Case No. 25-2231

In the United States Court of Appeals
For the First Circuit

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS - HARVARD FACULTY CHAPTER; AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS; INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF JUSTICE; LEO TERRELL, in the 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; CRAIG TRAINOR, in the official capacity as Acting Assistant Secretary for the Office for Civil Rights, U.S. Department of Education; ELIZABETH MERRILL BROWN, in the official capacity as General Counsel of the U.S. Department of Education; ROBERT F. KENNEDY, JR., in the official capacity as the U.S. Secretary of Health and Human Services; MICHAEL B. STUART, in the official capacity as General Counsel of the U.S. Department of Health and Human Services; JAYANTA BHATTACHARYA, in the official capacity as the Director of the National Institutes of Health; EDWARD FORST, in the official capacity as Administrator of the U.S. General Services Administration; JOSH GRUENBAUM, in the official capacity as Commissioner of the Federal Acquisition Service;

(*caption continued on following page*)

Defendants-Appellants.

On Appeal from the United States District Court for the District of Massachusetts; Judge Allison Burroughs, Case No. 1:25-cv-10910-ABD

JOINT APPENDIX
(VOLUME 1: JA1-JA299)

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United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:25-cv-10910-ADB

American Association of University Professors - Harvard Faculty Chapter et al v. United States Department Of Justice et al
Assigned to: Judge Allison D. Burroughs
Case in other court: USCA, 25-02231
Cause: Civil Miscellaneous Case

Date Filed: 04/11/2025
Date Terminated: 10/20/2025
Jury Demand: None
Nature of Suit: 899 Other Statutes: Administrative Procedures Act/Review or Appeal of Agency Decision
Jurisdiction: U.S. Government Defendant

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Date Filed	#	Docket Text
04/11/2025	1	COMPLAINT against All Defendants Filing fee: $ 405, receipt number AMADC-10948272 (Fee Status: Filing Fee paid), filed by American Association of University

		Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Civil Cover Sheet, # 2 Supplement Summonses)(Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	2	MOTION to Seal *Affidavits* by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors.(Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	3	MEMORANDUM in Support re 2 MOTION to Seal *Affidavits* filed by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	4	MOTION for Temporary Restraining Order by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Silverman, Daniel) (Entered: 04/11/2025)
04/11/2025	5	AFFIDAVIT of Daniel Silverman in Support re 4 MOTION for Temporary Restraining Order filed by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29)(Silverman, Daniel) (Attachment 27 replaced on 4/14/2025) (CAM). (Attachment 29 replaced on 4/14/2025) (CAM). (Entered: 04/11/2025)
04/11/2025	6	MOTION for Leave to File Excess Pages by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Exhibit Harvard Brief)(Silverman, Daniel) (Entered: 04/11/2025)
04/14/2025	7	ELECTRONIC NOTICE of Case Assignment. Judge Allison D. Burroughs assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge M. Page Kelley. (NMC) (Entered: 04/14/2025)
04/14/2025	8	**ELECTRONIC NOTICE TO COUNSEL:** Counsel shall complete and file in PDF format a Local Category Form. The form can be found on the court's website under Resources/Local Forms. Counsel will use the event under Other Documents - Civil Cover Sheet & Category Sheet. (NMC) (Entered: 04/14/2025)
04/14/2025	9	Summons Issued as to Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institues of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler. **Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.** (NMC) (Entered: 04/14/2025)
04/14/2025	10	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 2 Motion to Seal. Counsel will receive an email within twenty-four (24) hours of this order with instructions for submitting sealed documents for which leave has been granted in accordance with the Local Rules of the U.S. District Court of Massachusetts. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (CAM) (Entered: 04/14/2025)

04/14/2025	11	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 6 Motion for Leave to File Excess Pages ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (CAM) (Entered: 04/14/2025)
04/14/2025	12	MEMORANDUM in Support re 4 MOTION for Temporary Restraining Order filed by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Silverman, Daniel) (Entered: 04/14/2025)
04/15/2025	13	MOTION for Leave to Appear Pro Hac Vice for admission of Benjamin D. Brown Filing fee: $ 125, receipt number AMADC-10951709 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	14	MOTION for Leave to Appear Pro Hac Vice for admission of Joseph M. Sellers Filing fee: $ 125, receipt number AMADC-10951815 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	15	MOTION for Leave to Appear Pro Hac Vice for admission of Phoebe M. Wolfe Filing fee: $ 125, receipt number AMADC-10951834 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	16	MOTION for Leave to Appear Pro Hac Vice for admission of Corey Stoughton Filing fee: $ 125, receipt number AMADC-10952013 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	17	MOTION for Leave to Appear Pro Hac Vice for admission of Hannah R. Miles Filing fee: $ 125, receipt number AMADC-10952048 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	18	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 13 Motion for Leave to Appear Pro Hac Vice of Benjamin D. Brown. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.** (CAM) (Entered: 04/15/2025)
04/15/2025	19	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 14 Motion for Leave to Appear Pro Hac Vice Added Joseph M. Sellers.

