality that antidiscrimination rules enforce federal, state, and local law, so the Office of the General Counsel and the Administration need to take the lead in drafting and administering them. The same is true of the University’s [rules policing gender-based misconduct](#) under Title IX. As a result, the student conduct standards expressly provide that “behavior listed in this section [including discriminatory harassment] that occurs in conjunction with” alleged violations of rules governing protests “may be adjudicated” through dean’s discipline. (19)

B. Need for Guidance On What Constitutes Discriminatory Harassment

We urge the University to provide more guidance on the meaning of “discriminatory harassment,” including antisemitic harassment. What kind of speech “creates an intimidating, hostile, or abusive working, learning or campus living environment” under Title VI?

The University’s definition of harassment states that “epithets or slurs” clearly can contribute to a hostile learning and working environment. Obviously, it violates the rules to approach a Jewish student and say, “F*** the Jews,” just as it would violate the rules to make this sort of offensive comment to a member of any protected class.

The definition of harassment also includes “negative stereotyping” and “insulting . . . comments.” So when Jewish students walk by a group that is protesting against policies of the Israeli government, the rules are violated if the protesters heckle these students by attributing Israel’s policies to them (e.g., “you bomb hospitals”).

The same is true when assumptions are made about Israeli faculty members, students, and staff, including those in joint programs with Israeli universities, just because these Columbia affiliates have served in the military. Since most Israelis are required to serve in the military, calls to exclude Israeli veterans from campus apply to nearly all Israeli

Columbia affiliates. Making assumptions about Columbia affiliates based solely on their country of origin or military service can constitute discrimination based on national origin or military service under the University's rules.

The University also has said that calls for genocide, like other incitement to violence, violate the rules:

"Calls for genocide against the Jewish community or any other group are abhorrent, inconsistent with our values and against our rules. Incitement to violence against members of our community will not be tolerated." (20)

While we agree with this principle, the application of it should be clarified. Obviously, the chants "gas the Jews" and "Hitler was right" are calls to genocide, but fortunately no one at Columbia has been shouting these phrases (though there are reports that these chants were used at another university). (21) Rather, many of the chants at recent Columbia protests are viewed differently by different members of the Columbia community: some feel strongly that these are calls to genocide, while others feel strongly that they are not.

At some point, courts and the Department of Education are likely to offer additional guidance illuminating the Title VI implications of these chants, as well as other speech and conduct at protests. (22) This would be helpful. In the interim, the University's legal team should provide more guidance on this issue. Since this ultimately is a matter of legal compliance, we do not offer a detailed analysis here. Instead, we emphasize a few key points.

First, the University's commitments to ban discrimination and to protect free speech are both foundational, so managing potential tensions between these commitments is not easy. Even as the University strives to protect free speech rights, it must also ensure compliance with antidiscrimination laws.

In addition, in pursuing these critically important goals, the University should aim to make the lines it draws as clear as possible, while recognizing that perfect clarity about every conceivable circumstance is not always possible. Even so, efforts to provide greater clarity help to provide fair notice, so Columbia affiliates have more of a sense of what is permissible (even if offensive) and what is not. Clearer guidance also helps colleagues who investigate potential incidents, so they know when alleged facts violate the rules. Likewise, greater clarity helps ensure that different adjudicators treat similar conduct the same way.

Recognizing the importance of clarity, the University's rules on gender-based misconduct include "scenarios," which illustrate what is permitted and what is not. (23) While these scenarios cannot govern every conceivable circumstance, and focus on relatively clear cases, they still lend clarity by illustrating general principles and inviting decisionmakers to consider whether a particular incident is more like one scenario (e.g., that is permitted) than another (e.g., that is not). To ensure that members of our community are aware of these rules, the University requires periodic online training for all members of the community. We recommend a similar effort for other types of discrimination, including antisemitic harassment. In the coming weeks, we would be pleased to work with the General Counsel's office, University Life, and other colleagues to analyze these issues in more detail.

C. Consistency in the Treatment of Protected Classes

Needless to say, Jews and Israelis are not the only groups that could experience discriminatory harassment. The rules must defend all protected classes.

In applying the rules to different groups, the University has to make consistent judgments. Indeed, consistency is necessary as a way not just to keep faith with our values, but also to comply with Title VI and other applicable laws. In general, the University must provide the same level of protection to different protected classes. By affording vigorous protection to some, but not others, the University would violate Title VI.

As a result, speech or conduct that would constitute harassment if directed against one protected class must also be treated as harassment if directed against another protected class. This must be true not only in the way rules are written, but also in the way they are enforced.

In this spirit, the University needs to use the same methodology when deciding whether speech constitutes harassment. Should the focus be on the audience or the speaker? If members of a protected class say that particular phrases or comments cause them pain, should the University defer to them? Or should the University focus instead—not on how the protected class *hears* these words—but on what the speakers *intend* in saying them?

In recent years, it has become increasingly common at Columbia to defer to protected classes in defining which statements are considered biased or hateful, prioritizing the concerns of the audience (i.e., the protected class) over the intentions of the speaker. This approach has been evident, for instance, in discussions of policing, affirmative action, sexual assault, transgender rights, and other important issues.

But a different norm has applied to many Jewish and Israeli Columbia affiliates in recent months. When they have complained about phrases and statements that cause them pain, some students, faculty members, and staff have not deferred to their concerns. Instead, they have responded that the speakers actually mean something else, which is not offensive, or that the speakers have the right to speak their minds.

This is a challenging issue, since there are important reasons to value the perspective of both the speaker and the audience. But regardless of how this issue is resolved, the University needs to be consistent in its approach.

D. Consistency and Expertise in Investigation and Adjudication

The University has an office that investigates and adjudicates gender-based harassment and discrimination under Title IX (the Office of Gender-Based Misconduct), and different offices that investigate and adjudicate harassment and discrimination under Title VI (the EOAA process for faculty and staff and the dean's discipline process for students). It is important to ensure that comparably rigorous levels of training are provided to these colleagues, and that consistent standards are used for different protected classes.

In pursuing these goals, the University should draw on its experience in administering Title IX. For example, the University can consider using a similar structure (e.g., a separate office), as well as similar training and staffing strategies. There may also be synergies in closer coordination of these efforts.

E. Values as Well as Rules

Finally, it is important to emphasize that the question of what *the rules allow* is not the same as the question of what members of our community actually *should say and do*. We all have the right to take controversial positions, and rightly so. We even have the right to say offensive things.

But with rights of free expression come responsibilities, including to consider the effects of our expression on others. We should never be indifferent to the pain and discomfort our words cause, regardless of the ideas we seek to advance. Indeed, whether we are passionate in defending the rights of Israelis, Palestinians, or anyone else, we should recognize that others have convictions that are just as heartfelt. Even as we disagree, we should still respect each other's feelings. An institution of higher learning is an appropriate place to learn these responsibilities.

Columbia affiliates must never shy away from the great issues of the day. Our University must always strive to shed the light of reason on the defining challenges of our time. To advance our mission, we must be willing to express strong views, follow evidence and arguments where they lead, and confront painful truths. As part of this process,

members of our community inevitably will disagree.

But even as we express competing views, the University is at its best when we all strive to state our position with civility and collegially. Making the case in this way shows not only skill as an advocate, but also human decency and respect for shared values. As Columbia's [seventeen deans](#) recently said, "the grace of compassionate engagement should be extended to all members of our community in equal measure."

▼ Footnotes

(17) [EOAA Discrimination and Harassment Policies](#), at 7.

(18) See [id](#) at 7.

(19) [Standards & Discipline](#) at 9 n.2.

(20) [Event Policy and Campus Resources FAQs](#) (What is Columbia doing to address antisemitism on campus, and what is Columbia's reaction to calls for genocide against Jews?).

(21) Reuters, [NYU is sued by Jewish students who allege antisemitism on campus](#), Jerusalem Post, Nov. 15, 2023; see also Olivia Land, [Reprehensible anti-Israel protesters chant 'Gas the Jews' outside Sydney Opera House: video](#), Oct. 10, 2023.

(22) The Department of Education has already indicated that even speech protected under the First Amendment can still create a hostile learning environment under Title VI. In these circumstances, if universities cannot stop this speech, they are expected to condemn it.

(23) Gender Based Misconduct Office, [Gender-Based Misconduct and Interim Title IX Policies and Procedures for Students](#) 23-26.

EXHIBIT 52



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» »

[STATEMENTS](#)

President Shafik Welcomes the First Set of Recommendations From the Task Force on Antisemitism

March 04, 2024



I welcome the [initial report of the Task Force on Antisemitism](#) and am grateful to the co-chairs and task force members from Columbia, Barnard College, and Teachers College for their hard and thoughtful work. As the task force makes clear, it is essential to ensure that debates and disagreements across Columbia are rooted in academic rigor and civil discourse, and that Jewish students, faculty, and staff, and all members of our community, feel safe, supported, and included. The task force's important work will continue across a number of fronts as the University works to address this ancient, but sadly persistent, form of hate.

LEARN MORE

[Read the Report](#)

[Columbia's Task Force on Antisemitism Releases Its First Set of Recommendations](#) 

I am pleased that the task force strongly endorses the new [Interim University Policy for Safe Demonstrations](#)  that was [announced](#)  last month, and appreciate the task force's many other suggestions about reporting, enforcement, anti-discrimination, and other issues.

We will review the interim policy at the end of this semester. Collaborating with the University Senate, student leaders, faculty, and other members of the community, we are committed to ensuring that our rules both protect free speech and foster inclusivity at Columbia. As always, we encourage feedback from all members of our community. We have created a [new form](#)  for students, faculty, and staff to share their ideas and suggestions, anonymously if they prefer.

Minouche Shafik
President, Columbia University in the City of New York

Tags: [Administration](#) [Diversity](#)

News

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EXHIBIT 53

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Report #2: Task Force on Antisemitism

Columbia University Student Experiences of Antisemitism and Recommendations for Promoting Shared Values and Inclusion¹

August 2024



Executive Summary

The demonstrations that roiled our campuses during the past academic year uncovered deep disagreements about the mission of our University. During those months, consensus around the University's formal rules and informal norms of behavior broke down, interfering with our charge to educate students and engage in research.

In addition, the testimonies of hundreds of Jewish and Israeli students have made clear that the University community has not treated them with the standards of civility, respect, and fairness it promises to all its students.

[VIEW THE FULL REPORT \(PDF\)](#)

[Report #2: Columbia University Student Experiences of Antisemitism and Recommen...](#)

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[About the Members of the Task Force on Antisemitism](#)

[About the First Report](#)

This working definition draws on experiences of many Jewish and Israeli students, who were on the receiving end of ethnic slurs, stereotypes about supposedly dangerous Israeli veterans, antisemitic tropes about Jewish wealth and hidden power, threats and physical assaults, exclusion of Zionists from student groups, and inconsistent standards. We propose this definition for use in training and education, not for discipline or as a means for limiting free speech or academic freedom.

This report also identifies significant problems in university policy and practice and makes recommendations for fixing flawed administrative systems, improving campus climate, and building consensus for a more inclusive and pluralistic university. Specifically, we recommend anti-bias and inclusion trainings for students, resident advisers, resident assistants, teaching assistants, student-facing staff, and faculty. In a community dedicated to freedom of speech and pluralism, we must prepare students with different views and backgrounds to engage with each other. We must encourage mutual respect, tolerance, civility, and an open learning environment.

We also recommend in-person workshops about antisemitism and Islamophobia, as well as a range of optional training and workshops for others in our community, including on implicit bias and stereotypes, bystander interventions, and having difficult conversations.

Given the urgent need to train administrators who play critical roles in responding to student needs, we also suggest a range of trainings in dispute resolution.

As part of this effort, we recommend that the Interim President and Provost establish a Cross-School Committee that includes all schools at Columbia, along with Barnard College and Teachers College, to share information and establish a baseline standard for trainings, workshops, and website information for all schools. The Committee should aim to overcome the problem of decentralization within Columbia, which is a barrier to maintaining common objectives across the many spaces shared by undergraduate and graduate students.

We also recommend that the University establish a repository for best practices in anti-bias and inclusion trainings and that it develop a plan for evaluating these programs.

Customized trainings aimed at specific constituencies are particularly important, including first year orientation and new student orientation for graduate programs—a recent area of focus for University Life—and new faculty orientation at all Columbia schools, including affiliate schools, Barnard College, and Teachers College. We recognize that University Life has been working to update and improve its training for student orientation.

We call attention to the need to train teaching assistants (TAs) in sensitivity to bias, exclusion, and antisemitism. Currently, the online course required for all Columbia TAs, available through the Equal Opportunity and Affirmative Action (EOAA) website, lacks guidelines on diversity, inclusion, and bias. TAs need guidance on how to respond to classroom scenarios that stray into discrimination and bias; currently, they are told that no single best practice exists. We recommend giving attention to topics related to race, religion, and national origin in all their complexity. We point to several excellent models offered by other universities in guiding TAs and first-time instructors.

Resident assistants and advisers (RAs) are another group in need of customized training; we offer suggestions for how RAs can foster better attention to inclusion, identification of bias, and elimination of harmful behavior signaling derision and hatred. RAs must fully understand their role as leaders in inclusion: they need to be prepared to listen with respect and to mediate conflicts.

In place of the confusing multiplicity of reporting structures that currently exist, we suggest ways of revamping procedures so that students are not discouraged from speaking with advisors and administrators about prejudicial treatment. Transparency and consistency in how we handle student reports of bias and exclusion are of the utmost importance if we want students to share their experiences. Our aim is for students to engage with faculty or staff who can resolve conflicts before situations rise to the level of legal violations. Antisemitism complaints deserve careful attention from deans and administrators, alongside all forms of bigotry and discrimination.

We also recommend ways to ensure that student groups contribute to the University's pluralist mission and comply with anti-discrimination law. Unfortunately, we have heard from many Jewish and Israeli students who have been excluded from student groups because of their Zionist beliefs. This is not acceptable. Student groups must be inclusive, with membership limited only for reasons connected to their mission. Student groups generally should not issue statements unrelated to their missions, so they can welcome students with diverse views and backgrounds. Groups also should have a robust consultation process before issuing statements or joining coalitions. To be clear, there should not be any limits on the free speech rights of a group's *members*. They must be free to speak about any issue as long as they are speaking *for themselves*, not for the group.

1. This report reflects the research, analysis and drafting of members of the Task Force's policy working group: Ester Fuchs (Co-Chair, SIPA and Political Science), Clémence Boulouque (Department of Religion), Jeremy A. Dauber (Department of Germanic Languages), Rebecca Kobrin (Department of History), and Deborah Valenze (Affiliate Co-Chair, Barnard College). Extensive analysis and input also was provided by the other members of the Task Force: Nicholas Lemann (Co-Chair, Journalism School), David M. Schizer (Co-Chair, Law School), Peter Coleman (Affiliate Co-Chair, Teachers College), R. Glenn Hubbard (Business School), Magda Schaler-Haynes (Mailman School of Public Health), Nir Uriel (Columbia University Irving Medical Center), Matthew C. Waxman (Law School), and Gil Zussman (Fu Foundation School of Engineering and Applied Science).

EXHIBIT 54



[Home](#) » Combating Antisemitism

Combating Antisemitism

Under Interim President Armstrong's leadership, Columbia University has undertaken a multipronged approach to combat antisemitism, through increasing clarity and education around University rules, appointing a new Rules Administrator, establishing a centralized Office of Institutional Equity to swiftly address reports of antisemitism, discrimination and harassment, strengthening the capabilities and resources of the University's Public Safety team, and acting to quickly condemn and investigate recent incidents of vandalism, antisemitic imagery, and classroom disruption.

The following is a comprehensive overview of the ongoing efforts taking place at Columbia to combat antisemitism and nurture a campus environment that is welcoming to all students and free from harassment and discrimination.

Addressing Antisemitism at Columbia University

Columbia has initiated a comprehensive strategy to address antisemitism, grounded in the belief that the University's mission depends on an environment free of harassment and discrimination. The University's efforts are guided by the recommendations of faculty, students, staff and other members of our community as well as best practices suggested by nationally recognized Jewish organizations.

Public Safety

- The University added more Public Safety officers, increasing the size of the Public Safety force by 117 full-time employees in the past sixteen months (approximately 24% larger than the Public Safety force in October 2023) and its visible presence on campus.
- Increased staffing enabled Public Safety to conduct more frequent patrols on campus including round-the-clock monitoring of the University's perimeter, critical infrastructure, and facilities.
- The University provided additional Public Safety coverage at the Kraft Center for Jewish Student Life, the International Affairs Building, and patrols on campus and in various buildings.
- To help ensure that its efforts to augment the Public Safety department have a sustained effect, the University increased its investment in recruiting, training, and workforce development for all Public Safety officers and individuals who act as delegates under the Rules of University Conduct. The trainings included a training on interacting with student populations, the enforcement of the University's Rules, and peace officer training, which covered crowd management, crisis management and negotiation, and strengthened rapid response capabilities.

- Public Safety installed upgraded cameras to existing monitoring systems to assist in the identification of those engaging in unsanctioned conduct. The University installed cameras in critical, more public areas. The school monitors cameras around-the-clock. Public Safety investigators review the camera footage to assist in the identification process for any conduct matters.
- Columbia has continued to restrict access to the Morningside campus to individuals with Columbia IDs, and it has instituted mandatory ID checks at all access points.
- The University operates a 24/7 vehicle and walking escort program.
- Public Safety created an incident management center, which has been critical in monitoring protest situations and verifying access at the gates, and Public Safety formed response teams for each shift for immediate response to disruptions or other activity.
- Public Safety reviews several social media monitoring platforms to gather information on potential demonstration activity.
 - The University partnered with law enforcement and others to monitor social media and gather intelligence on potential disruptions for increased Public Safety preparation and response times.
- The University is committed to best practices and continuous improvement of the safety culture on campus and has dedicated new resources intended to ensure that members of the Columbia community can provide feedback on potential safety issues.

Modifications to the Disciplinary Processes

Under the new leadership, the University reviewed existing University policies to identify necessary updates and implementation challenges. As a part of the reassessment, the University sought to identify key improvements in the discipline process and determine best practices and strategies to minimize response times and efficiencies. As a result of this review, this fall Columbia implemented many changes across Columbia's core disciplinary processes that enforce the University's Rules and policies for students, faculty, and staff. For example, Columbia strengthened its complaint and disciplinary processes in an effort to ensure that the processes are enforced on a timely basis, and it increased and improved the transparency and communications to the University community about those processes. Columbia's disciplinary processes function faster and better than it did before.

Office of Institutional Equity

- Columbia redesigned the University's framework, protocols, and organization for handling antidiscrimination, and harassment issues, including alleged violations of Title VI of the Civil Rights Act of 1964, which encompasses issues of antisemitism.
- Columbia's new Office of Institutional Equity serves as the central resource and department for reviewing discrimination complaints, regardless of whether the incident involves students, faculty, or staff.
- The Office of Institutional Equity seeks to ensure that reports are handled in a fair, efficient, and timely manner for all parties involved.
- To encourage reporting and streamline processes for complaint handling, Columbia simplified the online reporting process and created a new "one-click" method to file a complaint from all Columbia websites,

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including the Office of Institutional Equity's website.

- The University provided a team of fifty-seven full-time employees—including full-time professional investigators—more than double the previous staff dedicated to handling these issues.
- The increase in personnel has enabled the Office to enhance case resolution efficiency, expand training opportunities, and improve data-driven decision-making to inform policy.
- The Office of Institutional Equity also substantially revised the University's antidiscrimination and discriminatory harassment policy for students and groups, and clarified the application of the policy to scenarios that Columbia has encountered over the past two years, including that antizionism can be antisemitism.
- The Office of Institutional Equity's new website consolidates information on key changes and includes content across all disciplinary divisions in one place.

Rules of University Conduct

- The Rules of University Conduct govern conduct related to or occurring at demonstrations and protests. The University Judicial Board, which is part of the University Senate, is responsible for adjudications and sanctions for violations of the Rules. Each University Judicial Board matter is overseen by a panel of five members of the community. These panelists include faculty, students, and staff that are selected by the University Senate. Each panel is uniquely composed for an individual matter. In the event of any conflicts of interest, a panelist may be replaced with another individual selected by the Senate.
- Historically, the Rules of University Conduct process handled few cases. Recent events on campus led to a substantial increase in the number of cases, and as a result, the University supplemented resources for the Office of the Rules Administrator to enable efficient disposition of matters. This process is overseen by a new Rules Administrator, who has a team of full-time staff (with active hiring taking place for more employees) that make determinations about potential violations.
- The Rules Administrator has primary responsibility for investigating complaints, filing charges, and presenting evidence in support of charges to the Rules of University Conduct hearing panels. These bolstered resources enable the Rules Administrator to investigate and pursue potential Rules violations fully.
- The Rules process has adopted new procedures designed to ensure that documents and materials are stored on a centralized database for more efficient record-keeping and student follow-up.
- During protests, the University uses trained Delegates—members of the University community who choose to be trained for such a role—to enforce the Rules.
- In partnership with University Life, the Rules Administrator expanded the delegate pool and enhanced Delegate training to improve on-the-ground management of protest and demonstration activities and minimize disruptions.

Center for Student Success and Intervention

- Columbia has added staff members to the Center for Student Success and Intervention and that office has returned to its original purpose of assessing potential violations of academic standards or student conduct policies and imposing Dean's Discipline.
- The University appointed new leadership focused on strengthening and improving processes for investigating reports of student misconduct through the Center.

Communication on Discipline and Conduct Expectations

- The University has expanded its public affairs capabilities to respond rapidly to events and issues as they arise, quickly posting statements regarding these matters on Columbia's website and using social media and internal channels to disseminate statements widely. When prohibited conduct is occurring, the University endeavors to alert the campus community quickly and outline the specific consequences for participation.
- When the University has been made aware of antisemitic rhetoric or actions, we have promptly condemned that conduct and restated our commitment to a community free of harassment and discrimination.

Education and Community Building

- Columbia launched its Campus Climate Collaborative, which facilitates small discussions between students and their respective schools and creates opportunities for student groups to meet with President Armstrong and senior leaders. As part of the Collaborative, students and leaders discuss current opportunities and challenges and develop a set of ideas to strengthen Columbia's ability to deliver on its mission.
- The University required its community to complete training on Columbia's commitment to protecting fairness and equal opportunity for all on campus. 32,243 faculty/staff, contractors and other affiliates have completed the Title VI mandatory training. On February 13, 2025, all students were assigned a mandatory training module on the Discrimination and Discriminatory Harassment Policy and Procedures for Students and Student Groups. To date, 5,232 students have completed the mandatory training, which is due by March 24, 2025.

EXHIBIT 55



COLUMBIA UNIVERSITY

OFFICE OF PUBLIC AFFAIRS

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STATEMENT

University Statement Regarding UJB Determinations

March 13, 2025



Today, the Columbia University Judicial Board determined findings and issued sanctions to students ranging from multi-year suspensions, temporary degree revocations, and expulsions related to the occupation of Hamilton Hall last spring. With respect to other events taking place last spring, the UJB's determinations recognized previously imposed disciplinary action. The return of suspended students will be overseen by Columbia's University Life Office. Columbia is committed to enforcing the University's Rules and Policies and improving our disciplinary processes.

News

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[Our Next Steps](#)

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[Standing Together for Columbia](#)

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[Leading Through This Challenging Time](#)

EXHIBIT 56



PRESS RELEASE

Federal Task Force to Combat Antisemitism Announces Visits to 10 College Campuses that Experienced Incidents of Antisemitism

Friday, February 28, 2025

For Immediate Release

Office of Public Affairs

The Federal Task Force to Combat Anti-Semitism announced that it will be visiting 10 university campuses that have experienced antisemitic incidents since October 2023. Created pursuant to President Trump's Executive Order on Additional Measures to Combat Anti-Semitism, the Task Force set as its first priority to eradicate antisemitic harassment in schools and on college campuses.

Leading Task Force member and Senior Counsel to the Assistant Attorney General for Civil Rights Leo Terrell informed the 10 universities yesterday that the Task Force was aware of allegations that the schools may have failed to protect Jewish students and faculty members from unlawful discrimination, in potential violation of federal law. Mr. Terrell said he intends for the Task Force to meet with university leadership, impacted students and staff, local law enforcement, and community members as it gathers information about these incidents and considers whether remedial action is warranted.

"The President, Attorney General Pamela Bondi, and the entire Administration are committed to ensuring that no one should feel unsafe or unwelcome on campus because of their religion," said Mr. Terrell. "The Task Force's mandate is to bring the full force of the federal government to bear in our effort to eradicate Anti-Semitism, particularly in schools. These visits are just one of many steps this Administration is taking to deliver on that commitment."

JA629

The 10 universities identified by the Task Force are: Columbia University; George Washington University; Harvard University; Johns Hopkins University; New York University; Northwestern University; the University of California, Los Angeles; the University of California, Berkeley; the University of Minnesota; and the University of Southern California.

If you have been discriminated against, you can file a complaint with the Civil Rights Division at civilrights.justice.gov. President Trump's Executive Order can be found at www.whitehouse.gov/presidential-actions/2025/01/additional-measures-to-combat-anti-semitism/.

Updated February 28, 2025

Topic

CIVIL RIGHTS

Component

[Civil Rights Division](#)

Press Release Number: 25-202

Related Content

PRESS RELEASE

U.S. Department of Justice Announces Second Amendment Pattern-or-Practice Investigation into California's Los Angeles County

Protecting the Second Amendment rights of ordinary, law-abiding Americans is a high priority for this Administration.

March 27, 2025

PRESS RELEASE

Mississippi Man Indicted for Federal Civil Rights and Arson Charges for Setting Fire to Mormon Church

A federal grand jury in Gulfport, Mississippi, returned a six-count superseding indictment today charging Stefan Day, also known as Stefan Pete Day Rowold, with federal civil rights and arson violations...

March 19, 2025

PRESS RELEASE

Justice Department Files Statement of Interest Supporting Equal Access to Educational Opportunities and Facilities for Jewish UCLA Students

The Federal Task Force to Combat Antisemitism announced that the Justice Department filed a [statement of interest](#) in the Central District of California to advance the appropriate interpretation of federal...

March 18, 2025



Office of Public Affairs

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950 Pennsylvania Avenue, NW
Washington DC 20530



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EXHIBIT 57



U.S. Department of Education

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PRESS RELEASE

U.S. Department of Education's Office for Civil Rights Sends Letters to 60 Universities Under Investigation for Antisemitic Discrimination and Harassment

Letters warn of potential enforcement actions if institutions do not fulfill their obligations under Title VI of the Civil Rights Act to protect Jewish students on campus.

MARCH 10, 2025

WASHINGTON – Today, the U.S. Department of Education's Office for Civil Rights (OCR) sent letters to 60 institutions of higher education warning them of potential enforcement actions if they do not fulfill their obligations under Title VI of the Civil Rights Act to protect Jewish students on campus, including uninterrupted access to campus facilities and educational opportunities. The letters are addressed to all U.S. universities that are presently under investigation for Title VI violations relating to antisemitic harassment and discrimination.

"The Department is deeply disappointed that Jewish students studying on elite U.S. campuses continue to fear for their safety amid the relentless antisemitic eruptions that have severely disrupted campus life for more than a year. University leaders must do better," said **Secretary of Education Linda McMahon**. "U.S. colleges and universities benefit from enormous public investments funded by U.S. taxpayers. That support is a privilege and it is contingent on scrupulous adherence to federal antidiscrimination laws."

The schools that received letters from the Office for Civil Rights include:

JA633

1. American University
2. Arizona State University
3. Boston University
4. Brown University
5. California State University, Sacramento
6. Chapman University
7. Columbia University
8. Cornell University
9. Drexel University
10. Eastern Washington University
11. Emerson College
12. George Mason University
13. Harvard University
14. Illinois Wesleyan University
15. Indiana University, Bloomington
16. Johns Hopkins University
17. Lafayette College
18. Lehigh University
19. Middlebury College
20. Muhlenberg College
21. Northwestern University
22. Ohio State University
23. Pacific Lutheran University
24. Pomona College
25. Portland State University
26. Princeton University
27. Rutgers University
28. Rutgers University-Newark
29. Santa Monica College
30. Sarah Lawrence College
31. Stanford University
32. State University of New York Binghamton
33. State University of New York Rockland
34. State University of New York, Purchase
35. Swarthmore College
36. Temple University
37. The New School
38. Tufts University
39. Tulane University
40. Union College

41. University of California Davis
42. University of California San Diego
43. University of California Santa Barbara
44. University of California, Berkeley
45. University of Cincinnati
46. University of Hawaii at Manoa
47. University of Massachusetts Amherst
48. University of Michigan
49. University of Minnesota, Twin Cities
50. University of North Carolina
51. University of South Florida
52. University of Southern California
53. University of Tampa
54. University of Tennessee
55. University of Virginia
56. University of Washington-Seattle
57. University of Wisconsin, Madison
58. Wellesley College
59. Whitman College
60. Yale University

Background:

The Department's OCR sent these letters under its authority to enforce Title VI of the Civil Rights Act (1964), which prohibits any institution that receives federal funds from discriminating on the basis of race, color, and national origin. National origin includes shared (Jewish) ancestry.

Pursuant to Title VI and in furtherance of President Trump's [Executive Order](#) "Additional Measures to Combat Antisemitism," the Department [launched directed investigations](#) into five universities where widespread antisemitic harassment has been reported. The 55 additional universities are under investigation or monitoring in response to complaints filed with OCR. Last week, the Department, alongside fellow members of the Joint Task Force to Combat Antisemitism including the Department of Justice, the Department of Health and Human Services, and the U.S. General Services Administration, [announced the immediate cancelation](#) of \$400 million in federal grants and contracts to Columbia University due to the school's continued inaction to protect Jewish students from discrimination. Last Friday, OCR [directed its](#)

[enforcement staff](#) to make resolving the backlog of complaints alleging antisemitic violence and harassment, many which were allowed to languish unresolved under the previous administration, an immediate priority.

CONTACT

Press Office | press@ed.gov | (202) 401-1576 |
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Page Last Reviewed: March 10, 2025

Pay for College

Fill out the FAFSA

529 Plans

Loan Forgiveness

1098 Tax Forms

Educational Resources

504 Plans

FERPA

IEPs (Individualized Education Program)

Teaching Resources

Become a Teacher

Professional Resources

School Safety and Security

EXHIBIT 58

Columbia President Says One Thing to Trump Admin—and Another in Private



(PHOTO BY SPENCER PLATT/GETTY IMAGES)

In a call with faculty, Katrina Armstrong says the school plans not to stick to some of its agreements with the Trump administration.

By Maya Sulkin

03.25.25 — Education

416 221



UPGRADE TO LISTEN

5 MINS

In a private Zoom call over the weekend, interim Columbia president Katrina Armstrong told approximately 75 faculty members that, contrary to her public statements, the school has no plans to meet some key demands made by the Trump administration for Columbia to win back \$400 million worth of federal funding.

According to a transcript of the call obtained by *The Free Press*, Armstrong promised that there would be “no change to masking,” and “no change to our admissions procedures,” both of which the administration has demanded. What’s more, she said the school would not put its [Middle Eastern, South Asian, and African Studies](#) (MESAAS) department under “academic receivership” for a minimum of five years—another Trump demand. She also told faculty members that “discipline remains independent” and “has not been moved to my office,” as the Trump administration’s antisemitism task force had insisted.

This is in direct contradiction to Columbia’s public promises to the White House.

After the school was [stripped of \\$400 million worth of federal funding](#) earlier this month for having “failed to protect American students and faculty from antisemitic violence and harassment,” the task force sent a letter to the university [detailing how it could earn back](#) the federal money. Last week, in a memo to the Trump administration, Columbia agreed to the task force’s demands—which also included the adoption of the International Holocaust Remembrance Alliance’s [definition of antisemitism](#).

A source close to the antisemitism task force told *The Free Press* that the revelations from Armstrong’s call could blow up its deal with the administration. “Columbia should not test the administration’s resolve in

holding them to every action they've agreed to take to protect their students and faculty," the source said. "We expect full compliance and good faith negotiations if Columbia wants to have a productive relationship with the federal government."

For now, however, Secretary of Education Linda McMahon says that she believes Armstrong will keep her word. Asked about the possibility that Columbia might ignore the terms of the deal it just agreed to, McMahon told *The Free Press* she "believed [Armstrong] is absolutely dedicated and committed to making sure that students on her campus are safe and that civil rights are not in any way being impacted."



KATRINA ARMSTRONG VIA COLUMBIA.EDU

She added: "They have to abide and comply with the terms that we have sat down and talked with them [about] and that they've agreed to."

A Columbia spokesperson told *The Free Press* that Armstrong "has been clear that she wants to constructively engage with our regulators" and "is fully committed to the actions announced on Friday to combat antisemitism and all forms of discrimination which have no place in our community."

The spokesperson also told *The Free Press* that "individuals participating in demonstrations, including those who wear face masks or face coverings, must present their University ID when asked by a University official. Face coverings used to conceal one's identity while violating university rules, policies, or the law are not allowed on campus."

In a statement [published Tuesday](#), Armstrong said, "I regret any confusion and inconsistent statements and want to make sure our position is clear as we go forward." Armstrong restated the action the school claims to be taking to combat antisemitism and added: "Let there be no confusion: I commit to seeing these changes implemented, with the full support of Columbia's senior leadership team and the Board of Trustees."

The transcript reveals the depth of the faculty's frustration with Armstrong's effort to get Columbia's funding restored. Many on the call argued that she should not have made any concessions to the administration, with some faculty members saying they were "appalled" and "profoundly disappointed" with Armstrong, and wondered why the school capitulated to "an authoritarian government." Some questioned why the university hadn't sued the administration to restore its funding.

"This is a crisis not just for Columbia, its biggest crisis since the founding of the republic, but for all universities in this great country," said one faculty member during the call.

Armstrong warned colleagues of the possibility of further funding cuts. “The ability of the federal administration to leverage other forms of federal funding about us in an immediate fashion is really potentially devastating to our students in particular,” she said. “I think [this] is a really critical risk for us to understand.”

At multiple points during the call, Armstrong reiterated her position that the school would not enact the reforms it has committed to publicly.

Later on in the meeting, when describing a new hire to help with the MESAAS department, Columbia provost Angela Olinto clarified that “this is not a receivership. . . . The provost will not be writing or controlling anything. It’s the faculty. Our goal is to just coordinate.” After some pushback, Armstrong doubled down: “There’s no receivership, no intent for receivership.”

Armstrong and Olinto said they would refuse to accept five of the [nine demands](#) made by the administration’s antisemitism task force, according to the transcript. The demands they said they would adhere to related to discipline enforcement; so-called “time, place, and manner rules,” which would restrict protests on campus; internal law enforcement; and a plan to hold student groups accountable.

The conditions for Columbia to win back its funding, which were laid out in a letter earlier this month, were the “bare minimum” the government was insisting upon, one person familiar with the matter [told The Free Press at the time](#). “This is what’s required for Columbia to even be invited to a negotiating table.”

Columbia is one of 60 colleges and universities [under investigation](#) by the administration for failing to control antisemitism on its campus. It is the first institution to have its funding cut. In the 18 months since October 7, 2023, protesters at Columbia have [taken over](#) buildings, set up [encampments](#), interrupted classes, and assaulted janitors. Jewish students at the school say they have been subjected to antisemitic violence and harassment.

When one faculty member pointed out the difference between Armstrong’s public statements and what she was telling them in private, the transcript shows no recorded response from Armstrong. Later on in the meeting, Armstrong said that she just wants “everybody to understand the process gets subverted by things that happen sometimes outside the institutional voice.”

Lawyers from the Department of Health and Human Services Office of Civil Rights are due to visit Columbia’s campus this week to investigate potential violations of federal civil rights law, *The Wall Street Journal* [reported](#) Monday.

Also on Monday, a letter [was released](#) signed by over 600 Jewish faculty members, scholars, and students across various U.S. universities outlining their strong opposition to the funding cuts. “Harming U.S. Universities does not protect Jewish people,” the letter reads. “Cutting funding for research does not protect Jewish people. Punishing researchers and scholars does not protect Jewish people. These actions do, however, limit opportunities for students and scholars—within the Jewish community and beyond—to receive training, conduct research, and engage in free expression.”

At the end of the meeting, Armstrong said to her colleagues: “I think us all kind of taking a moment to walk in each other’s shoes is really what makes me proudest of this university and it’s just been an extraordinary experience to watch people be able to do that and commit to doing that.”



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Maya Sulkin

Maya Sulkin is a reporter and assistant editor. Before that, Maya was chief of staff at *The Free Press*. She started as an intern in 2021 while a student at Columbia University.

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More in Columbia

EXHIBIT 59



[Home](#) » [University Statements and Announcements](#) » A Message from Dr. Katrina A. Armstrong

STATEMENT

A Message from Dr. Katrina A. Armstrong

March 28, 2025



Dear Colleagues,

As I planned when I took on this interim position, and with the support of the Board of Trustees, I am returning to my role as Chief Executive Officer of Columbia University's Irving Medical Center, Executive Vice President for Health and Biomedical Sciences, and Dean of the Faculties of Health Sciences and Medicine and the Vagelos College of Physicians and Surgeons. The Board has now appointed Co-Chair Claire Shipman as the Acting President, effective immediately.

It has been a singular honor to lead Columbia University in this important and challenging time. This is one of the world's great universities, in its most vital city, and I am proud to have worked with extraordinary faculty, students, and alumni. But my heart is with science, and my passion is with healing. That is where I can best serve this University and our community moving forward.

JA643

Columbia University is a special place. What we do on our campuses every day changes lives around the world. Our students are transformed by their experiences here, our faculty represent the best of teaching and scholarship, our dedicated staff bring the university to life in so many ways, and we get to serve New York, in all its messy glory.

Over the last few months, I appreciate having had the opportunity to play a small part in navigating this vast enterprise through some of the most difficult moments in its history. The world needs Columbia University, and you can be assured that I will do everything I can to tell that story.

Standing together for Columbia,
Dr. Katrina A. Armstrong

News

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[A Message from Dr. Katrina A. Armstrong](#)

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[Shipman Named Acting President](#)

March 25, 2025

[Statement Regarding Columbia's Commitments](#)

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[A Message from the Board of Trustees](#)

March 21, 2025

[Sharing Progress on Our Priorities](#)

EXHIBIT 60



An official website of the United States government



U.S. General Services Administration

Joint Task Force statement regarding Columbia University's steps to advance negotiations

March 28, 2025





Today, the Task Force to Combat Anti-Semitism released the following statement:

The action taken by Columbia's trustees today, especially in light of this week's concerning revelation, is an important step toward advancing negotiations as set forth in the pre-conditional understanding reached last Friday between the University and the Task Force to Combat Anti-Semitism.

Contact

press@gsa.gov

Last updated: Mar 28, 2025

EXHIBIT 61

A Statement from Constitutional Law Scholars on Columbia

Eugene Volokh, Michael C. Dorf, David Cole, and 15 other scholars

The government may not threaten funding cuts as a tool to pressure recipients into suppressing First Amendment–protected speech.

March 20, 2025



Geo. P. Hall & Son/The New York Historical Society/Getty Images

A lecture hall at Columbia University photographed by the commercial studio George P. Hall & Son, New York City, 1895

We write as constitutional scholars—some liberal and some conservative—who seek to defend academic freedom and the First Amendment in the wake of the federal government’s recent treatment of Columbia University.