		Attorneys admitted Pro Hac Vice must have an individual upgraded PACER account, not a shared firm account, to electronically file in the District of Massachusetts. Counsel may need to link their CM/ECF account to their upgraded individual pacer account. Instructions on how to link CM/ECF accounts to upgraded pacer account can be found at https://www.mad.uscourts.gov/caseinfo/nextgen-current-pacer-accounts.htm#link-account. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 04/15/2025)
04/15/2025	20	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 15 Motion for Leave to Appear Pro Hac Vice of Phoebe M. Wolfe. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.** (CAM) (Entered: 04/15/2025)
04/15/2025	21	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 16 Motion for Leave to Appear Pro Hac Vice of Corey Stoughton. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 04/15/2025)
04/15/2025	22	MOTION for Leave to Appear Pro Hac Vice for admission of Julie Singer Filing fee: $ 125, receipt number AMADC-10952086 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)

04/15/2025	23	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 17 Motion for Leave to Appear Pro Hac Vice of Hannah R. Miles. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.** (CAM) (Entered: 04/15/2025)
04/15/2025	24	MOTION for Leave to Appear Pro Hac Vice for admission of Philippe Z. Selendy Filing fee: $ 125, receipt number AMADC-10952142 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	25	MOTION for Leave to Appear Pro Hac Vice for admission of Sean P. Baldwin Filing fee: $ 125, receipt number AMADC-10952191 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit)(Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	26	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 22 , 23 , and 24 Motions for Leave to Appear Pro Hac Vice of Julie Singer, Philippe Z. Selendy, and Philippe Z. Selendy. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by each newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 04/15/2025)
04/15/2025	27	Withdrawal of motion: 4 MOTION for Temporary Restraining Order filed by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(Silverman, Daniel) (Entered: 04/15/2025)

04/15/2025	28	NOTICE of Appearance by Anuj K. Khetarpal on behalf of Jayanta Bhattacharya, Stephen Ehikian, Josh Gruenbaum, Pamela Bondi, Linda McMahon, U.S. Department of Health and Human Services (HHS), National Institues of Health, U.S. General Services Administration, United States Department Of Justice, Leo Terrell, U.S. Department of Education, Craig Trainor, Thomas E Wheeler, Robert F. Kennedy, Jr., Sean R Keveney (Khetarpal, Anuj) (Entered: 04/15/2025)
04/15/2025	29	Judge Allison D. Burroughs: ELECTRONIC ORDER entered APPROVING 27 Withdrawal of motion. The parties shall inform the court on or before April 18, 2025 of their plans concerning preliminary relief. (CAM) (Entered: 04/15/2025)
04/15/2025	30	NOTICE of Appearance by Daniel H Silverman on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Silverman, Daniel) (Entered: 04/15/2025)
04/15/2025	31	NOTICE of Appearance by Joseph M. Sellers on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Sellers, Joseph) (Entered: 04/15/2025)
04/16/2025	32	NOTICE of Appearance by Rayford A. Farquhar on behalf of Jayanta Bhattacharya, Stephen Ehikian, Josh Gruenbaum, Pamela Bondi, Linda McMahon, U.S. Department of Health and Human Services (HHS), National Institues of Health, U.S. General Services Administration, United States Department Of Justice, Leo Terrell, U.S. Department of Education, Craig Trainor, Thomas E Wheeler, Robert F. Kennedy, Jr., Sean R Keveney (Farquhar, Rayford) (Entered: 04/16/2025)
04/16/2025	33	NOTICE of Appearance by Phoebe Wolfe on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Wolfe, Phoebe) (Entered: 04/16/2025)
04/16/2025	34	NOTICE of Appearance by Benjamin D. Brown on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Brown, Benjamin) (Entered: 04/16/2025)
04/16/2025	35	NOTICE of Appearance by Sean Baldwin on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Baldwin, Sean) (Entered: 04/16/2025)
04/16/2025	36	NOTICE of Appearance by Philippe Z. Selendy on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Selendy, Philippe) (Entered: 04/16/2025)
04/16/2025	37	NOTICE of Appearance by Julie Rose Singer on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Singer, Julie) (Entered: 04/16/2025)
04/16/2025	38	NOTICE of Appearance by Corey Stoughton on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Stoughton, Corey) (Entered: 04/16/2025)
04/16/2025	39	NOTICE of Appearance by Hannah Miles on behalf of American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors (Miles, Hannah) (Entered: 04/16/2025)
04/18/2025	40	MOTION for an Order for a Joint Status Report by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Stoughton, Corey) (Entered: 04/18/2025)

04/18/2025	41	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. [ECF No. 40] is GRANTED. The Parties shall submit a joint status report regarding a schedule for briefing motions for preliminary or other expedited relief no later than May 16, 2025. (CAM) (Entered: 04/18/2025)
04/24/2025	42	MOTION for Leave to File Amicus Curiae Brief filed by Robert A Pietz.. (Attachments: # 1 Exhibit A - Proposed Amicus Brief)(CAM) (Entered: 04/24/2025)
04/24/2025	43	MOTION for Leave to Appear Pro Hac Vice for admission of Margaret (Emmy) Wydman Filing fee: $ 125, receipt number AMADC-10971212 by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors. (Attachments: # 1 Affidavit Wydman)(Silverman, Daniel) (Entered: 04/24/2025)
04/24/2025	44	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 43 Motion for Leave to Appear Pro Hac Vice of Margaret (Emmy) Wydman. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 04/24/2025)
04/25/2025	45	MOTION for Leave to Participate in Status Conference in Related Case 1:25cv11048 *(Unopposed)* by American Association of University Professors - Harvard Faculty Chapter, American Association of University Professors.(Silverman, Daniel) (Entered: 04/25/2025)
04/25/2025	46	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 45 Unopposed Motion for Leave to Participate in Status Conference in Related Case 1:25cv11048. (CAM) (Entered: 04/25/2025)
04/25/2025	47	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. The Court DENIES Robert A. Pietz's motion for leave to file brief as amicus curiae. [ECF No. 42]. Although the Federal Rules of Civil Procedure do not contain provisions concerning amici appearances, it is well established that "the acceptance of amicus briefs is within the sound discretion of the court. " Strasser v. Doorley, 432 F.2d 567, 569 (1st Cir. 1970). That said, a district court lacking joint consent of the parties should go slow in accepting... an amicus brief unless, as a party, although short of a right to intervene, the amicus has a special interest that justifies [] having a say, or unless the court feels that existing counsel may need supplementing assistance. Id. Given the absence of either condition, the Court, in its discretion, DENIES [ECF No. 42]. (CAM) (Entered: 04/25/2025)
04/29/2025	48	Copy re 47 Order on Motion for Leave to File regenerated to email address of filer (pietzreceipts@gmail.com) on 4/29/2025. Filer did not include a mailing address in filing.