The First Amendment protects speech many of us find wrongheaded or deeply offensive, including anti-Israel advocacy and even antisemitic advocacy. The government may not threaten funding cuts

as a tool to pressure recipients into suppressing such viewpoints. This is especially so for universities, which should be committed to respecting free speech.

At the same time, the First Amendment of course doesn't protect antisemitic violence, true threats of violence, or certain kinds of speech that may properly be labeled "harassment." Title VI rightly requires universities to protect their students and other community members from such behavior. But the lines between legally unprotected harassment on the one hand and protected speech on the other are notoriously difficult to draw and are often fact-specific. In part because of that, any sanctions imposed on universities for Title VI violations must follow that statute's well-established procedural rules, which help make clear what speech is sanctionable and what speech is constitutionally protected.

Yet the administration's March 7 cancellation of \$400 million in federal funding to Columbia University did not adhere to such procedural safeguards. Neither did its March 13 ultimatum stipulating that Columbia make numerous changes to its academic policies—including the demand that, within one week, it "provide a full plan" to place an entire "department under academic receivership for a minimum of five years"—as "a precondition for formal negotiations regarding Columbia University's continued financial relationship with the United States government."

Under Title VI, the government may not cut off funds until it has

- conducted a program-by-program evaluation of the alleged violations;
- provided recipients with notice and "an opportunity for hearing";
- limited any funding cutoff "to the particular program, or part thereof, in which...noncompliance has been...found"; and
- submitted a report explaining its actions to the relevant committees in Congress at least thirty days before any funds can be stopped.

These requirements aim to ensure that any withdrawal of funds is based on genuine misbehavior on the university's part—on illegal toleration of discriminatory conduct, not just on allowance of First Amendment-protected expression. The requirements aim to make clear to recipients of federal funds just what behavior can form the basis for sanctions. And each of the requirements aims to make sure that the sanction fits the offense.

Yet here the sanction was imposed without any agency or court finding that Columbia violated Title VI in its response to antisemitic harassment or discrimination. Even to the extent that some protesters' behavior amounted to illegal harassment of Jewish students, no

Case 1:25-cv-02429-MKV Document 52-11 Filed 04/04/25 Page 4 of 5

agency and no court has concluded that Columbia illegally failed to reasonably respond to such discriminatory behavior—much less failed to act at a level justifying withdrawal of nearly half a billion dollars in funds. The government’s action therefore risks deterring and suppressing constitutionally protected speech—not just illegal discriminatory conduct.

And this danger extends beyond universities. The safeguards and limits that the administration has ignored are designed to protect all recipients of federal funding from unwarranted or excessive sanctions. They protect recipients of federal funding across the ideological spectrum, including K-12 schools, hospitals, nursing homes, and business and agricultural initiatives. The administration’s failure to honor the Title VI safeguards creates a dangerous precedent for every recipient of federal financial assistance.

Steven G. Calabresi
Clayton J. and Henry R. Barber Professor of Law, Northwestern Law School

Erwin Chemerinsky
Dean and Jesse H. Choper Distinguished Professor of Law, Berkeley Law School

David Cole
Hon. George J. Mitchell Professor in Law and Public Policy,
Georgetown University Law Center

Michael C. Dorf
Robert S. Stevens Professor of Law, Cornell Law School

Richard Epstein
Laurence A. Tisch Professor of Law, NYU School of Law

Owen Fiss
Sterling Professor Emeritus of Law, Yale Law School

Aziz Huq
Frank and Bernice J. Greenberg Professor of Law, University of Chicago Law School

Pamela Karlan
Kenneth and Harle Montgomery Professor of Public Interest Law,
Stanford Law School

Randall Kennedy
Michael R. Klein Professor of Law, Harvard Law School

Genevieve Lakier
Professor of Law, Herbert and Marjorie Fried Teaching Scholar,
University of Chicago Law School

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE, *et*
al.,

Defendants.

No. 25 Civ. 2429 (MKV)

**DECLARATION OF JOSH GRUENBAUM IN OPPOSITION TO PLAINTIFFS’
MOTION FOR A PRELIMINARY INJUNCTION**

I, Josh Gruenbaum, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am the Commissioner of the Federal Acquisition Service (“FAS”) at the General Services Administration (“GSA”) headquartered in Washington, D.C. I make this declaration based on my own personal knowledge, information contained in the records of GSA, and information provided to me by GSA employees or other federal government employees. I have served in my current position since January 2025.

2. GSA serves as the acquisition and procurement arm of the federal government, offering equipment, supplies, telecommunications, and integrated information technology solutions to federal agencies. GSA maintains information regarding federal government contracting actions in multiple databases, including the Federal Procurement Data System (“FPDS”), which feeds into a database available at USASpending.gov.

3. In my role at GSA, I am responsible for overseeing FAS programs to assist other federal agencies in acquiring goods and services in areas such as technology, travel, and motor

vehicle management. I assist in ensuring that these procurement actions comply with federal law and provide the best value for the government and the American people

4. On January 29, 2025, President Trump issued Executive Order 14188, “Additional Measures to Combat Anti-Semitism,” instructing federal government agencies to combat anti-Semitism vigorously, using all available appropriate legal tools, particularly with regard to harassment at schools and on university and college campuses.

5. On or about February 3, 2025, I was named as a member of a Federal Task Force to Combat Anti-Semitism (the “Task Force”), coordinated through the Department of Justice’s (“DOJ”) Civil Rights Division, and including members of other Federal agencies such as the U.S. Department of Education (“ED”) and the U.S. Department of Health and Human Services (“HHS”).

6. On March 3, 2025, I issued a Memorandum to Columbia’s then Interim President, Dr. Katrina Armstrong, and the Co-Chairs of Columbia’s Board of Trustees, David Greenwald and Claire Shipman. A true and correct copy of that Memorandum is attached as Exhibit A.

7. This Memorandum included a list of 27 contracts between the federal government and Columbia, totaling \$51.4 million of contract ceiling value, for which “the Federal Government [was] ready to work with each appropriate contracting agency on the potential issuance of Stop Work Orders.” This list was compiled based on information found on USASpending.gov. The contract ceiling value is the full amount of potential payment to the contractor, if services rendered under the contract require such payment. The Memorandum asserted the Federal Government’s right to terminate for convenience any of these contracts at any time during the period of performance.

8. As an expert in facilitating Federal procurements, GSA, on behalf of the Task Force, identified these contracts between the Federal Government and Columbia as potentially suitable for termination. None of the contracts listed in the March 3, 2025, Memorandum to Columbia were between GSA and Columbia.

9. On March 7, 2025, DOJ, HHS, ED, and GSA issued a press release announcing the immediate cancellation of approximately \$400 million in federal grants and contracts to Columbia. The press release stated that GSA would assist other agencies, including HHS and ED, in issuing stop work orders and terminations for contracts held by Columbia.

10. Since March 3, 2025, my understanding is that at least 19 Government contracts with Columbia, with a contract ceiling value of approximately \$48 million, have been closed or terminated by federal agencies. None of the contracts were GSA contracts. Each contracting Federal agency made its own determination as to whether to cancel funding for each contract based on agency priorities. For the contracts that were terminated, my understanding is that these contracts were terminated for convenience in light of Columbia University's insufficient response to antisemitism at the University, and they were not terminated pursuant to Title VI of the Civil Rights Act.

11. Per Section 49.101 of the FAR, Federal agency contracting officers have authority to terminate contracts for convenience when it is in the Government's interest. Under the so-called "Christian Doctrine," *G.L. Christian & Associates v. United States*, 312 F.2d 418 (Ct. Cl. 1963), certain mandatory contract clauses, including the termination for convenience clause, are incorporated by law into government contracts, even if not explicitly included in the contract itself. Where a contract is terminated for convenience, the contractor may nevertheless be entitled to

some amount of costs. The Court of Federal Claims is responsible for adjudicating disputes over allowable costs.

12. The Task Force's negotiations with Columbia regarding Federal funding are ongoing and could potentially result in restoration of at least some of the terminated funding.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Washington, DC
May 1, 2025

Signed by:

gruenbaum, josh
2E0F9ABC0FC249F...

JOSH GRUENBAUM

EXHIBIT A



U.S. General Services Administration

3/3/2025

MEMORANDUM FOR: DR. KATRINA ARMSTRONG
INTERIM PRESIDENT
COLUMBIA UNIVERSITY
OFFICE OF THE PRESIDENT
202 LOW LIBRARY
535 W. 116 ST, MC 4309
NEW YORK, NY 10027

DAVID GREENWALD
CLAIRE SHIPMAN
CO-CHAIRS
COLUMBIA BOARD OF TRUSTEES
202 LOW LIBRARY
535 W. 116 ST, MC 4309
NEW YORK, NY 10027

FROM: JOSH GRUENBAUM
COMMISSIONER, FEDERAL ACQUISITION SERVICE
U.S. GENERAL SERVICES ADMINISTRATION (GSA)

Signed by:

A handwritten signature in black ink that reads "Josh Gruenbaum".

2E0F9ABC0FC249F...

SUBJECT: Review of Federal Government Contracts

According to the [U.S. House of Representatives Staff Report on Antisemitism](#), "Columbia University explicitly acknowledged that its campus became a hostile environment in violation of Title VI [of the Civil Rights Act of 1964]" following the Hamas terrorist attacks on Israel on October 7, 2023.¹ Pursuant to President Trump's [Executive Order, "Additional Measures to Combat Anti-Semitism"](#), on February 3, 2025, a multi-agency Task Force to Combat Anti-Semitism was created. On that same date, based on continuing anti-Semitic harassment at Columbia University and other educational institutions, the Departments of Education and Health and Human Services initiated civil rights investigations, which included investigations into anti-Semitic harassment at Columbia University. Notwithstanding the pendency of these investigations, on February 26, 2025, anti-Semitic protesters once again took over a Columbia building and engaged in conduct that appears to violate Title VI.²

In response, and in coordination with other Federal agencies, the GSA is leading a Task Force comprehensive review of its Federal contracts with certain institutions of higher education that are being investigated for potential infractions and dereliction of duties to curb or combat anti-Semitic harassment, including Columbia University.

JA658

In light of this review, the Federal Government is ready to work with each appropriate contracting agency on the potential issuance of Stop Work Orders for all contracts identified in the attached schedule, which total \$51.4 million of contract ceiling value. In addition, we are requiring you to send a list of all other contracts between the Federal Government and Columbia University or its affiliates which are not listed on the schedule to GSA's Federal Acquisition Service Commissioner and Task Force member, Josh Gruenbaum. Commissioner Gruenbaum will lead GSA's review. All materials should be sent to: universitycontracts@gsa.gov. Please be advised that alongside our fellow agencies, we will also be reviewing the greater than \$5 billion of active grants between Columbia University, its affiliates and the Federal Government for potential compliance concerns, false claims or other infractions.

The Federal Government reserves the right to terminate for convenience any contracts it has with your institution at any time during the period of performance. Additionally, the Federal Government reserves the right to take any relevant administrative action it deems necessary in response to any wrongdoing identified during the pendency of the investigations.

¹The Report states that: "Columbia stands out for its egregious failure to combat antisemitism on its campus, despite its president acknowledging that the University was in violation of its Title VI obligations. On April 29, 2024, Columbia's then-President Minouche Shafik publicly stated that an encampment established on April 17, and related incidents 'create[d] a hostile environment in violation of Title VI, especially around our gates, that is unsafe for everyone.' This statement came after an April 21, Committee letter to the University documenting numerous disturbing incidents at and around the encampment, and warning that Columbia was in 'major breach' of its Title VI obligations. Yet, Columbia's leadership failed to restore order to the campus until May 1, after a group of students and others criminally took over a campus building, Hamilton Hall. These were not isolated incidents. Rather, they were part of an extensive pattern of Columbia's failures to enforce University rules to address antisemitic conduct. In a disturbing August 2024 report, Columbia's presidentially appointed Task Force on Antisemitism detailed an atmosphere of pervasive civil rights violations at the University. The Task Force wrote, '[Jewish students] consider the University bound by duty and by law to ensure students are able to learn and live in a neutral environment in which discrimination is not tolerated, without fear for their safety' but '[w]hat we heard makes clear that hundreds of Jewish and Israeli students did not have this experience at Columbia University in the academic year 2023-2024.' The Task Force found Israeli students were frequently targeted on the basis of their national origin in violation of federal antidiscrimination law, explaining that 'hatred toward Israelis has reached alarming levels on campus and that 'Israeli students found the pervasive hostility made it difficult to access necessary services, such as healthcare.' The Task Force also found '[v]isibly observant [Jewish] students, like ones who wear traditional head coverings, have been frequently met with extreme hostility.'"

²"Dozens of keffiyeh-clad anti-Israel protesters took over a building at Barnard College for several hours Wednesday evening, assaulting a school employee while protesting the expulsions of two students who stormed a Columbia University class in January and threw around flyers loaded with hateful rhetoric. Videos circulating online, posted by Columbia Students for Justice in Palestine on X, show the masked students lining a hallway in Milbank Hall, the oldest building on campus, beating drums and loudly chanting through megaphones." [Pro-Hamas protesters seize control of historic Barnard academic building and assault college employee.](#)

Columbia University Contracts

PIID	Total
75N93023C00041	\$2,501,040.00
75F40124C00081	\$1,050,310.00
75D30124F00002	\$774,425.00
80ARC023CA004	\$2,000,000.00
75F40124C00087	\$243,473.00
75N92024F00001	\$1,656,603.00
W913E524C0028	\$598,834.00
75D30122F00007	\$730,877.00
33317425P00517034	\$38,000.00
75F40124F19003	\$1,974,744.12
75F40123C00211	\$1,721,851.00
75D30123F00001	\$300,905.00
H9224024F0437	\$30,472.50
75N93024P01130	\$41,250.00
W912HZ24C0052	\$251,487.00
HR001123C0132	\$883,979.00
80GSFC23CA001	\$29,953,052.00
75N94020F00001	\$97,659.00
75N94018F00005	\$512,070.00
N0622A25F0032	\$562,660.00
75D30124P18698	\$249,000.00
1305M322PNRMJ0338	\$199,160.00
75F40121F19002	\$3,567,988.74
36C24E24N0122	\$799,000.00
75N92025F00001	\$247,574.00
75N94023F00001	\$87,270.00
693JJ323P000053	\$205,311.00

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE, *et al.*,

Defendants.

No. 25 Civ. 2429 (MKV)

DECLARATION OF ALLISON M. ROVNER

I, ALLISON M. ROVNER, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury, as follows:

1. I am an Assistant United States Attorney in the Southern District of New York representing the Defendants in the above-captioned case.

2. Attached to this declaration as Exhibit A is a true and correct copy of a March 7, 2025 letter from the United States Department of Education (“ED”) Office of Secondary and Elementary Education’s Office of Administration to the Trustees of Columbia University in the City of New York regarding federal award P015A220111.

3. Attached to this declaration as Exhibit B is a true and correct copy of a March 7, 2025 letter from the United States Department of Education (“ED”) Office of Secondary and Elementary Education’s Office of Administration to the Teacher’s College of Columbia University regarding federal award R305X220022.

4. Attached to this declaration as Exhibit C is a true and correct copy of excerpts from the transcript of the March 25, 2025 proceeding before Judge Subramanian in *Khalil v. Trustees of Columbia University*, 25 Civ. 2079.

Dated: May 1, 2025
New York, New York

/s/ Allison M. Rovner
ALLISON M. ROVNER
Assistant United States Attorney

EXHIBIT A



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SECONDARY AND ELEMENTARY EDUCATION
OFFICE OF ADMINISTRATION

3/7/2025

[REDACTED]
Project Director

THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK
606 W. 122nd Street

[REDACTED]
NYC, NY 10027

RE: Grant Award Termination

Dear [REDACTED]:

This letter provides notice that the United States Department of Education is terminating your federal award, P015A220111. See 2 C.F.R. § 200.340-43; see also 34 C.F.R. § 75.253.

It is a priority of the Department of Education to eliminate discrimination in all forms of education throughout the United States. The Acting Secretary of Education has determined that, per the Department's obligations to the constitutional and statutory law of the United States, this priority includes ensuring that the Department's grants do not support programs or organizations that promote or take part in initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic. Illegal policies and practices can violate both the letter and purpose of Federal civil rights law and conflict with the Department's policy of prioritizing merit, fairness, and excellence in education. In addition to complying with the civil rights laws, it is vital that the Department assess whether all grant payments are free from fraud, abuse, and duplication, as well as to assess whether current grants are in the best interests of the United States.

The grant specified above provides funding for programs that promote or take part in initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic; that violate either the letter or purpose of Federal civil rights law; that conflict with the Department's policy of prioritizing merit, fairness, and excellence in education; that are not free from fraud, abuse, or duplication; or that otherwise fail to serve the best interests of the United States. The grant is therefore inconsistent with, and no longer effectuates, Department priorities. See 2 C.F.R. § 200.340(a)(4); see also 34 C.F.R. § 75.253. Therefore, pursuant to, among other authorities, 2 C.F.R. § 200.339-43, 34 C.F.R. § 75.253, and the termination provisions in your grant award, the Department hereby terminates grant No. P015A220111 in its entirety effective 3/7/2025.

400 MARYLAND AVE., S.W., WASHINGTON, DC 20202
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

JA664

If you wish to object to or challenge this termination decision, you must submit information and documentation supporting your position in writing within 30 calendar days of the date of this termination notice. Objections and challenges must be sent by email and first-class mail and addressed to the component head that oversees the grantmaking unit, which will typically be the Assistant Secretary of that unit. In this case, please address your objection or challenge to Ruth Ryder, Deputy Assistant Secretary For Policy & Programs; Office of Elementary and Secondary Education; 400 Maryland Ave., SW; Washington, D.C. 20202; ruth.ryder@ed.gov.

Your appeal should contain the following:

1. a copy of the written notice of termination;
2. the date you received written notice of termination;
3. a brief statement of your argument and the disputed factual, legal, or other issues;
4. the amount of funds or costs in dispute, if any; and
5. any other relevant documents.

See id. § 200.342.

Costs incurred by you after this termination are allowable only if (a) those costs were properly incurred by you before the effective date of this termination, and not in anticipation of it; and (b) those costs would be allowable if your federal award was not suspended or expired normally at the end of the period of performance in which the termination takes effect. *See* 2 C.F.R. § 200.343. You are encouraged to carefully review and discharge your closeout responsibilities set forth in 2 C.F.R. § 200.344-45 and your award agreement. Those responsibilities include, but are not limited to, your obligation to “promptly refund any unobligated funds” that have been paid out but “are not authorized to be retained.” *See* 2 C.F.R. § 200.344(g). Failure to do so will result in the Department filing a report documenting your “material failure to comply with the terms and conditions of” this award on SAM.gov and taking any other appropriate enforcement actions. *See id.* § 200.344(i).

Finally, you are reminded of your duties under your agreement and Department of Education guidance regarding retention of grant records for at least three years.

Respectfully,



Mark Washington

Deputy Assistant Secretary for Management and Planning

cc: Ruth Ryder

400 MARYLAND AVE., S.W., WASHINGTON, DC 20202
www.ed.gov

EXHIBIT B



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SECONDARY AND ELEMENTARY EDUCATION
OFFICE OF ADMINISTRATION

3/7/2025

[REDACTED]
Project Director
TEACHERS COLLEGE COLUMBIA UNIVERSITY
525 West 120th Street
[REDACTED]
New York, NY 10027

RE: Grant Award Termination

Dear [REDACTED]:

This letter provides notice that the United States Department of Education is terminating your federal award, R305X220022. See 2 C.F.R. § 200.340-43; see also 34 C.F.R. § 75.253.

It is a priority of the Department of Education to eliminate discrimination in all forms of education throughout the United States. The Acting Secretary of Education has determined that, per the Department's obligations to the constitutional and statutory law of the United States, this priority includes ensuring that the Department's grants do not support programs or organizations that promote or take part in initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic. Illegal policies and practices can violate both the letter and purpose of Federal civil rights law and conflict with the Department's policy of prioritizing merit, fairness, and excellence in education. In addition to complying with the civil rights laws, it is vital that the Department assess whether all grant payments are free from fraud, abuse, and duplication, as well as to assess whether current grants are in the best interests of the United States.

The grant specified above provides funding for programs that promote or take part in initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic; that violate either the letter or purpose of Federal civil rights law; that conflict with the Department's policy of prioritizing merit, fairness, and excellence in education; that are not free from fraud, abuse, or duplication; or that otherwise fail to serve the best interests of the United States. The grant is therefore inconsistent with, and no longer effectuates, Department priorities. See 2 C.F.R. § 200.340(a)(4); see also 34 C.F.R. § 75.253. Therefore, pursuant to, among other authorities, 2 C.F.R. § 200.339-43, 34 C.F.R. § 75.253, and the termination provisions in your grant award, the Department hereby terminates grant No. R305X220022 in its entirety effective 3/7/2025.

400 MARYLAND AVE., S.W., WASHINGTON, DC 20202
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

JA667

If you wish to object to or challenge this termination decision, you must submit information and documentation supporting your position in writing within 30 calendar days of the date of this termination notice. Objections and challenges must be sent by email and first-class mail and addressed to the component head that oversees the grantmaking unit, which will typically be the Assistant Secretary of that unit. In this case, please address your objection or challenge to Ruth Ryder, Deputy Assistant Secretary For Policy & Programs; Office of Elementary and Secondary Education; 400 Maryland Ave., SW; Washington, D.C. 20202; ruth.ryder@ed.gov.

Your appeal should contain the following:

1. a copy of the written notice of termination;
2. the date you received written notice of termination;
3. a brief statement of your argument and the disputed factual, legal, or other issues;
4. the amount of funds or costs in dispute, if any; and
5. any other relevant documents.

See id. § 200.342.

Costs incurred by you after this termination are allowable only if (a) those costs were properly incurred by you before the effective date of this termination, and not in anticipation of it; and (b) those costs would be allowable if your federal award was not suspended or expired normally at the end of the period of performance in which the termination takes effect. *See* 2 C.F.R. § 200.343. You are encouraged to carefully review and discharge your closeout responsibilities set forth in 2 C.F.R. § 200.344-45 and your award agreement. Those responsibilities include, but are not limited to, your obligation to “promptly refund any unobligated funds” that have been paid out but “are not authorized to be retained.” *See* 2 C.F.R. § 200.344(g). Failure to do so will result in the Department filing a report documenting your “material failure to comply with the terms and conditions of” this award on SAM.gov and taking any other appropriate enforcement actions. *See id.* § 200.344(i).

Finally, you are reminded of your duties under your agreement and Department of Education guidance regarding retention of grant records for at least three years.

Respectfully,



Mark Washington

Deputy Assistant Secretary for Management and Planning

cc: Ruth Ryder

400 MARYLAND AVE., S.W., WASHINGTON, DC 20202
www.ed.gov

EXHIBIT C

P3PNKHAO

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

MAHMOUD KHALIL, *et al.*,

Plaintiffs,

v.

25 Civ. 2079 (AS)

THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW
YORK, *et al.*,

Defendants.

Oral Argument

-----x

New York, N.Y.
March 25, 2025
2:00 p.m.

Before:

HON. ARUN SUBRAMANIAN,

District Judge

APPEARANCES

DRATEL & LEWIS
Attorneys for Plaintiffs

BY: AMY E. GREER
and

CAIR LEGAL DEFENSE FUND
Attorneys for Plaintiffs

BY: GADEIR E. ABBAS

HECKER FINK LLP
Attorneys for Columbia Defendants

BY: GABRIELLE TENZER
MARSHALL L. MILLER
ZACHARY J. PIAKER
TRISHA ANDERSON

OFFICE OF GENERAL COUNSEL, U.S. HOUSE OF REPRESENTATIVES
Attorneys for House Defendants

BY: MATTHEW B. BERRY
ANDY WANG
TODD B. TATELMAN

P3PNKHAO

1 suggestions that funding would be either withdrawn or paused if
2 those measures were not taken by March 20?

3 MR. MILLER: Your Honor, many of those measures were
4 the product of months and months of work. I think it is also
5 important for the record that everyone understands that these
6 things don't match up one to one.

7 THE COURT: That's why I said it the way I did.

8 Is it the university's position that it would have
9 taken the steps outlined in the March 21 announcement whether
10 or not there had been any indication that federal funding would
11 have been withdrawn?

12 Yes or no.

13 MR. MILLER: Well, your Honor, I mean, it is a
14 hypothetical that I think I would want to make sure --

15 THE COURT: I don't think it is a hypothetical. It's
16 just asking what the university's position is on what actually
17 happened.

18 There was the March 21 announcement of those steps.

19 Would that have been done whether or not there had
20 been any indication from the Executive Branch defendants that
21 funding would be withdrawn?

22 MR. MILLER: May I have a moment, your Honor.

23 THE COURT: You may.

24 (Pause)

25 MR. MILLER: I think, your Honor, the best way to put

P3PNKHAO

1 it was that all the 18 actions that were announced on March 21
2 were actions that were under review and work and development
3 for many months.

4 I think the letter from the government essentially
5 crystallized those lines of effort and affected timing. But
6 all of those lines of effort were in play and were ongoing for
7 some significant periods of time before the March 13 letter and
8 ultimate March 21 announcement.

9 THE COURT: Right.

10 So it is at least Columbia's position here that the
11 steps outlined in the March 21 announcement would have been
12 taken regardless of any suggestion relating to funding?

13 MR. MILLER: I think it's -- I think that -- I just
14 want to be careful about the timing particularly, your Honor.

15 The university recognized that actions needed to be
16 taken. The university engaged in a significant amount of work.
17 I would be happy to -- I think it would be useful to talk about
18 the definition, for example --

19 THE COURT: I don't want to get -- I will let you
20 speak to that. Let me just make sure I understand.

21 You are saying that we were talking about a lot of
22 these things. It may be that the timing and the precise
23 substance of these things were related to the March 13 letter
24 and the suggestion about funding. That might have sped up how
25 we were doing things. It may have affected the particular

P3PNKHAO

1 inquiries that we had. But, generally speaking, the university
2 was looking into some of these issues.

3 Is that a fair characterization?

4 MR. MILLER: Yes. And looking into it with a degree
5 of urgency as well.

6 I don't want to make it seem like the university was
7 dithering. It wasn't. It was looking at them with diligence
8 and with care.

9 But in terms of the precise timing of the announcement
10 of them and the crystallization of them into these actions, I
11 do want to be, you know, clear that the March 13 letter did
12 have an impact.

13 THE COURT: All right. Okay.

14 So, Mr. Abbas, I will throw it back to you. Then we
15 will cycle around and give each -- let's try to do it five
16 minutes or so.

17 And I'll let you cover anything you need to, just so
18 we can try to wrap up by 4 p.m.

19 And I will have some next steps for everybody.

20 MR. ABBAS: Yes, your Honor.

21 Ms. Greer is going take from it here.

22 MS. GREER: I had prepared some remarks here, but I
23 won't read all of it because I think it will take us a little
24 too long.

25 But I would like to take a moment to think about the

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS,

and

AMERICAN FEDERATION OF
TEACHERS

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE, *et al.*

Defendants.

Case No.: 1:25-cv-02429-MKV

**REPLY DECLARATION OF
JONATHAN ROSENTHAL IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

I, Jonathan Rosenthal, hereby declare as follows:

1. I am an attorney at the law firm Altshuler Berzon LLP in San Francisco, CA, and am a member of the State Bar of California. I am co-counsel for Plaintiffs in this matter, and have been admitted to practice *pro hac vice* in this case. I make this statement based on personal knowledge, and if called as a witness could and would testify competently thereto.

2. This declaration is submitted in support of Plaintiffs' Reply in support of their motion for a preliminary injunction.

3. Attached hereto as **Exhibit 62** is a true and correct copy of the following article: Sara Reardon, *Exclusive: NIH freezes all research grants to Columbia University*, ScienceInsider (Apr. 9, 2025), downloaded from <https://www.science.org/content/article/nih-freezes-all-research-grants-columbia-university>.

4. Attached hereto as **Exhibit 63** is a true and correct copy of the following article: Maddie Khaw, *All of Columbia's NIH Funding Is Apparently Frozen. Here's What That Looks Like for One Researcher.*, Chronicle of Higher Education (Apr. 11, 2025), downloaded from <https://www.chronicle.com/article/all-of-columbias-nih-funding-is-apparently-frozen-heres-what-that-looks-like-for-one-researcher>.

5. Attached hereto as **Exhibit 64** is a true and correct copy of a letter from Josh Gruenbaum, Sean R. Keveney and Thomas E. Wheeler, to Alan M. Garber, President of Harvard University (Apr. 11, 2025), downloaded from <https://www.harvard.edu/research-funding/wp-content/uploads/sites/16/2025/04/Letter-Sent-to-Harvard-2025-04-11.pdf>, and available at <https://perma.cc/NH46-XV98>.

6. Attached hereto as **Exhibit 65** is a true and correct copy of the following article: Michael C. Bender, Alan Blinder, and Jonathan Swan, *Inside Trump's Pressure Campaign on*

Universities, New York Times (Apr. 14, 2025), downloaded from

<https://www.nytimes.com/2025/04/14/us/politics/trump-pressure-universities.html>.

7. Attached hereto as **Exhibit 66** is a true and correct copy of the following statement: *Sustaining Columbia's Vital Mission*, Columbia University Office of the President (Apr. 14, 2025), downloaded from <https://president.columbia.edu/news/sustaining-columbias-vital-mission>.

8. Attached hereto as **Exhibit 67** is a true and correct copy of a letter from William A. Burck and Robert K. Hur, to Josh Gruenbaum, Sean R. Keveney and Thomas E. Wheeler (Apr. 14, 2025), downloaded from <https://www.harvard.edu/research-funding/wp-content/uploads/sites/16/2025/04/Harvard-Response-2025-04-14.pdf>, and available at <https://perma.cc/TB3P-W6QE>.

9. Attached hereto as **Exhibit 68** is a true and correct copy of the following press release: *Joint Task Force to Combat Anti-Semitism Statement Regarding Harvard University*, U.S. Dep't of Education (Apr. 14, 2025), downloaded from <https://www.ed.gov/about/news/press-release/joint-task-force-combat-anti-semitism-statement-regarding-harvard-university>, and available at <https://perma.cc/A5ZW-VFYQ>.

10. Attached hereto as **Exhibit 69** is a true and correct copy of the following article: Liz Essley Whyte, Douglas Belkin, and Sara Randazzo, *The Little-Known Bureaucrats Tearing Through American Universities*, Wall Street Journal (Apr. 14, 2025), downloaded from <https://www.wsj.com/us-news/education/anti-semitism-task-force-who-247c234e>.

11. Attached hereto as **Exhibit 70** is a true and correct copy of the following article: Alan Blinder, *Trump Has Targeted These Universities. Why?*, New York Times (April 15, 2025), downloaded from <https://www.nytimes.com/article/trump-university-college.html>.

12. Attached hereto as **Exhibit 71** is a true and correct copy of the following webpage: *Miguel S. Urquiola*, Columbia University, Office of the Provost, downloaded from <https://provost.columbia.edu/people/miguel-s-urquiola>, last accessed on May 1, 2025.

13. Attached hereto as **Exhibit 72** is a true and correct copy of the following article: Meghnad Bose and Sacha Biazzo, *Inside Columbia's Betrayal of its Middle Eastern Studies Department*, *The Intercept* (Apr. 16, 2025), downloaded from <https://theintercept.com/2025/04/16/columbia-middle-eastern-studies-trump-attacks/>, and available at <https://perma.cc/6WH8-AXUY>.

14. Attached hereto as **Exhibit 73** is a true and correct copy of a social media post of President Donald Trump (@realDonaldTrump), from Truth Social, posted on Apr. 16, 2025, 7:05AM, downloaded from <https://truthsocial.com/@realDonaldTrump/posts/114347313852363347>.

15. Attached hereto as **Exhibit 74** is a true and correct copy of the following article: Anil Oza and Megan Molteni, *NIH said to have halted awarding of new grants to top universities*, *STAT News* (Apr. 18, 2025), downloaded from <https://www.statnews.com/2025/04/18/nih-halts-grants-to-universities-with-frozen-funds-harvard-columbia-northwestern-cornell/>, and available at <https://perma.cc/6A4R-S63S>.

16. Attached hereto as **Exhibit 75** is a true and correct copy of a social media post of Max Kozlov (@maxdkozlov), from X.com, posted on Apr. 18, 2025, 3:24PM, downloaded from <https://x.com/maxdkozlov/status/1913327818873700556>, and available at <https://perma.cc/H9M5-J6YA>.

17. Attached hereto as **Exhibit 76** is a true and correct copy of the following article: Nandika Chatterjee, *Trump Takes Personal Revenge on Harvard's Lawyer for Standing Up to*

Him, The Daily Beast (Apr. 24, 2025), downloaded from <https://www.thedailybeast.com/trump-takes-personal-revenge-on-harvards-lawyer-for-standing-up-to-him/>, and available at <https://perma.cc/GN5D-MKED>.

18. Attached hereto as **Exhibit 77** is a true and correct copy of a letter from Linda E. McMahon, to Alan M. Garber, President of Harvard University (May 5, 2025), downloaded from <https://x.com/EDSecMcMahon/status/1919517481313427594>, and available at <https://perma.cc/7QGC-WYE7>.

19. Attached hereto as **Exhibit 78** is a true and correct copy of the following statement: *Preserving Columbia's Critical Research Capabilities*, Columbia University Office of the President (May 6, 2025), downloaded from <https://president.columbia.edu/news/preserving-columbias-critical-research-capabilities>.

20. Attached hereto as **Exhibit 79** is a true and correct copy of the following article: DPP/DPPOS Research Group, *An open letter to the Columbia administration*, Columbia Spectator (May 4, 2025), downloaded from <https://www.columbiaspectator.com/opinion/2025/05/04/an-open-letter-to-the-columbia-administration/>.

21. Attached hereto as **Exhibit 80** is a true and correct copy of the following article: Liz Essley Whyte and Douglas Belkin, *Trump Administration Proposes Terms for Federal Oversight of Columbia University*, Wall Street Journal (May 5, 2025), downloaded from <https://www.wsj.com/us-news/education/trump-columbia-university-consent-decree-proposal-d21830f2>.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 8, 2025

Signed: /s/



Jonathan Rosenthal

Counsel for Plaintiffs

EXHIBIT 62

ADVERTISEMENT

HOME > NEWS > SCIENCEINSIDER > NIH FREEZES ALL RESEARCH GRANTS TO COLUMBIA UNIVERSITY

SCIENCEINSIDER SCIENCE AND POLICY

Exclusive: NIH freezes all research grants to Columbia University

Amid negotiations with Trump, the university could risk losing nearly \$700 million

9 APR 2025 • 2:40 PM ET • BY SARA REARDON



So far unable to satisfy the demands of President Donald Trump’s administration, Columbia University stands to lose even more of its funding from the National Institutes of Health. TAIDGH BARRON/ZUMA

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RELATED ARTICLE

After Columbia’s ‘nightmare,’ dozens more universities brace for Trump NIH cuts

BY JOCELYN KAISER • NEWS • 18 MAR 2025

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Weeks after President Donald Trump’s administration ordered the U.S. National Institutes of Health (NIH) to pull \$250 million in biomedical research grants to Columbia University, the agency is freezing all remaining grant money owed to the university until further notice, according to internal documents seen by *Science*.

Last month, White House began to pressure Columbia over its handling of anti-Israel protests and other allegations of antisemitism at the university, saying it was killing \$400 million in federal grants to the school, including the NIH money. [NIH terminated approximately 400 grants to Columbia on 12 March and ordered their researchers to stop work on them.](#)

Yesterday, NIH raised the stakes: At the behest of its parent agency, the U.S. Department of Health and Human Services (HHS), NIH will not only block new funding for the university, but also stop paying investigators working on all existing NIH projects. Although these researchers will not be ordered to stop work, they will need prior approval from NIH to draw from existing disbursements, according to an NIH source. At this time, Columbia has not received notice from NIH about additional cancellations. "The University remains in active dialogue with the Federal Government to restore its critical research funding," the school said in a statement.

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In an 8 April email seen by *Science*, NIH’s Office of Policy for Extramural Research Administration Director Michelle Bulls told grant administrators that HHS had initially ordered NIH to terminate the first “wave” of grants to Columbia and hold others while the school negotiated with the government. Now, she said, no NIH awards can be made to Columbia until the restriction is lifted. In 2024, Columbia received about \$690 million in grant funding from NIH.

It’s not yet clear whether other federal science agencies are also killing additional Columbia grants, but NIH’s latest action comes as the university has acquiesced to some administration demands while still negotiating on others. The White House also announced yesterday it was freezing \$1 billion in federal funding at Cornell University and \$750 million at Northwestern University.

The Trump administration has released [a list of 60 universities](#) it claims have not done enough to quell “antisemitic” speech amid student protests against Israel’s campaign in Gaza. The administration also accuses the universities of racism through their diversity, equity, and inclusion programs, although it has not yet brought any formal civil rights actions against the schools.

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Brown University also had its NIH grants frozen, and the agency is reviewing its funding to Harvard University as part of a broader Trump administration review of some \$9 billion in federal funding to the Massachusetts school.

Update, 10 April, 5:10 p.m.: This story has been updated with a response from Columbia.

Update, 11 April, 1:50 p.m.: This story originally said Princeton had NIH grants frozen but it’s grants from other federal agencies that were halted. Princeton says it has no knowledge of any frozen NIH grants.

doi: 10.1126/science.zvvtq5o

RELEVANT TAGS:

- SCIENCE AND POLICY
- SCIENTIFIC COMMUNITY

EXHIBIT 63

'A PERFECT STORM'

All of Columbia's NIH Funding Is Apparently Frozen. Here's What That Looks Like for One Researcher.

By [Maddie Khaw](#) April 11, 2025



M. SCOTT BRAUER FOR THE CHRONICLE

When Donna Farber saw [a Science article](#) on Wednesday reporting that Columbia University's National Institutes of Health grants had been frozen, it confirmed what she

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already knew. But Farber, a professor of microbiology and immunology at Columbia, was still shaken.

In an interview after the news broke, Farber said there was little clarity for researchers on how to move forward. She's wondering if she'll have the money to order more reagents for lab tests, to keep her grad students on payroll, and to obtain the cell-tissue samples she studies.

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According to *Science*, an NIH director sent an email to staffers last Tuesday instructing them not to award any new grants to Columbia until a restriction is lifted. Principal investigators reportedly can't draw down on existing grants, either, unless they get approval from the agency.

Farber is far from alone in facing funding woes. Many researchers nationwide have permanently lost their grants as the NIH under President Trump takes a sledgehammer to projects it deems "[no longer effectuate agency priorities](#)," such as those focused on topics like [LGBTQ+ health](#), minority populations, and Covid-19. Projects that are not political targets have also become [collateral damage](#). Many of Farber's Columbia colleagues have already lost grants for good, amid Trump's [cancellation of \\$400 million](#) in federal funding to the institution last month.

But Farber's situation illustrates a unique experience amid the broader storm: what it's like to try to keep a federally funded lab afloat when your institution has seemingly been singled out by the government as Public Enemy No. 1.