		(CAM) (Entered: 04/29/2025)
04/29/2025	49	Judge Allison D. Burroughs: ORDER entered. Following the Status Conference held on April 28, 2025, in President and Fellows of Harvard College v. US Department of Health and Human Services et al. (25-cv-11048), the Court adopts the following agreed-upon expedited briefing schedule. Plaintiffs may file an Amended Complaint by May 5, 2025. Production of the Administrative Record: May 19, 2025 Plaintiffs' Summary Judgment Motion: June 2, 2025 Amicus Briefs in support of Plaintiffs: June 9, 2025 Defendants' Opposition/Cross Motion/Motion to Dismiss: June 16, 2025 Amicus Briefs in support of Defendants: June 23, 2025 Plaintiffs' Reply/Opposition: June 30, 2025 Defendants' Reply: July 14, 2025 Oral Argument: July 21, 2025, at 9:30 AM. The total page limit for each party shall not exceed 80 pages. Permission to file amicus briefs must be sought and obtained prior to filing. Any amicus briefs allowed by the Court may not exceed 10 pages. (CAM) (Entered: 04/29/2025)
05/05/2025	50	AMENDED COMPLAINT against All Defendants, filed by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.(Silverman, Daniel) (Entered: 05/05/2025)
05/06/2025	51	MOTION for Leave to File *Second Amended Complaint* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Exhibit Second Amended Complaint)(Silverman, Daniel) (Entered: 05/06/2025)
05/08/2025	52	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Plaintiffs are directed to comply with Local Rule 7.1(a)(2) with regards to their pending motion for leave to file a second amended complaint [ECF No. 51]. The parties are reminded that all motions require a meet and confer prior to filing. Going forward, any motions filed without the required certification will be denied. (CAM) (Entered: 05/08/2025)
05/08/2025	53	MOTION for Leave to File *Second Amended Complaint* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Exhibit Second Amended Complaint)(Silverman, Daniel) (Entered: 05/08/2025)
05/09/2025	54	Judge Allison D. Burroughs: ELECTRONIC ORDER entered finding as moot 51 Motion for Leave to File Document. (KF) (Entered: 05/09/2025)
05/16/2025	55	MOTION for Leave to File *Second Amended Complaint* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement

		Workers of America. (Attachments: # 1 Exhibit 1 - Proposed Second Amended Complaint)(Stoughton, Corey) (Entered: 05/16/2025)
05/19/2025	56	MOTION for Leave to Appear Pro Hac Vice for admission of Drake Reed Filing fee: $ 125, receipt number AMADC-11017485 by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Affidavit Certification of Drake Reed)(Silverman, Daniel) (Entered: 05/19/2025)
05/19/2025	57	Assented to MOTION for Extension of Time to 05/20/2025 to Produce Administrative Record of USDA by Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institues of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 05/19/2025)
05/19/2025	58	NOTICE by Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institues of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler *Notice of Production of Administrative Record* (Khetarpal, Anuj) (Entered: 05/19/2025)
05/20/2025	59	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 56 Motion for Leave to Appear Pro Hac Vice of Drake Reed. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 05/20/2025)
05/20/2025	60	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 57 Assented to Motion for Extension of Time to 05/20/2025 to Produce Administrative Record of USDA. (CAM) (Entered: 05/20/2025)
05/20/2025	61	Joint MOTION for Extension of Time to 30 days after order on dispositive motions to File Answer re 50 Amended Complaint, by Jayanta Bhattacharya, Pamela Bondi, Stephen Ehikian, Josh Gruenbaum, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Institues of Health, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 05/20/2025)

05/20/2025	62	Judge Allison D. Burroughs: ELECTRONIC ORDER entered terminating 53 Motion for Leave to File Document as Withdrawn ; GRANTING 55 Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (CAM) (Entered: 05/20/2025)
05/20/2025	63	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 61 Joint Motion for Extension of Time to 30 days after order on dispositive motions to File Answer re Amended Complaint. (CAM) (Entered: 05/20/2025)
05/20/2025	64	AMENDED COMPLAINT *(Second)* against All Defendants, filed by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.(Stoughton, Corey) (Entered: 05/20/2025)
05/20/2025	65	NOTICE of Appearance by Drake Reed on behalf of American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Reed, Drake) (Entered: 05/20/2025)
05/21/2025	66	NOTICE by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler *Second Notice of Production of Administrative Record* (Khetarpal, Anuj) (Entered: 05/21/2025)
05/28/2025	67	MOTION for Leave to Appear Pro Hac Vice for admission of Sabrina Merold Filing fee: $ 125, receipt number AMADC-11033472 by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Affidavit Sabrina Merold)(Silverman, Daniel) (Entered: 05/28/2025)
05/28/2025	68	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 67 Motion for Leave to Appear Pro Hac Vice of Sabrina Merold. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm.

		A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.** (CAM) (Entered: 05/28/2025)
05/30/2025	69	NOTICE by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler *Notice of Supplementation of Administrative Record* (Khetarpal, Anuj) (Entered: 05/30/2025)
05/30/2025	70	NOTICE of Appearance by Sabrina Merold on behalf of American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Merold, Sabrina) (Entered: 05/30/2025)
06/02/2025	71	MOTION to Seal *Affidavits* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	72	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 71 Motion to Seal. Counsel will receive an email within twenty-four (24) hours of this order with instructions for submitting sealed documents for which leave has been granted in accordance with the Local Rules of the U.S. District Court of Massachusetts. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (CAM) (Entered: 06/02/2025)
06/02/2025	73	NOTICE of Appearance by Margaret E Wydman on behalf of American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Wydman, Margaret) (Entered: 06/02/2025)
06/02/2025	74	MOTION for Summary Judgment by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	75	MEMORANDUM in Support re 74 MOTION for Summary Judgment filed by American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	76	Statement of Material Facts L.R. 56.1 re 74 MOTION for Summary Judgment filed by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile,

		Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/02/2025)
06/02/2025	77	AFFIDAVIT of Daniel Silverman in Support re 74 MOTION for Summary Judgment filed by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36)(Silverman, Daniel) (Attachment 35 replaced on 6/3/2025) (CAM). (Attachment 36 replaced on 6/3/2025) (CAM). (Entered: 06/02/2025)
06/05/2025	78	MOTION for Leave to File *Amicus Curiae Brief* by Leadership Now Project.(Chen, Joy) (Entered: 06/05/2025)
06/06/2025	79	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 78 Motion for Leave to File Amicus Curiae Brief by Leadership Now Project. ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (CAM) (Entered: 06/06/2025)
06/06/2025	80	NOTICE of Appearance by Rachel L. Weber on behalf of A Jewish Voice for Peace (Weber, Rachel) (Entered: 06/06/2025)
06/06/2025	81	MOTION for Leave to Appear Pro Hac Vice for admission of P. Benjamin Duke Filing fee: $ 125, receipt number AMADC-11054261 by Leadership Now Project. (Attachments: # 1 Certificate In Support of Motion to Appear Pro Hac Vice)(Chen, Joy) (Entered: 06/06/2025)
06/06/2025	82	MOTION for Leave to Appear Pro Hac Vice for admission of Graham M. Glusman Filing fee: $ 125, receipt number AMADC-11054431 by Leadership Now Project. (Attachments: # 1 Certificate In Support of Motion to Appear Pro Hac Vice)(Chen, Joy) (Entered: 06/06/2025)
06/06/2025	83	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 81 Motion for Leave to Appear Pro Hac Vice of P. Benjamin Duke. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in**

		Court for any hearings or conferences, unless expressly excused by the Court for good cause.(CAM) (Entered: 06/06/2025)
06/06/2025	84	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 82 Motion for Leave to Appear Pro Hac Vice of Graham M. Glusman. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 06/06/2025)
06/06/2025	85	First MOTION for Leave to Appear Pro Hac Vice for admission of Bina Ahmad Filing fee: $ 125, receipt number AMADC-11054588 by A Jewish Voice for Peace.(Weber, Rachel) (Additional attachment(s) added on 6/9/2025: # 1 Certificate of Bina Ahmad) (CAM). (Main Document 85 replaced on 6/9/2025) (CAM). (Entered: 06/06/2025)
06/09/2025	86	MOTION for Leave to File *Amicus Brief* by Public Citizen . (Attachments: # 1 Exhibit Proposed Brief, # 2 Exhibit Proposed Order)(Stern, Mark) Modified on 6/9/2025 to correct filer name (CAM). (Entered: 06/09/2025)
06/09/2025	87	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 85 Motion for Leave to Appear Pro Hac Vice of Bina Ahmad. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 06/09/2025)
06/09/2025	88	MOTION for Leave to File *Amicus Curiae Brief* by A Jewish Voice for Peace. (Attachments: # 1 Exhibit Amicus Curiae Brief, # 2 Affidavit Declaration of Stefanie Fox)(Weber, Rachel) (Entered: 06/09/2025)