The Trump administration's mass withdrawal of funding to Columbia last month included awards from the Department of Health and Human Services, which oversees the NIH. That kicked off a campaign to enact similar freezes and reviews of funding to numerous other universities, including most of the Ivy League and Northwestern University. At nearly all of those institutions, the government has argued that punishment is warranted because campus officials haven't done enough to combat antisemitism.

[Columbia acquiesced](#) to a laundry list of demands from the administration in an attempt to win back that funding. Now apparently the university's entire NIH budget is on ice.

Columbia has still not received notice from the NIH about an across-the-board funding pause, a university spokesperson wrote in an email to *The Chronicle*: "The university remains in active dialogue with the federal government to restore its critical research funding."

When reached by *The Chronicle*, an NIH official did not confirm whether it had paused all grants. "NIH is taking action to review and, in some cases freeze or terminate, research funding that is not aligned with NIH and HHS priorities," the statement said. "We remain dedicated to restoring our agency to its tradition of upholding gold-standard, evidence-based science."

Difficult Decisions

Farber's work relies almost entirely on grants from the NIH, which pays for researchers' wages, equipment, and keeping the lights on in their labs.

Farber recently applied for a noncompetitive renewal of the largest grant she receives, which funnels \$2.3 million a year to her research on immune cells in human tissue. This would have been the ninth year in a row that Farber received this particular grant, through the National Institute of Allergy and Infectious Diseases. It funds the most expensive and essential parts of her lab's work, along with nine other investigators working on the same program in other labs.

For Farber, that money covers the salaries of some of her grad students and postdocs, as well as the costs of acquiring tissue samples and running sophisticated tests on those samples.

NIH grants are often awarded in five-year cycles, but investigators must submit progress reports to unlock funding each year. Farber submitted her report in January, as she has the past nine years. Typically, she'd hear back by February that the award was approved, then receive funding by early March.

This year, the money was more than a month late when Farber began to inquire.

Last week, Farber heard during a phone call with an "undisclosed source" that the NIH won't award grants to Columbia, she said. That broader freeze was confirmed by the *Science* article, which is how most Columbia researchers learned their grants were stalled. Columbia received about \$690 million from the NIH in 2024, according to *Science*.

"Every time you think your head is a little bit more above water, another wave comes to push you down. It's not sustainable."

Usually, Farber said, her lab obtains new tissue samples each week from organ donors. But after that phone call last week, Farber pressed pause. She will now have to make difficult decisions about how to proceed.

"It's a bit of a gamble right now," she said. Should she continue normal operations with the hope and assumption that funding will materialize eventually, or slim down on spending — thus delaying her lab's progress — for fear that the grant might never come?

"[The grant is] still on the books, but it has to be released," Farber said. "There's just many ways that I guess you don't fund something — cancel it, freeze it, never fund it. So is this just one of the different ways that they're just not going to fund things?"

This time last year, Farber had 26 people in her lab. She's now down to 15. By June, that number will be 10. She's had to terminate some employees and not renew others, and she won't be able to replace graduate students who are moving on.

Disruption and Destruction

For Farber, the trouble started in December, when the Department of Defense terminated a different, vaccine-related grant, she said. She laid off some staff, couldn't fill vacant positions, and scrambled to move funds around.

By the time the Trump administration in March announced its first wave of funding cancellations at Columbia, slashing the training grants that fund the wages of some of the students and postdocs in her lab, her funds were already spread thin. She had to scrounge up additional money from other grants to cover those workers' salaries for the remaining months in their contracts. She let some of them know those contracts would not be renewed.

The news this week of the sweeping grant pauses and the administration's [plans to try to put Columbia under federal oversight](#) was another one-two punch, Farber said. She's worried she might not be able to stretch funds for much longer. She doesn't know if she can even spend on existing grant accounts.

"You can maybe handle one disruption or another disruption," Farber said. "It's become a perfect storm. Every time you think your head is a little bit more above water, another wave comes to push you down. It's not sustainable."

Farber has applied for other NIH grants, but now, everything is uncertain, including her own salary.

"Will they even review grants from Columbia?" she said. "Even if they review them and they get a fundable score, will they fund them? How long will this last? Where are we headed? We don't know."

What Will Trump's Presidency Mean For Higher Ed?



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She could try to apply for more funding from private foundations, she said, but that wouldn't come close to matching what public grants have covered since she started running her lab in 1996. "There's no other way," she said. "Nothing is like NIH."

Farber said Columbia leadership has not communicated with research professors on what comes next.

"But the only thing is, I don't know what they want in the end, except to destroy us," she said of the federal government. "That's the problem."

We welcome your thoughts and questions about this article. Please [email the editors](#) or [submit a letter](#) for publication.

Tags

Scholarship & Research

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JA689

EXHIBIT 64



April 11, 2025

Dr. Alan M. Garber
President
Harvard University
Office of the President
Massachusetts Hall
Cambridge, MA 02138

Penny Pritzker
Lead Member, Harvard Corporation
Harvard Corporation
Massachusetts Hall
Cambridge, MA 02138

Dear Dr. Garber:

The United States has invested in Harvard University's operations because of the value to the country of scholarly discovery and academic excellence. But an investment is not an entitlement. It depends on Harvard upholding federal civil rights laws, and it only makes sense if Harvard fosters the kind of environment that produces intellectual creativity and scholarly rigor, both of which are antithetical to ideological capture.

Harvard has in recent years failed to live up to both the intellectual and civil rights conditions that justify federal investment. But we appreciate your expression of commitment to repairing those failures and welcome your collaboration in restoring the University to its promise. We therefore present the below provisions as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government.

If acceptable to Harvard, this document will constitute an agreement in principle, which the parties will work in good faith to translate into a more thorough, binding settlement agreement. As you will see, this letter incorporates and supersedes the terms of the federal government's prior letter of April 3, 2025.

- **Governance and leadership reforms.** By August 2025, Harvard must make meaningful governance reform and restructuring to make possible major change consistent with this letter, including: fostering clear lines of authority and accountability; empowering tenured professors and senior leadership, and, from among the tenured professoriate and senior leadership, exclusively those most devoted to the scholarly mission of the University and committed to the changes indicated in this letter; reducing the power held by students and untenured faculty; reducing the power held by faculty (whether tenured or untenured) and administrators more committed to activism than scholarship; and reducing forms of

governance bloat, duplication, or decentralization that interfere with the possibility of the reforms indicated in this letter.

- **Merit-Based Hiring Reform.** By August 2025, the University must adopt and implement merit-based hiring policies, and cease all preferences based on race, color, religion, sex, or national origin throughout its hiring, promotion, compensation, and related practices among faculty, staff, and leadership. Such adoption and implementation must be durable and demonstrated through structural and personnel changes. All existing and prospective faculty shall be reviewed for plagiarism and Harvard's plagiarism policy consistently enforced. All hiring and related data shall be shared with the federal government and subjected to a comprehensive audit by the federal government during the period in which reforms are being implemented, which shall be at least until the end of 2028.
- **Merit-Based Admissions Reform.** By August 2025, the University must adopt and implement merit-based admissions policies and cease all preferences based on race, color, national origin, or proxies thereof, throughout its undergraduate program, each graduate program individually, each of its professional schools, and other programs. Such adoption and implementation must be durable and demonstrated through structural and personnel changes. All admissions data shall be shared with the federal government and subjected to a comprehensive audit by the federal government—and non-individualized, statistical information regarding admissions shall be made available to the public, including information about rejected and admitted students broken down by race, color, national origin, grade point average, and performance on standardized tests—during the period in which reforms are being implemented, which shall be at least until the end of 2028. During this same period, the dean of admissions for each program or school must sign a public statement after each admissions cycle certifying that these rules have been upheld.
- **International Admissions Reform.** By August 2025, the University must reform its recruitment, screening, and admissions of international students to prevent admitting students hostile to the American values and institutions inscribed in the U.S. Constitution and Declaration of Independence, including students supportive of terrorism or anti-Semitism. Harvard will immediately report to federal authorities, including the Department of Homeland Security and State Department, any foreign student, including those on visas and with green cards, who commits a conduct violation. As above, these reforms must be durable and demonstrated through structural and personnel changes; comprehensive throughout all of Harvard's programs; and, during the reform period, shared with the federal government for audit, shared on a non-individualized basis with the public, and certified by deans of admissions.
- **Viewpoint Diversity in Admissions and Hiring.** By August 2025, the University shall commission an external party, which shall satisfy the federal government as to its competence and good faith, to audit the student body, faculty, staff, and leadership for viewpoint diversity, such that each department, field, or teaching unit must be individually viewpoint diverse. This audit shall begin no later than the summer of 2025 and shall proceed on a department-by-department, field-by-field, or teaching-unit-by-teaching-unit basis as appropriate. The report of the external party shall be submitted to University leadership and

the federal government no later than the end of 2025. Harvard must abolish all criteria, preferences, and practices, whether mandatory or optional, throughout its admissions and hiring practices, that function as ideological litmus tests. Every department or field found to lack viewpoint diversity must be reformed by hiring a critical mass of new faculty within that department or field who will provide viewpoint diversity; every teaching unit found to lack viewpoint diversity must be reformed by admitting a critical mass of students who will provide viewpoint diversity. If the review finds that the existing faculty in the relevant department or field are not capable of hiring for viewpoint diversity, or that the relevant teaching unit is not capable of admitting a critical mass of students with diverse viewpoints, hiring or admissions within that department, field, or teaching unit shall be transferred to the closest cognate department, field, or teaching unit that is capable of achieving viewpoint diversity. This audit shall be performed and the same steps taken to establish viewpoint diversity every year during the period in which reforms are being implemented, which shall be at least until the end of 2028.

- **Reforming Programs with Egregious Records of Antisemitism or Other Bias.** By August 2025, the University shall commission an external party, which shall satisfy the federal government as to its competence and good faith, to audit those programs and departments that most fuel antisemitic harassment or reflect ideological capture.
 - The programs, schools, and centers of concern include but are not limited to the Divinity School, Graduate School of Education, School of Public Health, Medical School, Religion and Public Life Program, FXB Center for Health & Human Rights, Center for Middle Eastern Studies, Carr Center for Human Rights at the Harvard Kennedy School, Department of Near Eastern Languages and Cultures, and the Harvard Law School International Human Rights Clinic.
 - The report of the external party shall include information as to individual faculty members who discriminated against Jewish or Israeli students or incited students to violate Harvard's rules following October 7, and the University and federal government will cooperate to determine appropriate sanctions for those faculty members within the bounds of academic freedom and the First Amendment.
 - The report of the external party shall be submitted to University leadership and the federal government no later than the end of 2025 and reforms undertaken to repair the problems. This audit shall be performed and the same steps taken to make repairs every year during the period in which reforms are being implemented, which shall be at least until the end of 2028.
- **Discontinuation of DEI.** The University must immediately shutter all diversity, equity, and inclusion (DEI) programs, offices, committees, positions, and initiatives, under whatever name, and stop all DEI-based policies, including DEI-based disciplinary or speech control policies, under whatever name; demonstrate that it has done so to the satisfaction of the federal government; and demonstrate to the satisfaction of the federal government that these reforms are durable and effective through structural and personnel changes. By August

2025, the University must submit to the government a report—certified for accuracy—that confirms these reforms.

- **Student Discipline Reform and Accountability.** Harvard must immediately reform its student discipline policies and procedures so as to swiftly and transparently enforce its existing disciplinary policies with consistency and impartiality, and without double standards based on identity or ideology. Where those policies are insufficient to prevent the disruption of scholarship, classroom learning and teaching, or other aspects of normal campus life, Harvard must develop and implement disciplinary policies sufficient to prevent those disruptions. This includes but is not limited to the following:
 - Discipline at Harvard must include immediate intervention and stoppage of disruptions or deplatforming, including by the Harvard police when necessary to stop a disruption or deplatforming; robust enforcement and reinstatement of existing time, place, and manner rules on campus, including ordering the Harvard police to stop incidents that violate time, place, and manner rules when necessary; a disciplinary process housed in one body that is accountable to Harvard’s president or other capstone official; and removing or reforming institutional bodies and practices that delay and obstruct enforcement, including the relevant Administrative Boards and FAS Faculty Council.
 - Harvard must adopt a new policy on student groups or clubs that forbids the recognition and funding of, or provision of accommodations to, any student group or club that endorses or promotes criminal activity, illegal violence, or illegal harassment; invites non-students onto campus who regularly violate campus rules; or acts as a front for a student club that has been banned from campus. The leaders or organizers of recognized and unrecognized student groups that violate these policies must be held accountable as a matter of student discipline and made ineligible to serve as officers in other recognized student organizations. In the future, funding decisions for student groups or clubs must be made exclusively by a body of University faculty accountable to senior University leadership. In particular, Harvard must end support and recognition of those student groups or clubs that engaged in anti-Semitic activity since October 7th, 2023, including the Harvard Palestine Solidarity Committee, Harvard Graduates Students 4 Palestine, Law Students 4 Palestine, Students for Justice in Palestine, and the National Lawyers Guild, and discipline and render ineligible the officers and active members of those student organizations.
 - Harvard must implement a comprehensive mask ban with serious and immediate penalties for violation, not less than suspension.
 - Harvard must investigate and carry out meaningful discipline for all violations that occurred during the 2023-2024 and 2024-2025 academic years, including the Harvard Business School protest of October 2023, the University Hall sit-in of November 2023, and the spring encampment of 2024. This must include permanently expelling the students involved in the October 18 assault of an Israeli

Harvard Business School student, and suspending students involved in occupying university buildings, as warranted by the facts of individual cases.

- o The Harvard president and police chief must publicly clarify that the Harvard University Police Department will enforce University rules and the law. Harvard must also commit to cooperating in good faith with law enforcement.
- **Whistleblower Reporting and Protections.** The University must immediately establish procedures by which any Harvard affiliate can report noncompliance with the reforms detailed in this letter to both university leadership and the federal government. Any such reporter shall be fully protected from any adverse actions for so reporting.
- **Transparency and Monitoring.** The University shall make organizational changes to ensure full transparency and cooperation with all federal regulators. No later than June 30, 2025, and every quarter thereafter during the period in which reforms are being implemented, which shall be at least until the end of 2028, the University shall submit to the federal government a report—certified for accuracy—that documents its progress on the implementation of the reforms detailed in this letter. The University must also, to the satisfaction of the federal government, disclose the source and purpose of all foreign funds; cooperate with the federal government in a forensic audit of foreign funding sources and uses, including how that money was used by Harvard, its agents, and, to the extent available, third parties acting on Harvard's campus; report all requested immigration and related information to the United States Department of Homeland Security; and comply with all requirements relating to the SEVIS system.

We expect your immediate cooperation in implementing these critical reforms that will enable Harvard to return to its original mission of innovative research and academic excellence.

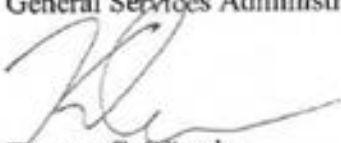
Sincerely,



Josh Gruenbaum
Comm'r of the Fed. Acquisition Serv.
General Services Administration



Sean R. Keveney
Acting General Counsel
U.S. Dep't Health & Human Servs.



Thomas E. Wheeler
Acting General Counsel
U.S. Dept. of Education

EXHIBIT 65

Inside Trump's Pressure Campaign on Universities



The opaque process, part of a strategy by conservatives to realign the liberal tilt of elite universities, has upended higher education.



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By **Michael C. Bender**, **Alan Blinder** and **Jonathan Swan**

Published April 14, 2025 Updated April 15, 2025, 8:07 a.m. ET

As he finished lunch in the private dining room outside the Oval Office on April 1, President Trump floated an astounding proposal: What if the government simply canceled every dollar of the nearly \$9 billion promised to Harvard University?

The administration’s campaign to expunge “woke” ideology from college campuses had already forced Columbia University to strike a deal. Now, the White House was eyeing the nation’s oldest and wealthiest university.

“What if we never pay them?” Mr. Trump casually asked, according to a person familiar with the conversation, who spoke on the condition of anonymity to describe the private discussion. “Wouldn’t that be cool?”

The moment underscored the aggressive, ad hoc approach continuing to shape one of the new administration’s most consequential policies.

Mr. Trump and his top aides are exerting control of huge sums of federal research money to shift the ideological tilt of the higher education system, which they see as hostile to conservatives and intent on perpetuating liberalism.

Their effort was energized by the campus protests against Israel’s response to the October 2023 terrorist attack by Hamas, demonstrations during which Jewish students were sometimes harassed. Soon after taking office, Mr. Trump formed the Task Force to Combat Antisemitism, which is scrutinizing leading universities for potential civil rights violations and serving as an entry point to pressure schools to reassess their policies.

It is backed by the influence of Stephen Miller, who is Mr. Trump's deputy chief of staff for policy and the architect of much of the president's domestic agenda.

The opaque process is upending campuses nationwide, leaving elite institutions, long accustomed to operating with relative freedom from Washington, reeling from a blunt-force political attack that is at the leading edge of a bigger cultural battle.

The task force includes about 20 administration officials, most of whom the government has not publicly identified, citing potential security risks. They meet each week inside a rotating list of federal agency headquarters in Washington to discuss reports of discrimination on college campuses, review grants to universities and write up discoveries and recommendations for Mr. Trump.

On a parallel track, a few powerful aides in the West Wing, including Mr. Miller, have separately moved to stymie funding for major institutions without formally going through the task force.

These aides have spoken privately of toppling a high-profile university to signal their seriousness, said two people familiar with the conversations. And they have already partially suspended research funding for more than twice as many schools as has the task force, according to those familiar with their work.

This account of the inner workings of the higher education pressure campaign is based on interviews with more than two dozen senior administration officials, university leaders and outside advisers for both sides. Many spoke on the condition of anonymity to discuss private conversations or because they feared retribution against their campuses.

The White House scored an early win with Columbia's capitulation last month to a list of demands that included tightening disciplinary policies and installing new oversight of the university's Middle Eastern, South Asian and African studies department.

Since then, the Trump administration expanded its focus to six more of the nation's most exclusive universities, including Harvard.

By the time Mr. Trump privately discussed stopping all payments to Harvard, the task force had opened a funding review. That led the administration to send the university a list of demands on Friday, including that it bring in an outsider “to audit those programs and departments that most fuel antisemitic harassment or reflect ideological capture.” The government also insisted that Harvard change hiring and admissions in departments that “lack viewpoint diversity” and “immediately shutter” any programs related to diversity, equity and inclusion.

Harvard said on Monday that it would not acquiesce. The university’s president, Alan M. Garber, wrote in an open letter that most of the administration’s demands “represent direct governmental regulation of the ‘intellectual conditions’ at Harvard.” The university, Dr. Garber added, “will not surrender its independence or relinquish its constitutional rights.”

In a separate letter, two outside lawyers representing Harvard told administration officials that the university “is not prepared to agree to demands that go beyond the lawful authority of this or any administration.”

Hours later, the task force announced a freeze of more than \$2.2 billion in grants and contracts for Harvard.

The scope of the administration’s campaign is now poised to widen. The Education Department has warned 60 universities that they could face repercussions from pending investigations into accusations of antisemitism.

The push comes as public confidence in higher education has plummeted in the past decade, according to a Gallup poll in July. The decline was driven mostly by concerns of colleges pushing political agendas, not teaching relevant skills, and the costs, the survey showed.

Still, university leaders have been stunned by the swift assault, with no clear sense of how the Trump administration chooses its targets, on what basis it is formulating penalties, or how to push back. Many see the effort as a widespread attack on academic freedom aimed at crushing the influence of higher education.

“I’ve never seen this degree of government intrusion, encroachment into academic decision-making — nothing like this,” said Lee C. Bollinger, who spent 21 years as Columbia’s president and more than five years leading the University of Michigan.