06/09/2025	89	NOTICE of Appearance by Bina Ahmad on behalf of A Jewish Voice for Peace (Ahmad, Bina) (Entered: 06/09/2025)
06/09/2025	90	MOTION for Leave to File *Amicus Brief* by Muslim Legal Fund of America. (Attachments: # 1 Exhibit Proposed Brief, # 2 Supplement Motion PHV, # 3 Exhibit Declaratikon)(Stern, Mark) (Entered: 06/09/2025)
06/09/2025	91	First MOTION for Leave to Appear Pro Hac Vice by Muslim Legal Fund of America. (Attachments: # 1 Affidavit Declaration)(Stern, Mark) (Entered: 06/09/2025)
06/09/2025	92	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 86 , 88 Motions for Leave to File Amicus Briefs ; Counsel using the Electronic Case Filing System should now file the documents for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (CAM) (Entered: 06/09/2025)
06/09/2025	93	**Filed in error, refiled with clearer PDF at ECF No. 95 .** AMICUS BRIEF filed by A Jewish Voice for Peace . (Attachments: # 1 Affidavit)(Ahmad, Bina) Modified on 6/10/2025 (CAM). (Entered: 06/09/2025)
06/09/2025	94	AMICUS BRIEF filed by Public Citizen . (Stern, Mark) (Entered: 06/09/2025)
06/09/2025	95	AMICUS BRIEF filed by A Jewish Voice for Peace . (Attachments: # 1 Affidavit) (Ahmad, Bina) (Entered: 06/09/2025)
06/09/2025	96	Judge Allison D. Burroughs: ELECTRONIC ORDER entered GRANTING 90 Motion for Leave to File Amicus Brief ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (CAM) (Entered: 06/09/2025)
06/09/2025	97	AMICUS BRIEF filed by Leadership Now Project *in Support of Plaintiff's Motion for Summary Judgment*. (Chen, Joy) (Entered: 06/09/2025)
06/10/2025	98	**ELECTRONIC NOTICE TO COUNSEL** re 91 First MOTION for Leave to Appear Pro Hac Vice of Christina A. Jump for the Legal Division of the Muslim Legal Fund of America, filed by Mark D. Stern. : The required payment of $125.00 for admission for pro hac vice was bypassed in the filing of the motion. Counsel is directed to pay for the admission by submitting payment online using the Notice of Attorney Payment of Fees event, under Civil Events -> Other Filings -> Notices. This event requires a PDF document to be attached to the filing. Please use the first page of the motion to complete the submission. (CAM) (Entered: 06/10/2025)
06/10/2025	99	Judge Allison D. Burroughs: ELECTRONIC ORDER entered withdrawing 91 Motion for Leave to Appear Pro Hac Vice, having been notified by local counsel that it was filed in this case in error. (CAM) (Entered: 06/10/2025)
06/10/2025	100	MOTION for Leave to Appear Pro Hac Vice for admission of Paul Alan Levy Filing fee: $ 125, receipt number AMADC-11059136 by Public Citizen. (Attachments: # 1 Affidavit Declaration, # 2 Exhibit Proposed Order)(Stern, Mark) (Entered: 06/10/2025)
06/10/2025	101	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 100 Motion for Leave to Appear Pro Hac Vice of Paul Alan Levy. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at**

		https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected. Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. A Notice of Appearance must be entered on the docket by the newly admitted attorney. **Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause.**(CAM) (Entered: 06/10/2025)
06/11/2025	102	NOTICE of Appearance by Paul Alan Levy on behalf of Public Citizen (Levy, Paul) (Entered: 06/11/2025)
06/16/2025	103	Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment* by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 06/16/2025)
06/16/2025	104	MEMORANDUM in Support re 103 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment* filed by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. (Khetarpal, Anuj) (Entered: 06/16/2025)
06/16/2025	105	Statement of Material Facts L.R. 56.1 re 103 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment* filed by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as

		Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. (Khetarpal, Anuj) (Entered: 06/16/2025)
06/20/2025	106	NOTICE of Appearance by P. Benjamin Duke on behalf of Leadership Now Project (Duke, P. Benjamin) (Entered: 06/20/2025)
06/20/2025	107	NOTICE of Appearance by Graham Michael Glusman on behalf of Leadership Now Project (Glusman, Graham) (Entered: 06/20/2025)
06/20/2025	108	NOTICE of Appearance by Joy A. Chen on behalf of Leadership Now Project (Chen, Joy) (Entered: 06/20/2025)
06/25/2025	109	NOTICE OF MANUAL FILING by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. Flash drive containing audio and video files submitted as exhibits 5, 7, 12 and 13 re 77 Affidavit in Support of Motion. Physical Media Delivered to Chambers on 6/9/2025 , recorded on the docket on 6/25/2025 (CAM). (Entered: 06/25/2025)
06/30/2025	110	REPLY to Response to 103 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment and Memorandum in Further Support of Plaintiffs' Motion* filed by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Silverman, Daniel) (Entered: 06/30/2025)
06/30/2025	111	DECLARATION re 110 Reply to Response to Motion, *of Daniel Silverman* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Silverman, Daniel) (Entered: 06/30/2025)
07/09/2025	112	NOTICE of Appearance by Jeremy Liss on behalf of Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler (Liss, Jeremy) (Entered: 07/09/2025)
07/10/2025	113	SUMMONS Returned Executed American Association of University Professors served on 4/14/2025, answer due 5/5/2025; American Association of University Professors - Harvard Faculty Chapter served on 4/14/2025, answer due 5/5/2025; International Union, United Automobile, Aerospace and Agricultural Implement Workers of America served on 4/14/2025, answer due 5/5/2025. (Attachments: # 1 Exhibit Bhattacharya POS, # 2

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		Exhibit DOE POS, # 3 Exhibit DOJ POS, # 4 Exhibit Ehikian POS, # 5 Exhibit Gruenbaum POS, # 6 Exhibit GSA POS, # 7 Exhibit HHS POS, # 8 Exhibit Kennedy POS, # 9 Exhibit Keveney POS, # 10 Exhibit McMahon POS, # 11 Exhibit NIH POS, # 12 Exhibit Terrell, # 13 Exhibit Trainor, # 14 Exhibit Wheeler)(Silverman, Daniel) (Entered: 07/10/2025)
07/11/2025	114	SUMMONS Returned Executed Jayanta Bhattacharya served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	115	SUMMONS Returned Executed Pamela Bondo served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	116	SUMMONS Returned Executed US Department of Education served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	117	SUMMONS Returned Executed US Department of Justice served on 4/14/2025, answer due 5/5/2025 (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	118	SUMMONS Returned Executed Stephen Ehikian served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	119	SUMMONS Returned Executed Josh Gruenbaum served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	120	SUMMONS Returned Executed U.S. General Services Administration served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	121	SUMMONS Returned Executed U.S. Department of Health and Human Services (HHS) served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	122	SUMMONS Returned Executed Robert F. Kennedy, Jr. served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	123	SUMMONS Returned Executed Sean R Keveney served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	124	SUMMONS Returned Executed Linda McMahon served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	125	SUMMONS Returned Executed National Institues of Health served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	126	SUMMONS Returned Executed Leo Terrell served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	127	SUMMONS Returned Executed Craig Trainor served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/11/2025	128	SUMMONS Returned Executed Thomas E Wheeler served on 4/14/2025, answer due 5/5/2025. (Silverman, Daniel) (Entered: 07/11/2025)
07/14/2025	129	MOTION to Withdraw as Attorney *(AUSA Farquhar and AUSA Khetarpal)* by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human

		Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler.(Khetarpal, Anuj) (Entered: 07/14/2025)
07/14/2025	130	REPLY to Response to 103 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment* filed by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. (Liss, Jeremy) (Entered: 07/14/2025)
07/15/2025	131	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 129 Motion to Withdraw as Attorney. Attorney Rayford A. Farquhar and Anuj K. Khetarpal terminated. (KF) (Entered: 07/15/2025)
07/15/2025	132	APPENDIX/EXHIBIT *Joint Redacted* by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Leadership Now Project, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. (Attachments: # 1 Appendix Part 2, # 2 Appendix Part 3, # 3 Appendix Part 4, # 4 Appendix Part 5, # 5 Appendix Part 6, # 6 Appendix Part 7, # 7 Appendix Part 8, # 8 Appendix Part 9, # 9 Appendix Part 10, # 10 Appendix Part 11, # 11 Appendix Part 12, # 12 Appendix Part 13, # 13 Appendix Part 14, # 14 Appendix Part 15, # 15 Appendix Part 16, # 16 Appendix Part 17, # 17 Appendix Part 18, # 18 Appendix Part 19, # 19 Appendix Part 20, # 20 Appendix Part 21, # 21 Appendix Part 22, # 22 Appendix Part 23, # 23 Appendix Part 24)(Liss, Jeremy) (Entered: 07/15/2025)
07/15/2025	133	NOTICE of Appearance by Michael Velchik on behalf of Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States

		Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler (Velchik, Michael) (Entered: 07/15/2025)
07/17/2025	134	MOTION for Leave to Appear Pro Hac Vice for admission of Aine C. Carolan Filing fee: $ 125, receipt number AMADC-11128047 by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Affidavit Certification of Aine Carolan)(Silverman, Daniel) (Entered: 07/17/2025)
07/18/2025	135	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 134 Motion for Leave to Appear Pro Hac Vice Added Aine Carolan. **Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account. You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.** Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm. Pursuant to Local Rule 83.5.3, local counsel shall also file an appearance in this matter. Further, local counsel shall review all filings and shall personally appear in Court for any hearings or conferences, unless expressly excused by the Court for good cause. (KF) (Entered: 07/18/2025)
07/18/2025	136	NOTICE of Appearance by Aine Constance Carolan on behalf of American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Carolan, Aine) (Entered: 07/18/2025)
07/22/2025	137	Electronic Clerk's Notes for proceedings held before Judge Allison D. Burroughs: Motion Hearing held on 7/22/2025 regarding motions for summary judgment. Oral argument by the parties. Court takes matter under advisement. (Court Reporter: Kelly Mortellite at mortellite@gmail.com.) Associated Cases: 1:25-cv-11048-ADB, 1:25-cv-10910-ADB(KF) (Entered: 07/22/2025)
07/22/2025	138	Transcript of Motion Hearing held on July 21, 2025, before Judge Allison D. Burroughs. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kelly Mortellite at mortellite@gmail.com. Redaction Request due 8/12/2025. Redacted Transcript Deadline set for 8/22/2025. Release of Transcript Restriction set for 10/20/2025. Associated Cases: 1:25-cv-11048-ADB, 1:25-cv-10910-ADB (DRK) (Entered: 07/22/2025)
07/22/2025	139	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at https://www.mad.uscourts.gov/caseinfo/transcripts.htm Associated Cases: 1:25-cv-11048-ADB, 1:25-cv-10910-ADB(DRK) (Entered: 07/22/2025)
08/24/2025	140	Notice of Supplemental Authorities re 74 MOTION for Summary Judgment (Attachments: # 1 Exhibit A)(Silverman, Daniel) (Entered: 08/24/2025)