For their part, Trump administration officials and their allies say they are trying to hold accountable a system that each year receives about \$60 billion in federal research funds while educating about 15 million undergraduates.

“We’re not looking to just file lawsuits — we want to compel a cultural change in how Jewish Americans are treated on college campuses,” Attorney General Pam Bondi, a member of the task force, said in an interview.

But the effort has gone beyond addressing antisemitism, with schools targeted for diversity programs and supporting transgender athletes. In the view of some of Mr. Trump’s closest advisers and key donors, leftists have seized control of America’s most powerful institutions, including pillars of higher education, and wresting back power is key to the future of Western civilization.

“The universities seem all powerful and they have acted as if they were all powerful, and we’re finally revealing that we can hit that where it hurts,” Christopher F. Rufo, a conservative activist who has championed the strategy, said in an interview.

‘Vanquish the Radicals’



During a rally last May in Waukesha, Wis., President Trump asked college presidents to “vanquish the radicals and take back our campuses for all of the normal students.” Doug Mills/The New York Times

During last year’s presidential campaign, Mr. Trump looked out from his rally stages and described a nation he viewed as rife with discrimination against conservatives.

And for him, nowhere was political injustice as pervasive as on college campuses run by “Marxist maniacs and lunatics.”

Weeks after opening his third presidential bid, Mr. Trump had announced a “free speech policy initiative,” promising to strip federal research dollars and student loan support from universities involved in what he generalized as “censorship activities or election interferences.”

Six months later, he complained about “racial discrimination” in higher education, suggesting universities were increasingly hostile to white students. He vowed to open civil rights investigations into schools that promoted diversity, and he doubled down on those threats when the Supreme Court rejected affirmative action in college admissions.

At the same time, Mr. Miller, the longtime Trump adviser, was working on similar issues at America First Legal, the nonprofit he started during the Biden administration. The group has sued New York University and Northwestern University, accusing them of discriminating against white men.

Mr. Trump turned more forcefully to combating antisemitism as a political rallying cry after Oct. 7, 2023, when Hamas militants led an attack that killed more than 1,200 people in Israel in what was the deadliest day for Jews since the Holocaust. War in Gaza followed, and so did months of protests, particularly among pro-Palestinian students on college campuses. Thousands were arrested as they occupied presidents’ offices, harassed Jewish students, erected makeshift encampments and disrupted graduation ceremonies.



A protest over the war in Gaza on the campus of the University of Southern California, one of 10 universities the task force is scrutinizing. Mark Abramson for The New York Times

From the campaign trail, Mr. Trump cast the protests in personal terms, claiming that “raging lunatics” were demonstrating on campuses to distract from immigration issues central to his campaign.

“To every college president,” Mr. Trump said at a rally in Waukesha, Wis., “vanquish the radicals and take back our campuses for all of the normal students.”

The Key Players

Linda McMahon, the education secretary, has largely been the public face of the Trump administration's task force to combat antisemitism. Haiyun Jiang for The New York Times

The task force to combat antisemitism was announced on Feb. 1, with the stated goal to “eradicate antisemitic harassment in schools and on college campuses.” The exact metrics to measure that progress remain unclear.

The administration has declined to identify all members of the group, but its titular head is Leo Terrell, the senior counsel in the Justice Department's civil rights division. A fixture on social media and Fox News's “Hannity” show, Mr. Terrell is a Trump favorite.

The public face of the task force has largely been Linda McMahon, the education secretary. Other identified members include Josh Gruenbaum, a top official at the General Services Administration, and Sean Keveney, the acting general counsel at the health department.

Leo Terrell, an assistant attorney general for civil rights, is the head of the task force to combat antisemitism. Win McNamee/Getty Images

Sean Keveney, the acting general counsel at the health department, is also a member of the task force. Ross D. Franklin/Associated Press

JA705

Coordinated through the Justice Department's civil rights division, the task force also includes officials from the Equal Employment Opportunity Commission. The commission is investigating "dozens" of antisemitism complaints on college campuses that could become part of the task force's investigation, according to two task force members. The group also includes data specialists, civil rights lawyers and former academics in the government.

In February, task force members announced a special focus on 10 universities: Columbia; George Washington University; Harvard; Johns Hopkins University; N.Y.U.; Northwestern; the University of California, Berkeley; the University of California, Los Angeles; the University of Minnesota; and the University of Southern California.

The task force said it planned to visit each school and hold meetings with administrators, students, local law enforcement officials and community members.

By going after Columbia and Harvard early, the task force set the tone.

The goal, one senior administration official said, was to make examples of elite schools to intimidate other universities.

The White House also zeroed in on another five schools — Brown University, Cornell University, Northwestern, the University of Pennsylvania and Princeton University, according to people familiar with the process.

All have had millions in federal funding suspended, threatening projects, laboratories and jobs, and upending a multigenerational pact between the government and universities. Since around World War II, colleges have been at the heart of the American research system.



Katrina Armstrong stepped down as interim president of Columbia University after the school bowed to a list of demands. Erick Berlanga Vazquez/Columbia Daily Spectator

The amount of research funding that has been targeted at each university has varied widely, and there have been few indications of how officials are landing on specific dollar amounts.

One task force member said the figures were determined as part of the group's deliberations, which weighed the volume of grants and contracts promised to a school, the disparities in disciplinary policies, and the institution's willingness to adopt changes and progress toward those goals.

Ultimately, the group recommends to Mr. Trump whether the government should cut funding, as it did before canceling contracts with Columbia last month, according to people familiar with the process.

In that case, the task force notified the school on March 3 that it was reviewing grants. Four days later, on March 7, it cited Columbia's "continued failure to end the persistent harassment of Jewish students" and canceled \$400 million in contracts and grants.

Ms. McMahon delivered the news in person that day to Katrina Armstrong, who has since left her post as Columbia's interim president. Soon after, Ms. McMahon said, leaders of schools such as Harvard and Yale scheduled meetings with her.

"They wanted to make sure we knew they were reviewing their policies," Ms. McMahon said in an interview. "The presidents that I've spoken to have been very cordial, but very sincere in their effort to make sure that they were doing everything that they needed on their campus to protect students."

A Scramble to Respond

The government made no official announcement when it paused \$210 million in federal funding to Princeton. Hannah Beier for The New York Times

Some universities got wind that their institutions were under scrutiny only when stop-work orders for federally funded research trickled in. On one campus, a faculty member heard from a government program officer that a cut to research money was imminent — a warning that sent campus leaders scrambling.

J. Larry Jameson, Penn's president, said last month that the university learned "through various news outlets" that the Trump administration was suspending about \$175 million for research projects. Brown's provost sent a memo about "troubling rumors" shortly before White House officials said, with little fanfare, that the administration planned to stop \$510 million in funding.

After The Daily Caller, a conservative media outlet, reported that \$210 million in research funding to Princeton was suspended, the university's president, Christopher L. Eisgruber, wrote in a campus email that "the full rationale for this action is not yet clear." When The New York Times asked the White House for comment, a spokeswoman replied with a link to a Daily Caller reporter's social media post and only three words: "This is accurate."



J. Larry Jameson, Penn's president, said the university learned "through various news outlets" that the Trump administration was suspending about \$175 million in support to the school. Sam Deitch/BFA, via Shutterstock



Princeton's president, Christopher L. Eisgruber, told students, faculty and staff members that "the full rationale" for the suspension of \$210 million in research funding to the school had not been made clear. Christopher Goodney/Bloombreg

Some school administrators have said that murkiness has complicated considerations of court challenges.

They are left feeling in the dark, one university official said.

Mr. Eisgruber wrote in *The Atlantic* last month that the Trump administration's moves against Columbia were creating "the greatest threat to American universities since the Red Scare of the 1950s."

"There is a pattern here of intrusions in academic freedom of strong universities that should be of concern to every American," he said in an interview on "The Daily," a podcast from *The Times*.

In the scramble for self-defense, some university leaders have reached out to Jewish activists to push back on what they view as the administration's overly broad definition of antisemitism.

Other schools have focused on outreach to Mr. Trump through his allies. Harvard hired as a lobbyist Brian Ballard, a former Trump campaign finance chairman whose firm once employed Susie Wiles, Mr. Trump's chief of staff, and Ms. Bondi, the attorney general. Dartmouth installed a former chief counsel at the Republican National Committee as the college's top lawyer.

But it is unclear how much these connections will help. The key staff members on the issue inside the West Wing are Mr. Miller; Vince Haley, the head of the domestic policy council; and May Mailman, senior policy strategist — all three of whom are seen as hard-line culture warriors resistant to lobbying.

Seeking Generational Change

Stephen Miller, the White House deputy chief of staff for policy, has helped shape much of the administration's domestic agenda. Eric Lee/The New York Times

In the long run, the goal of Mr. Trump and his allies is to permanently disrupt the elite world of higher education.

“We want to set them back a generation or two,” Mr. Rufo said.

The conservative activist Christopher F. Rufo has championed the strategy to take on universities. Chona Kasinger for The New York Times

The administration's zeal has flummoxed even some close Trump allies concerned that the pressure campaign could set a troubling precedent for future administrations that, for example, decide to “eradicate” sexism from college

campuses or bigots from the faculty. Who gets to decide which people fall into what category and when?

Inside the White House, such worries are dismissed. That kind of thinking held back the first Trump administration, officials said. They are not concerned about what the political left might do in the future, they said, but instead are focused on setting in motion long-term change.

Michael C. Bender is a Times political correspondent covering Donald J. Trump, the Make America Great Again movement and other federal and state elections.

Alan Blinder is a national correspondent for The Times, covering education.

Jonathan Swan is a White House reporter for The Times, covering the administration of Donald J. Trump.

EXHIBIT 66

COLUMBIA | OFFICE OF THE PRESIDENT

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ANNOUNCEMENTS

Sustaining Columbia's Vital Mission

April 14, 2025



Dear Members of the Columbia Community:

Over the past few weeks, days, indeed over the past few hours, you have no doubt seen and heard much about Columbia and the future of higher education. This is an extraordinary and difficult time for our University. We face unprecedented pressures, with no easy answers and many uncertainties. That combination is creating significant anxiety for our community, and we must, as we navigate this moment, stay true to our core mission as an educational and research institution, and true to our community.

I've heard deep concern about when and whether we will get our research funding back, what form an agreement with the government would take, whether we would have to compromise our values to reach such an agreement, and what we're doing to support our international students right now. Let me attempt to address each of these issues.

As we have shared before, the University has been engaged in what we continue to believe to be good faith discussions with the Federal Task Force to Combat Antisemitism. We have sought to address allegations of antisemitism, harassment, and discrimination on our campuses, and provide a path to restoring a partnership

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with the federal government that supports our vital research mission, while also protecting the University's academic and operational integrity and independence.

Those discussions have not concluded, and we have not reached any agreement with the government at this point. Some of the government's requests have aligned with policies and practices that we believe are important to advancing our mission, particularly to provide a safe and inclusive campus community. I stand firmly behind the commitments we outlined on March 21, and all the work that has been done to date. Other ideas, including overly prescriptive requests about our governance, how we conduct our presidential search process, and how specifically to address viewpoint diversity issues are not subject to negotiation.

To be clear, our institution may decide at any point, on its own, to make difficult decisions that are in Columbia's best interests. Any good institution must do that. Where the government – or any stakeholder – has legitimate interest in critical issues for our healthy functioning, we will listen and respond. But we would reject heavy-handed orchestration from the government that could potentially damage our institution and undermine useful reforms that serve the best interests of our students and community. We would reject any agreement in which the government dictates what we teach, research, or who we hire. And yes, to put minds at ease, though we seek to continue constructive dialogue with the government, we would reject any agreement that would require us to relinquish our independence and autonomy as an educational institution.

Like many of you, I read with great interest the message from Harvard refusing the federal government's demands for changes to policies and practices that would strike at the very heart of that university's venerable mission. In this moment, a continued public conversation about the value and principles of higher education is enormously useful. I am especially concerned that many Americans have lost faith and trust in higher education. We should continue the hard work of understanding why. At the same time, we must more clearly explain what we here, at Columbia, know instinctively about the vital contributions we make to the world.

I want to turn to our international students, who are essential to our unique and powerful ecosystem, and who are experiencing enormous distress. We have been following with great concern the various actions being taken by the federal government toward members of our community. We know this has provoked not only anxiety, but multiple new, day-to-day challenges for our international student community. For that reason, the University launched a [new University fund](#) , supported by my office, our Board of Trustees, and generous alumni, to assist students who need help managing unanticipated expenses and other challenges right now.

This comes alongside our recently announced commitment of additional resources to our International Students and Scholars Office (ISSO) to expand their ability to help our international students, through logistical, legal, and mental health support, including a significant expansion of hours and staff resources. I'm pleased to announce a [new website](#)  dedicated to these efforts.

We are navigating a turbulent time for higher education. The challenges ahead of us are formidable. Knowing Columbia as I do, and as you do, I am confident that we *will* get through this to serve our students, faculty, staff, and society for centuries to come.

Sincerely,

Claire Shipman
Acting President, Columbia University in the City of New York

EXHIBIT 67



KING & SPALDING

April 14, 2025

VIA ELECTRONIC MAIL

Josh Gruenbaum
Commissioner of the Federal Acquisition Service
General Services Administration

Sean R. Keveney
Acting General Counsel
U.S. Department of Health & Human Services

Thomas E. Wheeler
Acting General Counsel
U.S. Department of Education

Dear Messrs. Gruenbaum, Keveney, and Wheeler:

We represent Harvard University. We are writing in response to your letter dated April 11, 2025, addressed to Dr. Alan Garber, Harvard's President, and Penny Pritzker, Senior Fellow of the Harvard Corporation.

Harvard is committed to fighting antisemitism and other forms of bigotry in its community. Antisemitism and discrimination of any kind not only are abhorrent and antithetical to Harvard's values but also threaten its academic mission.

To that end, Harvard has made, and will continue to make, lasting and robust structural, policy, and programmatic changes to ensure that the university is a welcoming and supportive learning environment for all students and continues to abide in all respects with federal law across its academic programs and operations, while fostering open inquiry in a pluralistic community free from intimidation and open to challenging orthodoxies, whatever their source.

Over the past 15 months, Harvard has undertaken substantial policy and programmatic measures. It has made changes to its campus use policies; adopted new accountability procedures; imposed meaningful discipline for those who violate university policies; enhanced programs designed to address bias and promote ideological diversity and civil discourse; hired staff to support these programs and support students; changed partnerships; dedicated resources to combat hate and bias; and enhanced safety and security measures. As a result, Harvard is in a very different place today from where it was a year ago. These efforts, and additional measures the university will be taking against antisemitism, not only are the right thing to do but also are critical to strengthening Harvard's community as a place in which everyone can thrive.

It is unfortunate, then, that your letter disregards Harvard's efforts and instead presents demands that, in contravention of the First Amendment, invade university freedoms long

Messrs. Gruenbaum, Keveney, and Wheeler

April 14, 2025

Page 2

recognized by the Supreme Court. The government's terms also circumvent Harvard's statutory rights by requiring unsupported and disruptive remedies for alleged harms that the government has not proven through mandatory processes established by Congress and required by law. No less objectionable is the condition, first made explicit in the letter of March 31, 2025, that Harvard accede to these terms or risk the loss of billions of dollars in federal funding critical to vital research and innovation that has saved and improved lives and allowed Harvard to play a central role in making our country's scientific, medical, and other research communities the standard-bearers for the world. These demands extend not only to Harvard but to separately incorporated and independently operated medical and research hospitals engaging in life-saving work on behalf of their patients. The university will not surrender its independence or relinquish its constitutional rights. Neither Harvard nor any other private university can allow itself to be taken over by the federal government. Accordingly, Harvard will not accept the government's terms as an agreement in principle.

Harvard remains open to dialogue about what the university has done, and is planning to do, to improve the experience of every member of its community. But Harvard is not prepared to agree to demands that go beyond the lawful authority of this or any administration.



William A. Burck

Quinn Emanuel Urquhart & Sullivan, LLP
1300 I Street NW
Suite 900
Washington, DC 20005



Robert K. Hur

King & Spalding LLP
1700 Pennsylvania Avenue NW
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Washington, DC 20006

EXHIBIT 68

U.S. Department of Education

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PRESS RELEASE

Joint Task Force to Combat Anti-Semitism Statement Regarding Harvard University

APRIL 14, 2025

Today, the Joint Task Force to Combat Anti-Semitism released the following statement:

"Harvard's statement today reinforces the troubling entitlement mindset that is endemic in our nation's most prestigious universities and colleges – that federal investment does not come with the responsibility to uphold civil rights laws.

The disruption of learning that has plagued campuses in recent years is unacceptable. The harassment of Jewish students is intolerable. It is time for elite universities to take the problem seriously and commit to meaningful change if they wish to continue receiving taxpayer support.

The Joint Task Force to combat anti-Semitism is announcing a freeze on \$2.2 billion in multi-year grants and \$60M in multi-year contract value to Harvard University."

CONTACT

Press Office | press@ed.gov | (202) 401-1576 |

Office of Communications and Outreach (OCO)

EXHIBIT 69

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<https://www.wsj.com/us-news/education/anti-semitism-task-force-who-247c234e>

The Little-Known Bureaucrats Tearing Through American Universities

A new task force formed to combat antisemitism is using funding threats to force broader changes on campus

By *Liz Essley Whyte* [Follow](#), *Douglas Belkin* [Follow](#) and *Sara Randazzo* [Follow](#)

April 14, 2025 9:00 pm ET

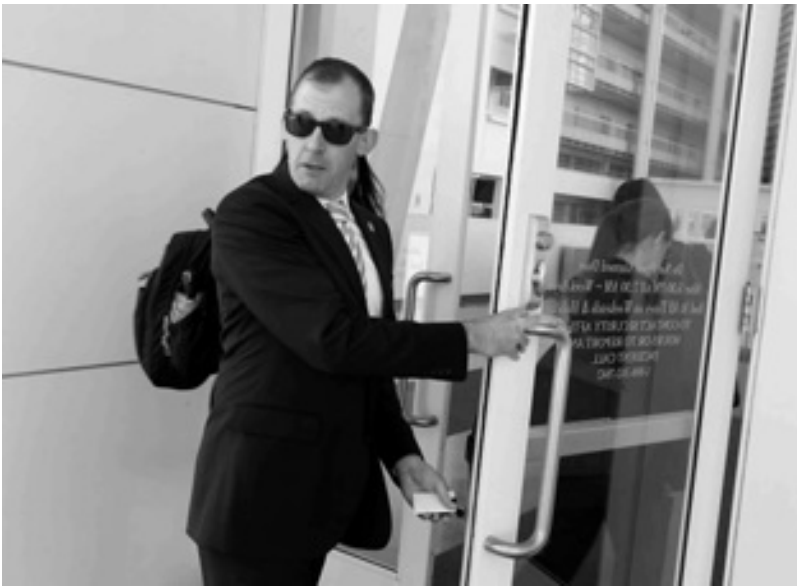
Columbia University's president had already been hounded out of office, but her ordeal wasn't over.

Four days after she stepped down under government pressure during fraught federal funding negotiations, Katrina Armstrong spent three hours being deposed by a government attorney in Washington, D.C. The lawyer grilled Armstrong over whether she had done enough to protect Jewish students against antisemitism.

As she dodged specifics under questioning, the lawyer said her answer "makes absolutely no sense" and that he was "baffled" by her leadership style.

"I'm just trying to understand how you have such a terrible memory of specific incidents of antisemitism when you're clearly an intelligent doctor," he said.

The attorney in the room during the April 1 deposition, a senior Health and Human Services official named Sean Keveney, is part of a little-known government task force that has shaken elite American universities to their core in recent weeks. It has targeted billions of dollars in federal funding at premiere institutions such as Columbia and Harvard, with cascading effects on campuses nationwide. Now it is pressing to put Columbia under a form of federal oversight known as a consent decree.