09/03/2025	141	Judge Allison D. Burroughs: MEMORANDUM AND ORDER entered. The Court GRANTS the Organizational Plaintiffs' motion for summary judgment, [AAUP, ECF No. 74], as to Counts I and IV and Defendants' cross motion for summary judgment as to Counts III, V, and VII. It DENIES Defendants' cross motion, [AAUP, ECF No. 103], as to Counts VI and VIII. As to Count II, the Court GRANTS IN PART the Organizational Plaintiffs' motion with respect to the Freeze Orders and GRANTS IN PART Defendants' motion with respect to the Termination Letters, which it lacks jurisdiction to review under 5 U.S.C. § 706(2)(A). The Organizational Plaintiffs' and Defendants' summary judgment motions in Case No. 25-cv-10910 are otherwise DENIED. (CAM) (Entered: 09/03/2025)
09/10/2025	142	NOTICE of Voluntary Dismissal by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (Sellers, Joseph) (Entered: 09/10/2025)
09/11/2025	143	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Pursuant to the parties' notice of voluntary dismissal, [ECF No. 142], the Court **DISMISSES** Counts VI and VIII of the Second Amended Complaint. It is the Court's understanding that all claims have been resolved and that a final judgment should issue. The parties shall file a status report by September 19, 2025 indicating whether any additional issues need to be resolved before a final judgment issues and submitting any proposed language for such a judgment. (CAM) (Entered: 09/11/2025)
09/19/2025	144	STATUS REPORT *(Joint)* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Sellers, Joseph) (Entered: 09/19/2025)
09/22/2025	145	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. The Court grants the parties' request for additional time to work through implementation issues before a final judgment is entered, (144 in 1:25-cv-10910-ADB; 240 in 1:25-cv-11048-ADB). The parties shall file a status report by October 3, 2025. Associated Cases: 1:25-cv-10910-ADB, 1:25-cv-11048-ADB(CAM) (Entered: 09/22/2025)
10/01/2025	146	MOTION to Stay Deadline by Pamela Bondi, Stephen Ehikian, Peter B. Hegseth, Robert F. Kennedy, Jr, Linda M McMahon, National Aeronautics and Space Administration, National Institutes of Health, Sethuraman Panchanathan, Janet E. Petro, Brooke L. Rollins, Scott Turner, US Department of Agriculture, US Department of Defense, US Department of Education, US Department of Energy, US Department of Health and Human Services, US Department of Housing and Urban Development, US Department of Justice, US General Services Administration, US National Science Foundation, Christopher A. Wright. (KF) (Entered: 10/02/2025)
10/02/2025	147	Opposition re 146 MOTION to Stay filed by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Exhibit Proposed Order and Final Judgment)(Sellers, Joseph) (Entered: 10/02/2025)
10/02/2025	148	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Defendants' motion for a stay, [ECF No. 146], is **GRANTED IN PART** and **DENIED IN PART**. The deadline to file a status report is extended until October 10, 2025. Defendants may renew their motion by that date. (CAM) (Entered: 10/02/2025)
10/08/2025	149	Second MOTION to Stay Deadline by Pamela Bondi, Stephen Ehikian, Peter B. Hegseth, Robert F. Kennedy, Jr, Linda M McMahon, National Aeronautics and Space Administration, National Institutes of Health, Sethuraman Panchanathan, Janet E. Petro,

		Brooke L. Rollins, Scott Turner, US Department of Agriculture, US Department of Defense, US Department of Education, US Department of Energy, US Department of Health and Human Services, US Department of Housing and Urban Development, US Department of Justice, US General Services Administration, US National Science Foundation, Christopher A. Wright. (KF) (Entered: 10/08/2025)
10/08/2025	150	Opposition re 149 MOTION to Stay filed by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Sellers, Joseph) (Entered: 10/08/2025)
10/09/2025	151	Judge Allison D. Burroughs: ELECTRONIC ORDER entered. Defendants' second motion for a stay, [ECF No. 149], is DENIED. The deadline to file a status report, see [ECF Nos. 143 , 145 , 148], is extended until October 17, 2025. (CAM) (Entered: 10/09/2025)
10/17/2025	152	STATUS REPORT *(Joint)* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Exhibit Proposed Order and Final Judgment)(Sellers, Joseph) (Entered: 10/17/2025)
10/20/2025	153	Judge Allison D. Burroughs: ORDER entered. ORDER AND FINAL JUDGMENT. (CAM) (Entered: 10/20/2025)
10/29/2025	154	MOTION to Stay *Deadline to File Motion for Attorney's Fees and Costs Pending Appeal* by American Association of University Professors, American Association of University Professors - Harvard Faculty Chapter, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. (Attachments: # 1 Text of Proposed Order)(Sellers, Joseph) (Entered: 10/29/2025)
10/30/2025	155	Judge Allison D. Burroughs: ELECTRONIC ORDER entered granting 154 Motion to Stay Deadline to File Motion for Attorney's Fees and Costs Pending Appeal. (KF) (Entered: 10/30/2025)
12/18/2025	156	NOTICE of Appearance by Eitan Sirkovich on behalf of Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler (Sirkovich, Eitan) (Entered: 12/18/2025)
12/18/2025	157	NOTICE OF APPEAL as to 153 Judgment by Jayanta Bhattacharya, Pamela Bondi, Brian Stone, in his official capacity as Acting Director of NSF, Brooke L. Rollins, in her official capacity as Secretary of USDA, Christopher A. Wright, in his official capacity as Secretary of DOE, Stephen Ehikian, Josh Gruenbaum, Janet E. Petro, in her official capacity as Acting Administrator of NASA, Robert F. Kennedy, Jr., Sean R Keveney, Linda McMahon, National Aeronautics and Space Administration, National Institues of Health, Peter B. Hegseth, in his official capacity as Secretary of DOD, Scott Turner, in his official capacity as Secretary of HUD, Leo Terrell, Craig Trainor, U.S. Department of