Sean Keveney, shown in 2016, is now a leader of the Trump administration's antisemitism task force.

PHOTO: RALPH FRESO/AP

Called the Task Force to Combat Anti-Semitism, the group's stated goal is to "root out antisemitic harassment in schools and on college campuses," a mission that emerged from pro-Palestinian protests that disrupted campuses last year. But along the way, the task force is taking on university culture more broadly in ways that echo the MAGA dreams for remaking higher education—including ending racial preferences in admissions and hiring.

The task-force leaders have unprecedented leverage, thanks to a financial assault on higher education by the Trump administration that has no equal since the federal government began pumping money into research at universities during World War II. The Trump administration has pulled or frozen more than \$11 billion in funding from at least seven universities. The tactics and agencies have varied but the top-line intent, Trump said on the campaign trail, is to wrest control of universities from the far left.

"We are going to choke off the money to schools that aid the Marxist assault on our American heritage and on Western civilization itself," Trump said at a 2023 event. "The days of subsidizing communist indoctrination in our colleges will soon be over."

The handful of government officials driving the group aren't household names. Aside from Keveney, the acting general counsel at HHS, they include a former Fox News commentator; a onetime leader of the Justice Department civil-rights division; and a government procurement official who spent much of his career in finance.

The antisemitism task force "is motivated by one thing and one thing only: tackling antisemitism," said White House Spokesman Kush Desai. "Antisemitic protesters inflicting violence and taking

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over entire college campus buildings is not only a crude display of bigotry against Jewish Americans, but entirely disruptive to the intellectual inquiry and research that federal funding of colleges is meant to support.”

In the move-fast-and-break-things model of the Trump administration, the task force is deploying a range of legal tools and interpreting them expansively—moves hailed as brilliant and long overdue by conservative critics of universities.

In an interview, Education Secretary Linda McMahon said it was within the bounds of the federal government to ask universities to make changes to campus policies in the name of achieving administration priorities.



Secretary of Education Linda McMahon. PHOTO: NATHAN HOWARD/REUTERS

“These universities are taking federal funds,” McMahon said. “And so if you’re taking federal funds, then we want to make sure that you’re abiding by federal law.” The administration is not, she said, trying to take away academic freedom and the right to peacefully protest or disagree.

University leaders who are dealing with the task force use words like “scary” and “unsettling.” Academics say the group’s blunt negotiation approach is a sharp contrast to the more collaborative style of the Education Department officials they historically have met with to discuss campus problems.

The task force’s opening salvo was the cancellation of \$400 million in federal funds from Columbia. When the university quickly acquiesced to the task force’s demands, the group set an aggressive trajectory.

Even some members are surprised at how quickly the task force has put all higher education on alert, people familiar with the matter said. The task force's meetings buzz with excitement that what they are doing may actually change things on college campuses, one of the people said.

The task force asked Harvard to not only protect Jewish students and faculty from antisemitism but to reform the campus culture by making structural changes to governance, student admissions and faculty hiring. Those changes are aimed at improving viewpoint diversity, and ending "ideological capture," the task force wrote.

Advocates of the strategy contend there is a logical bridge between antisemitism, anti-Western ideologies and what they contend is an intolerant progressive orthodoxy on campus. Academic theories on "settler colonialism" hold that Israel is a white supremacist state created by the theft of land from Palestinians. Demonizing Zionism has fueled antisemitism on college campuses, according to the Anti-Defamation League, which has tracked reports of such behavior since 2014.

In negotiations with schools, the antisemitism task force carries a big stick. Federal funding constitutes a significant portion of the operating budget of some major research universities. Schools rely on federal contracts and grants to pay for laboratories and graduate assistants. Pell grants and federal loans help cover tuition costs for many undergraduates. Even schools with significant endowments cannot sustain prolonged periods of business as usual if the government cuts their funding.

In letters to universities, including Columbia and Harvard, the task force has cited civil-rights laws that encompass antisemitism, including Title VI and Title VII. But its tactic of targeting funding first and then beginning conversations is unprecedented, education lawyers say.

Typically, the Education Department's civil-rights arm handles such investigations—which can take months or even years—and hardly ever end with federal funds being cut. Instead, the investigations often result in voluntary settlements that some attorneys consider toothless.

"Cutting off the funding spigot is a nuclear-type weapon of enforcement," said Scott Schneider, an education lawyer in Austin. "It's outside the legal system and is a remarkable exercise of executive authority."



The campus of Harvard University, which is pushing back against demands from the administration.

PHOTO: MICHAEL CASEY/AP

The administration has also said at times that money is no longer being used for projects that align with White House “priorities,” a sweeping interpretation that has opened the door to potentially canceling billions of dollars of federal funds over ideology.

The schools, meanwhile, are scrambling to understand whether they could win in court, though none have yet sued. Harvard, where the task force has placed nearly \$9 billion in federal funds under review, has raised money in the bond market that it could use to free up cash flow in case it is unable to reconcile with the task force.

On Monday, Harvard pushed back on the task force, saying in a letter that the university is working to address antisemitism but won’t bow to the administration’s demands, which it calls unlawful.

“Neither Harvard nor any other private university can allow itself to be taken over by the federal government,” Harvard’s lawyers, William Burck and Robert Hur, wrote.

Hours later the task force said it was freezing \$2.26 billion in multiyear grants and contracts.

‘Bankrupt these universities’

The task force wielding this power pulls in representatives from across the federal government, including the General Services Administration and departments of Justice, Education and HHS.

Leo Terrell, a Justice Department political appointee and former Fox News commentator, was announced as the head of the task force when it was created in February. The longtime civil-rights

lawyer and friend of O.J. Simpson, who switched political affiliations from Democrat to Republican in 2020, said on Fox News last month that, “We’re going to bankrupt these universities” if they do not “play ball.”



Leo Terrell, center, a longtime civil-rights lawyer, was named to head the task force. PHOTO: SHAWN THEW/EPA/BLOOMBERG NEWS

Driving much of the day-to-day business of the task force are Keveney of HHS; Tom Wheeler, the Education Department’s acting general counsel; and Josh Gruenbaum, a commissioner in the General Services Administration.

The task force meets in person roughly every other week in HHS, Education Department or Justice Department buildings, said a person familiar with the task force’s work. The three day-to-day leaders always attend, plus at least one high-ranking official from Justice, and a rotating cast of civil-rights attorneys from the agencies. Between meetings, task-force members keep in touch via email.

Wheeler headed the Justice Department’s civil-rights division in 2017 during a time when Jewish community centers were receiving bomb threats. He later helped develop guidelines to reopen schools during the pandemic. He spent the bulk of his career in private practice in Indiana and also worked as counsel to former vice president Mike Pence during his time as Indiana’s governor.

Gruenbaum was working in private equity before he joined the Trump administration to run the Federal Acquisition Service, a part of GSA that handles procurement for the federal government. He told Jewish Insider in March that he reached out to offer his agency’s services to the task force once he heard it was being created. Being raised Orthodox Jewish as the grandson of a Holocaust survivor helped shape his worldview, he told the publication.

Keveney is a career government lawyer who has worked for HHS and the Justice Department since 2003. He was at Justice Department during the first Trump administration and worked on the Harvard affirmative action case decided by the Supreme Court in 2023.

The task force has no master list of schools to go after. Instead, the group tackles what seem to be the largest and most immediate problems, a person familiar with its work said. In its meetings, task force officials discuss strategies, legal tools, and news from student and alumni groups and university trustees that its members are connected to.

The task force has discussed broadly among its members, and with the State Department, potential student ties to terrorist organizations and how pro-Palestinian groups on campuses are funded, people familiar with the matter said. The task force isn't working with Immigration and Customs Enforcement, one of the people said.

Task-force members generally agree many universities have responded abysmally to the Oct. 7, 2023, Hamas attacks on Israel, and while their work is focused on antisemitism, they also agree that DEI and affirmative-action in admissions violate federal civil rights law.

The White House has, on its own without coordinating with the task force, been taking some actions against universities, including freezing funds to Cornell.

The task force appears, at least at times, to be making decisions independent of cabinet-level Trump appointees. McMahon, the education secretary, said she had a meeting in March set with Columbia's Armstrong to discuss antisemitism, not realizing that it was the same day that \$400 million in funding cancellations would be announced. "I found out just before I went in," she said. McMahon said she had known the action against Columbia was a possibility and that she delivered the news.

The task force named 10 schools in February that would be its initial focus for campus visits. The list includes universities that have had funding threatened so far, like Columbia, Harvard and Northwestern, as well as UCLA, the University of Minnesota and New York University. The group also said it would visit city officials in Los Angeles, Boston, New York and Chicago.

Separately, at least 60 colleges and universities are under investigation by the Education Department's Office for Civil Rights for their alleged inaction in protecting Jewish students and staff.

'Dismembering the prince'

The Trump administration's disdain for many elite institutions extends beyond the Israel-Hamas protests to the view that universities suppress conservative ideas and marginalize people who hold them. At a 2021 speech to the National Conservatism Conference, now-Vice President JD Vance, who at the time wasn't in public office, said: "I think if any of us want to do the things that we want to do for our country and for the people who live in it, we have to honestly and aggressively attack the universities in this country."

Meanwhile, the public mood toward elite universities with large endowments—Harvard's is north of \$50 billion—is sour. In a Wall Street Journal poll that surveyed 1,500 registered voters by phone from March 27 through April 1, 48% favored withholding funds from universities for failing to protect Jewish students from antisemitism.

Conservative activist Christopher Rufo, who helped craft the Trump administration blueprint to cut waste in government and attack DEI in universities, said the public's anger with higher education has made the sector a prime target to attack.



Christopher Rufo helped craft a Trump administration effort to combat campus DEI policies. PHOTO: TINA RUSSELL FOR WSJ

Rufo espouses making an example of a school and cutting its federal funding altogether—because it would prompt other schools to fall in line.

"Machiavelli has a great line, where he talks about the salutary effects of a kind of spectacular public punishment," Rufo said. "In his case, it was like dismembering the prince, but in this case, it's, metaphorically, putting the screws on one of these universities in a spectacular way, and then watching them implode."

Michael Poliakoff, president of the American Council of Trustees and Alumni, which works to ensure effective governance of colleges and universities, agrees with the need and direction of the task force but warned that whatever leverage it brings to bear could be used by future administrations.

“One has to anticipate what’s going to be coming down two or three moves into the future,” Poliakoff said. “And so I approach this with caution.”

Beyond civil-rights laws, the task force is also wielding the club of federal contracts. Kenneth L. Marcus, a former head of the Education Department’s Office for Civil Rights who now runs the Brandeis Center, which fights against antisemitism, called the involvement of the General Services Administration in the task force’s work a “brilliant stroke.”

Few people think about the agency as a lever of the federal government, Marcus said, but the power to pull back contracts “brings to bear immense new potentials for influencing compliance with federal civil rights laws.”

Write to Liz Essley Whyte at liz.whyte@wsj.com, Douglas Belkin at Doug.Belkin@wsj.com and Sara Randazzo at sara.randazzo@wsj.com

Appeared in the April 16, 2025, print edition as ‘Little-Known Group Tears Through Universities’.

EXHIBIT 70

Trump Has Targeted These Universities. Why?

President Trump has set his sights on defunding colleges, singling out some of the world's wealthiest schools in what critics say is an attack on academic freedom.



By Alan Blinder

April 15, 2025

The Trump administration is seeking to exert extraordinary influence over American universities by withholding the kind of federal financial support that has flowed to campuses for decades.

President Trump and his allies contend that some schools, especially a handful of elite universities, have become bastions of antisemitism and ideological indoctrination. Though the higher education industry has acknowledged shortcomings and failures, especially since the Hamas attack on Israel in October 2023, it has warned that reducing schools' federal funding could backfire on American society as a whole.

University leaders fear that by threatening to withhold funding, or suspending it with little or no warning, the government is trying to stamp out academic freedom, a cornerstone of the American education system.

The Trump administration has given broad reasons for the cuts, often involving claims that the schools tolerate antisemitism. But the choice of schools it has targeted and even some of its demands have sometimes confused educators and experts. Northwestern University, for example, recently released a lists of steps it

had taken to combat antisemitism that closely tracked with a list of demands the Trump administration had given to Columbia University. Northwestern was targeted several days later, nonetheless.

The issue is revealing the dollars-and-cents consequences of the tensions between campus leaders and the Trump administration. But the outcome of the underlying debate — over the very purpose of higher education — could shape the country for years to come.

Which schools have been targeted?

So far, seven universities have been singled out for punitive funding cuts or have been explicitly notified that their funding is in serious jeopardy. They are:

- Harvard University, which has approximately \$9 billion at stake. The government has already canceled more than \$2.2 billion in retaliation after Harvard publicly rebuffed the Trump administration's demands.
- Brown University, which the Trump administration said stood to lose \$510 million.
- Columbia, which is hoping to regain about \$400 million in canceled grants and contracts after it bowed to a list of demands from the federal government.
- Cornell University, the target of a cut of at least \$1 billion.
- Northwestern, which Trump administration officials said would be stripped of \$790 million.
- The University of Pennsylvania, which saw \$175 million in federal funding suspended in response to its approach to a transgender athlete's sports participation in 2022.
- Princeton University, which said "dozens" of grants had been suspended. The White House indicated that \$210 million was at risk.

Officials at some of the universities have been puzzled by the cuts, which they have sometimes learned about through social media, and insisted that they had taken action to combat antisemitism.

Dozens of other schools are under also scrutiny, largely by the Department of Education's Office for Civil Rights, and are aware that some of their federal funding is imperiled. But much of the focus is on 10 schools that have been identified for particular attention by a Trump administration task force that says it is devoted to rooting out antisemitism: Columbia; George Washington University; Harvard; Johns Hopkins University; New York University; Northwestern; the University of California, Berkeley; the University of California, Los Angeles; the University of Minnesota; and the University of Southern California.

Critics of the administration have not hesitated to point out that all of these schools are in states, or, in George Washington's case, a federal district, that voted for the Democratic ticket in 2024.

Why are the schools being criticized?

The administration has frequently claimed that the targeted schools harbor antisemitism. When a protest movement against Israel's war in Gaza swept college campuses around the country in 2024, for example, some of the most volatile scenes unfolded at Columbia.

But the administration's hostility toward major colleges and universities has deeper roots than the turmoil tied to that war alone. Conservatives have looked askance at the elite echelons of higher education for decades, disturbed by affirmative action admissions programs, high tuition costs, the views of liberal professors and the proliferation of diversity, equity and inclusion initiatives on campuses.

Many conservatives say their views have been marginalized in lecture halls, and regard top schools as incubators of so-called wokeness. They have said they want universities to emphasize academic programs that will lead students to the kind of

jobs that are essential to the economy.

A list of Trump administration demands made at Harvard appeared to touch on a variety of conservative complaints with academia, including a lack of diverse political viewpoints among faculty members and a disdain for diversity, equity and inclusion programs.

How much money is at stake?

So far, the government has pulled, or threatened to pull, more than \$12 billion. Most of that money is tied to Harvard and its affiliates, like its hospitals.

Universities have said little about which specific programs were in jeopardy. But Penn, for example, said that researchers in at least seven of its schools were affected.

“These contracts include research on preventing hospital-acquired infections, drug screening against deadly viruses, quantum computing, protections against chemical warfare, and student loan programs,” J. Larry Jameson, Penn’s president, said in an open letter.

How have schools responded?

Beyond statements of frustration and concern, they have generally not done much publicly.

But there are two enormous exceptions. In March, Columbia agreed to comply with demands from the administration so it could enter negotiations over the future of the \$400 million the government had struck. Some of the most important concessions included agreeing to place the university’s Middle Eastern, South Asian and African Studies Department under new oversight; strengthening its campus security force; and toughening its disciplinary and protest policies.

Columbia’s capitulation alarmed higher-education leaders across the country.

On April 14, Harvard tried a different strategy. It rejected proposals from the federal government, including one for the use of an outsider “to audit those programs and departments that most fuel antisemitic harassment or reflect ideological capture.” The government also wanted Harvard to curb the power of its faculty and report international students who committed conduct violations.

Harvard refused, and its president, Alan M. Garber, said that the university “will not surrender its independence or relinquish its constitutional rights.”

To many veterans of academia, Harvard’s choice marked a potential turning point.

Lee C. Bollinger, a former Columbia president, said Harvard’s resistance was “precisely what has been needed.” The university’s pushback, he said, amounted to “a major institution willing to defend the fundamental values at stake, not only with universities but also with other institutions and organizations vital to American democracy.”

These schools are rich. Why is the government funding them in the first place?

Since around the time of World War II, the U.S. government has leaned on academic institutions to conduct research projects whose findings will trickle into the public and private sectors. Federally funded research has almost always had bipartisan support, though there have been occasional complaints (and sometimes outright mockery) surrounding particular projects.

In their scramble to counter the Trump administration’s recent moves, universities have tried to tell elected officials and the public that they make important contributions to the country’s health and prosperity. They have also sought to frame university-based research as imperative to the nation’s future, especially amid China’s rise.

Can't schools just tap their endowments?

Many big schools do indeed have substantial endowments. Every endowment is different, though, and university leaders note that many donors put restrictions on how their money may be used. Republicans, including Vice President JD Vance, have openly discussed raising the excise tax on the largest endowments.

Harvard has an endowment worth about \$53 billion, far more than any other American university. Even so, a few days after the Trump administration announced a review of Harvard's federal funding, the university announced a plan to issue \$750 million in bonds. Proceeds would give the school, which has been engaged in contingency planning, some financial breathing room.

Alan Blinder is a national correspondent for The Times, covering education.

A version of this article appears in print on , Section A, Page 17 of the New York edition with the headline: Reasons for Singling Out Universities for Defunding Run Deep

EXHIBIT 71

OFFICE OF THE PROVOST

Home » [Directory](#) » Miguel S. Urquiola

Miguel S. Urquiola

Miguel Urquiola was appointed Senior Vice Provost for Academic Initiatives on April 15, 2025.

In this role, Professor Urquiola will focus on promoting cross-school academic excellence, starting with a comprehensive review of Regional Studies programs. This work will begin with a faculty committee review of Middle East programs. He continues in his roles as Professor of Economics and Dean of Social Science for the Faculty of Arts & Sciences.

Professor Urquiola has been a member of the Columbia community since 2003. He has chaired Columbia's Department of Economics and its Committee on the Economics of Education. He is also a member of the School of International and Public Affairs (SIPA), where he was Vice Dean of Faculty Affairs.

Outside Columbia, Professor Urquiola is a Research Associate at the National Bureau of Economic Research (NBER) and has held appointments at Cornell University, the World Bank, and the Bolivian Catholic University.

Professor Urquiola's research is on the Economics of Education. Its focus is on understanding how schools and universities compete, and how educational markets differ from other markets economists study. He has written numerous journal articles on these issues, and a book on why American universities excel at research: *Markets, Minds, and Money*.



Senior Vice Provost for Academic Initiatives; Dean of Social Sciences in the Faculty of Arts & Sciences; Professor of Economics and of International and Public Affairs

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EXHIBIT 72

INSIDE COLUMBIA'S BETRAYAL OF ITS MIDDLE EASTERN STUDIES DEPARTMENT

Columbia reassured its Middle Eastern studies scholars behind the scenes — then, to appease Trump, threw them to the wolves.

Meghnad Bose, Sacha Biazzo

April 16 2025, 12:30 p.m.



Students chain themselves to the fence of Columbia University in New York City on April 2, 2025. Photo: Mostafa Bassim/Anadolu via Getty

STUDENTS AT COLUMBIA University's Middle Eastern studies department were suffering from whiplash. Over two days in March, they

went from being reassured by Middle Eastern studies faculty that the university was supporting their embattled department to, just a day later, being hit with news that Columbia had cut a deal with the Trump administration.

At stake was some \$400 million in federal funding from the school that had been suspended by the White House. The Middle Eastern, South Asian, and African Studies Department – or MESAAS as it is formally known – was at the center of the storm.

Pushing back on the White House’s demands proved too tall an order at Columbia. The university administration made an announcement on March 21 that laid out a raft of policy changes. Among them was a plan to appoint a new senior vice provost whose work would include “a thorough review of the portfolio of programs in regional areas across the University, starting immediately with the Middle East,” the [announcement](#) said.

MESAAS scholars immediately saw the school had cut a deal that put them in the crosshairs.

Now, for the first time, several insiders at MESAAS are speaking up about the turmoil facing their department, the back-and-forth between the Trump administration and university leadership, and how they are the ones caught in the lurch.

“It’s saying one thing to the federal government and saying another thing to faculty and students.”

“The university is being quite opaque in its language and its messaging, and it’s saying one thing to the federal government and saying another thing to faculty and students,” said Craig Birckhead-Morton, a 22-year-

JA744

old graduate student at MESAAS. “Obviously, it’s been very frustrating for us, this duplicitous behavior of the university.”

“I’ve spoken with several of my classmates who are also afraid of either their ability to research the things that they’re researching being restricted, or them conducting that research and coming under attack for it,” he said. “This is very scary.”

Short-Lived Reassurance

The rollercoaster ride had begun only last month. On March 7, the White House put the university on notice: The Trump administration [announced](#) that it was canceling some \$400 million in federal funding to Columbia.

In negotiations over the funding, the White House made a series of demands on March 13, including that the Middle Eastern studies department be placed under academic receivership for a minimum of five years — taking control of the department out of its own faculty’s hands. A Wall Street Journal [article](#) published on March 19 said Columbia was about to cave to Donald Trump’s demands, with a deadline approaching the following day.



Related

Columbia Bent Over Backward to Appease Right-Wing, Pro-Israel Attacks — And Trump Still Cut Federal Funding

Then, on the day of the deadline, came an email from Gil Hochberg, the chair of MESAAS. Hochberg and three other senior faculty from the department had met with two high-level senior deans from the

university. They had come away from the hourlong Zoom discussion feeling relatively optimistic about maintaining “academic self-governing” at MESAAS.

“While many questions remain open, the four of us who attended today’s meeting, feel significantly more reassured that our department is being supported by the university as much as possible under the circumstances,” said the email, which was reviewed by The Intercept.

“We were told that it is very unlikely that we will hear anything determined this weekend,” Hochberg wrote. “The situation is complex and will take time – more time than we would like. March 20 was one deadline, but not a legally binding one.”

Defying Hochberg’s expectations, word from the Columbia administration came down quickly.

The very next day, on March 21, Columbia University made a sweeping list of announcements, chief among them that the university was going to appoint a new senior vice provost that same week, whose work would include reviewing programs that touch on the Middle East, ensuring “balanced” curricula, and processes by which curricular changes are made. (Neither Hochberg nor Columbia responded to requests for comment.)

Since Columbia’s announcement, uncertainty has reigned. The new vice provost was set to be appointed in the week of March 21. Only after three weeks, on April 15, did the university appoint Miguel Urquiola, a dean of social science at Columbia, as the new vice provost. Urquiola’s academic background is in economics, but his first major task as senior vice provost is to conduct a “thorough review” of Middle Eastern studies.

“Honestly, I don’t understand what this means,” said a MESAAS student, a Ph.D. candidate who asked that their name not be used due to concerns over their visa status. “It doesn’t make any sense. What does it mean for them to claim that they’ll be able to see how something is ‘balanced’? They’re not the people who are experts in these fields.”

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Inside MESAAS, scholars have viewed the developments of recent weeks as Columbia caving to the Trump administration’s demands. They fear control of the department is being wrested away from faculty – and, to make matters worse, little clarity has been available to students on how to navigate the changes since Columbia’s announcement in late March.

“There is no information that has been given since, so I’m just waiting,” said a Palestinian student at Columbia who asked for anonymity because of the crackdown on dissent at the school. “There’s just a general confusion.”

The Ph.D. candidate laid blame for the chaos on the university administration, not the department faculty.

“The faculty have also not been kept in the loop with a lot of these updates of what’s going on,” they said. “We do feel supported by our faculty, but we are isolated by the university administration.”



Photo: Meghnad Bose

Chaos on the Inside

For students at the Middle Eastern studies department, the university's apparent capitulation was particularly galling because it felt like an indictment of the department with no substantive critiques.

“The MESAAS department is not being attacked right now because of a lack of rigor in its coursework or a deficiency in the quality of the research that’s being produced,” said Birckhead-Morton, the graduate student. “The MESAAS department is one of the greatest Middle Eastern Studies departments in the country.”

Other students, too, had come to Columbia looking to study at the highly regarded department.

“I came to Columbia specifically looking at MESAAS being home to some of the best scholars on Palestine,” said the Palestinian student. “Being able to work with them just really inspired me to apply to Columbia — it was my top choice.”

The internal MESAAS email and subsequent university announcement had come during spring break at Columbia. With classes set to resume on March 24, the Palestinian student felt dread over returning to campus.

“I was considering fully dropping out,” they said.

“In the past few weeks, I’ve just been very disillusioned by it all,” they said. “I would like my department to show a little ounce of courage.”

Wresting Control From MESAAS

For professors at Columbia, the move against faculty control at MESAAS reflects a larger attack by the Trump administration [on academic freedom](#) in the name of [ideological conformity](#).

“The federal government doesn’t get to tell ice cream shops what flavors to serve in what kind of cone, and they don’t get to tell universities what subjects to teach or how to teach them,” said Joseph Howley, an associate professor of classics at Columbia. “From the outside, the fact that MESAAS was targeted without justification or explanation suggests to me that this attack is being driven not by a concern for academic excellence or anyone’s safety, but by an extremist ideological agenda

that has employed the federal government to remake the university for its own ends.”



Related

Nobel Winner Joseph Stiglitz Denounces Columbia’s Apparent Capitulation to Trump

Among the university’s announcements on March 21 was a policy change stating that Columbia would be appointing “new faculty members with joint positions in both the Institute for Israel and Jewish Studies and the departments of Economics, Political Science, and School for International and Public Affairs.”

These appointments, according to Columbia, would be “reinforcing the University’s commitment to excellence and fairness in Middle East studies.”

Work on the Israeli–Palestinian conflict was the obvious target of the changes, Birckhead-Morton said, but other areas of study could come under the same scrutiny.

“Any coursework related to Palestine will certainly be the first to be removed or restricted or modified under this new regime that’s being imposed on us – that’s the biggest worry,” he said. “But there are other courses that are on settler colonialism, for example, that aren’t specific to Palestine, but could come under attack based on the statements of the university.”

For his part, [Mahmoud Khalil](#), a Palestinian graduate of Columbia, denounced the attacks on the department in an [op-ed](#) from immigration detention in Louisiana, where he is being held after having his green card revoked for his [activism at the university](#) against Israel’s war on

Gaza. In his op-ed, Khalil referred to the pressures on MESAAS as “McCarthyist and racist interventions at the Middle Eastern, South Asian, and African studies department.”



Read Our Complete Coverage

Israel's War on Gaza

While no active MESAAS professors responded to requests for comment, retired professors have been more forthcoming about recent developments at the department.

[Rashid Khalidi](#), a former [Arab studies professor](#) at MESAAS, recently [wrote](#), “It was never about eliminating antisemitism. It was always about silencing Palestine. That is what the gagging of protesting students, and now the gagging of faculty, was always meant to lead to.” And Sheldon Pollock, a former chair of the MESAAS department, likened the government’s demands of Columbia to “[a ransom note](#)”: “Like a mob boss, the government threatens to cut off two of the university’s fingers: academic freedom and faculty governance.”

Professors at other departments also spoke out against the announced changes.

“Many people in the educational establishment were telling Columbia that it should resist these demands by the Trump administration, and it should stand up and take a stand forcefully,” said Michael Thaddeus, a professor of mathematics at Columbia and vice president of the university’s chapter of the American Association of University

Professors, which sued the Trump administration over the revoked funding.

Thaddeus said the university's decision not to pursue its own legal action against the Trump administration was "extremely disappointing."

Conference Disrupted

Each year, students at MESAAS get a chance to present their research at the department's graduate conference. This year, the conference – on the theme of uprisings in the Middle East, South Asia, and Africa – was scheduled to take place at the university, in person, on April 10 and 11.

On April 1, though, an email went out to some participants announcing changes in the programming.

"In light of recent events at Columbia University, New York City, and the United States at large, we are writing to you about some last-minute measures we are taking in order to protect the safety of our conference participants," said the email, a copy of which was reviewed by The Intercept. "The conference, including the keynote address, will now happen only on Zoom."

The email went on to say that, despite the lack of an in-person forum, there would still be additional security measures. "We will be vetting all audience members, and request you to reply to this email with a list of people (friends, family, colleagues) with whom you want to share access to the conference," the email said.

"We haven't been directed to do this," said the MESAAS Ph.D. candidate. "It's really for our protection and for the protection of everyone speaking that these steps are being taken, to make sure that we can still

continue to have these conversations without becoming targets ourselves.”

“It is kind of an effort to keep the conference going despite all the odds that we are facing right now,” they said. “There is some concern that we will be constrained even further if we are in person.”

“It’s more like an underground secret meeting than a public rally.”

The Ph.D. candidate, however, added that the fact that the department had to change the program is a sign of the pressures on academic freedoms at Columbia and, in particular, MESAAS.

Another MESAAS student, who was slated to present at the conference and asked for anonymity because they are an international student, noted that the climate on campus meant that the events were not as widely promoted as usual.

“I am still happy that my work will be seen by people, but am sad and a little disappointed that it will be a smaller audience,” the student said. “It’s more like an underground secret meeting than a public rally.”

The Wider Struggle

When it comes to pressures on Middle Eastern studies departments, Columbia is far from alone. Despite recently rejecting the Trump administration’s demands, Harvard University in March **dismissed** the faculty leaders of their Center for Middle Eastern Studies, or CMES. Nonetheless, five days later, the Trump administration announced that

it would be reviewing close to \$9 billion in federal funding and multiyear grant commitments to the school.

“What happened at CMES at Harvard is shocking and egregious,” said Birckhead-Morton, the MESAAS graduate student. “So, they’ve come for Columbia, they’ve come for Harvard, we don’t want this to happen to other universities. We have to defend Middle Eastern studies across the board.”

Birckhead-Morton, who is Black and Muslim American, said the crackdown on Columbia’s academic functioning is part of a broader trend to attack scholarship seen as a threat to the powers that be.

“This is a continuation of the attack on critical race theory and ethnic studies,” he said. “It’s not just a Palestine issue or an Arab issue or a Middle East issue. These struggles and these histories are connected, and this crackdown is really going to affect us all.”

“This is an attack on scholarship, dissent, and critical thinking.”

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Palestinian Student Leader Was Called In for Citizenship Interview — Then Arrested by ICE



Mahmoud Khalil and the Necropolitics of Trump’s Deportation Regime



Trump Appears to Be Targeting Muslim and “Non-White” Students for Deportation

EXHIBIT 73



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Donald J. Trump

@realDonaldTrump

Everyone knows that Harvard has “lost its way.” They hired, from New York (Bill D) and Chicago (Lori L), at ridiculously high salaries/fees, two of the WORST and MOST INCOMPETENT mayors in the history of our Country, to “teach” municipal management and government. These two Radical Left fools left behind two cities that will take years to recover from their incompetence and evil. Harvard has been hiring almost all woke, Radical Left, idiots and “birdbrains” who are only capable of teaching FAILURE to students and so-called “future leaders.” Look just to the recent past at their plagiarizing President, who so greatly embarrassed Harvard before the United States States Congress. When it got so bad that they just couldn’t take it anymore, they moved this grossly inept woman into another position, teaching, rather than firing her ON THE SPOT. Since then much else has been found out about her, but she remains in place. Many others, like these Leftist dopes, are teaching at Harvard, and because of that, Harvard can no longer be considered even a decent place of learning, and should not be considered on any list of the World’s Great Universities or Colleges. Harvard is a JOKE, teaches Hate and Stupidity, and should no longer receive Federal Funds. Thank you for your attention to this matter!

7.82k ReTruths 32.7k Likes

Apr 16, 2025, 7:05 AM



God & Country

@GodandCountryy · 6h

Replying to @realDonaldTrump



EXHIBIT 74

BREAKING NEWS

NIH said to have halted awarding of new grants to more top universities

Internal email instructs agency staff not to communicate with institutions about the decision



Low Library at Columbia University, one of the schools that is not to be awarded any new NIH grants, according to an agency email. Adobe

By Anil Oza and Megan Molteni April 18, 2025

Embattled universities whose funding from the National Institutes of Health has been frozen may face further financial strain as the agency holds off awarding new grants to at least half a dozen of them, according to an email obtained by STAT.

The decision could mark the next stage of the Trump administration's attempts to apply pressure to a suite of elite colleges and universities by withholding research dollars. The email also instructs NIH staff to not communicate with the universities about whether or why funds are frozen.

Some grants that had previously been awarded to these universities had already been paused. But the new email suggests the NIH will hold off on awarding new grants as well.

The message — sent Thursday by Michelle Bulls, director of the Office of Policy for Extramural Research Administration — instructed staff not to make any awards to schools that have had funds frozen by the Trump administration. According to the email, the order originated in the office of the Secretary of Health and Human Services, Robert F. Kennedy Jr.

Asked about the directive, HHS Deputy Press Secretary Emily G. Hilliard told STAT in an email: "HHS does not comment on active investigations or the grant process to protect its integrity."

The schools named in the email were Columbia, Harvard, Brown, Northwestern, Cornell, and its affiliated medical school, Cornell-Weill Medicine. But others may be impacted by the move as well. In recent weeks, the Trump administration has been escalating its clash with colleges and universities, using the threat of withholding federal funds to try to enact sweeping changes to how institutions of higher education hire faculty, admit students, and what they teach in classrooms.

In early March, the NIH slashed about \$250 million in grants to Columbia after the Trump administration alleged the school had failed to crack down on antisemitism. The cuts shuttered large research programs into maternal mortality rates and chronic fatigue syndromes. Last week, the NIH, at the behest of HHS, froze all remaining grant money owed to the university, according to internal emails obtained by Science.

EXHIBIT 75



Post



Max Kozlov 
@maxdkozlov



I've received additional confirmation, as well as an email I can share publicly.

See the directive NIH grants management staff received from Michelle Bulls, director of extramural policy at NIH

From: Bulls, Michelle G. (NIH/OD) [E] <michelle.bulls@nih.gov>
Sent: Thursday, April 17, 2025 4:07 PM
To: Chief GMOs <ChiefGMOs@mail.nih.gov>; OTAC Principals <OTACPrincipals@mail.nih.gov>
Cc: Bulls, Michelle G. (NIH/OD) [E] <michelle.bulls@nih.gov>
Subject: Payment Restrictions at Entity Level - Guidance and Communications - Update
Importance: High

Hi,

We have received confirmation from HHS/IOS to hold off on making awards to schools where the funds have been frozen, i.e., Columbia, Brown, Northwestern, Cornell, Weill-Cornell, Harvard. Also, HHS/IOS has stated that we should not provide any communications to these schools about whether or why the funds are frozen. Hopefully, this helps given the discussion yesterday. We should try to respect their request and follow the guidance.

Michelle

Michelle G. Bulls
Director, Office of Policy for Extramural Research Administration, OER
National Institutes of Health
6705 Rockledge Drive, Room 803-C
Office: (301) 594-6739
Cell: (240) 550-1977

Email: michelle.bulls@nih.gov

3:24 PM · Apr 18, 2025 · 67.3K Views



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EXHIBIT 76



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TRUMPLAND 

Trump Takes Personal Revenge on Harvard's Lawyer for Standing Up to Him

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Tension between the current administration and the university continues to escalate.



Nandika Chatterjee
Breaking News Intern

Updated Apr. 24 2025 7:30PM EDT
Published Apr. 24 2025 2:19PM EDT



 **HOMEPAGE**

JA763



Chip Somodevilla/Getty Images

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President Donald Trump has ripped into Harvard University, accusing the Ivy League college of being a “threat to democracy” following the school president’s refusal to comply with his demands.

Harvard President Vows No 'Compromise' With Trump

| ALL OR NOTHING |

Nandika Chatterjee



“Harvard is an Anti-Semitic, Far Left Institution, as are numerous others, with students being accepted from all over the World that want to rip our Country apart,” the president posted.

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The Truth Social post references Harvard’s ongoing legal dispute with the administration, which it is suing after it was stripped of \$2.2 billion in federal funding earlier this week.

Trump went on to say that Harvard had hired a lawyer who is also affiliated with the Trump Organization.

“Harvard is a threat to Democracy, with a lawyer, who represents me, who should therefore be forced to resign, immediately, or be fired. He’s not that good, anyway, and I hope that my very big and beautiful company, now run by my sons, gets rid of him ASAP!” Trump said.



Donald Trump's Truth Social Post
Truth Social

CNN's Kaitlin Collins confirmed that the Trump Organization has ended its relationship with prominent conservative attorney Bill Burck.

Eric Trump confirmed to *CNN* that Burck will no longer serve as an outside adviser, stating, "I view it as a conflict and I will be moving in a different direction."

Burck, who is a former Special Counsel and Deputy Counsel to former President George W. Bush in Washington, D.C., and a former federal prosecutor in New York City, is not a newcomer to Trump's orbit. He was also appointed to the Fox Corporation Board of Directors in June 2021.

A seasoned Washington attorney and former federal prosecutor, he previously represented several senior Trump administration officials during the special counsel investigation into Russian interference in the 2016 election.

His ties to Trump deepened in the lead-up to the president's second inauguration, when the Trump Organization brought Burck on board to help navigate potential business ventures and ethical concerns.

At the time, the company praised Burck as one of the "nation's finest and most respected lawyers," highlighting his role in advising the firm on avoiding conflicts of interest, particularly with foreign entities.

Trump's decision to cut ties with Burck—announced in a social media post—highlights his willingness to turn against longtime allies over what he perceives as disloyalty.

If anything, perhaps because Burck did not seek Trump's company's blessings before agreeing to represent Harvard.

Harvard Turns to Billionaire Donors in Its War Against Trump

| GRASPING AT STRAWS |

Nandika Chatterjee



Trump’s public denouncement of the school was perhaps sparked by Garber’s *NBC News* interview Wednesday evening, when Garber declared he “will not compromise on certain issues.”

“We are defending what I believe is one of the most important lynchpins of the American economy and way of life—our universities,” Garber said.

Harvard President Vows No ‘Compromise’ With ...

“There is so much at stake,” Alan Garber told *NBC News*’ Lester Holt.

The Trump administration demanded Harvard change its hiring and admissions practices and eliminate its diversity, equity, and inclusion programs. The university says it won’t comply.

The U.S. president also came after Harvard’s tax-exempt status, while his Department of Homeland Security (DHS) threatened to eliminate its control over enrolling international students.

“The place is a Liberal mess, allowing a certain group of crazed lunatics to enter and exit the classroom and spew fake ANGER AND HATE. It is truly horrific! Now, since our filings began, they act like they are all ‘American Apple Pie,’” Trump’s post continued.

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CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2025, I electronically filed the foregoing Joint Appendix with the Clerk of Court for the United States Court of Appeals for the Second Circuit using the ACMS system, which will send notice of such filing to all counsel of record in compliance with Local Rule 25.1(h)(2).

Dated: September 22, 2025

By: s/ Rachel Goodman

Rachel Goodman

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