		Education, U.S. Department of Health and Human Services (HHS), U.S. General Services Administration, United States Department Of Justice, United States Department of Agriculture, United States Department of Defense, United States Department of Energy, United States Department of Housing and Urban Development, United States National Science Foundation, Thomas E Wheeler. Fee Status: US Government. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. **Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf. US District Court Clerk to deliver official record to Court of Appeals by 1/7/2026. (Sirkovich, Eitan) (Entered: 12/18/2025)**
12/21/2025	158	NOTICE of Withdrawal of Appearance by Margaret E Wydman (Wydman, Margaret) (Entered: 12/21/2025)
12/23/2025	159	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re 157 Notice of Appeal. (SEC) (Entered: 12/23/2025)
12/29/2025	160	USCA Case Number 25-2231 for 157 Notice of Appeal filed by National Institutes of Health, United States Department of Housing and Urban Development, United States National Science Foundation, Leo Terrell, Sean R Keveney, Jayanta Bhattacharya, U.S. Department of Health and Human Services (HHS), Thomas E Wheeler, Brooke L. Rollins, Brian Stone,, National Aeronautics and Space Administration, Peter B. Hegseth, Janet E. Petro, United States Department Of Justice, United States Department of Defense, Scott Turner, Linda McMahon, Craig Trainor, United States Department of Agriculture, Pamela Bondi, U.S. Department of Education, Robert F. Kennedy, Jr., Stephen Ehikian, Josh Gruenbaum, U.S. General Services Administration, United States Department of Energy, Christopher A. Wright. (SEC) (Entered: 12/29/2025)

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS–HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-cv-10910 ***Leave to file granted on May 20, 2025***

SECOND AMENDED COMPLAINT

Plaintiffs American Association of University Professors–Harvard Faculty Chapter ("AAUP-Harvard"), American Association of University Professors ("AAUP"), and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW") (collectively, "Plaintiffs"), through their attorneys, Selendy Gay PLLC and Cohen Milstein Sellers & Toll PLLC, for their complaint against the United States Department of Justice ("DOJ"); Pamela Bondi, in her official capacity as the 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; the United States Department of Education ("ED"); Linda McMahon, in her official capacity as the Secretary of Education; Craig Trainor, in his official capacity as Acting Assistant Secretary for the Office for Civil Rights, ED; Thomas E. Wheeler, in his official capacity as Acting General Counsel of the ED; the United States Department of Health and Human Services ("HHS"); Robert F. Kennedy, Jr., in his official capacity as the Secretary of HHS; Sean R. Keveney, in his official capacity as Acting General Counsel of HHS; National Institutes of Health ("NIH"); Jayanta Bhattacharya, in his official capacity as the Director of NIH; the United

States General Services Administration ("GSA"); Stephen Ehikian, in his official capacity as Acting Administrator of GSA; Josh Gruenbaum, in his official capacity as Commissioner of the Federal Acquisition Service; United States Department of Energy ("DOE"); Christopher A. Wright, in his official capacity as Secretary of DOE; United States National Science Foundation ("NSF"); Brian Stone, in his official capacity as Acting Director of NSF; United States Department of Defense ("DOD"); Peter B. Hegseth, in his official capacity as Secretary of DOD; National Aeronautics and Space Administration ("NASA"); Janet E. Petro, in her official capacity as Acting Administrator of NASA; United States Department of Agriculture ("USDA"); Brooke L. Rollins, in her official capacity as Secretary of USDA; United States Department of Housing and Urban Development ("HUD"); and Scott Turner, in his official capacity as Secretary of HUD (collectively, "Defendants"), allege as follows:

NATURE OF ACTION

1. This action challenges the Trump administration's unlawful and unprecedented misuse of federal funding and civil rights enforcement authority to undermine academic freedom and free speech on a university campus.

2. On March 31, 2025, after several months of threats and posturing, Defendants announced that they were "reviewing" Harvard's federal funding for asserted but unspecified failures to address antisemitism (the "March 31 Announcement"). In a letter to Harvard three days later, on April 3, Defendants demanded that Harvard adopt a list of vague yet sweeping programmatic and structural changes to university management, operations, and curriculum (the "April 3 Letter"). Defendants described these changes as "non-exhaustive" preconditions for Harvard "to remain a responsible recipient of federal taxpayer dollars" valued at approximately $9 billion. On April 11, Defendants sent Harvard another letter expanding on the April 3 demands, imposing additional, and even more extreme, demands (the "April 11 Letter").

3. In a letter sent on April 14, Harvard asserted that it would not accept the demands made in the April 11 Letter (the "April 14 Response"). Hours later, the Trump administration announced it was freezing more than $2 billion in federal funding to Harvard. Since then, many Harvard employees working on federally sponsored projects have received orders to stop working or terminating their grants. Many more have had their work disrupted or damaged, in some cases irreparably so, because of Defendants' implementation of the funding freeze and promise of further large-scale funding freezes. Since at least April 24, the NIH has refused to disburse federal funds to Harvard, threatening research vital to the public health of hundreds of millions of Americans and billions of people around the world.

4. On May 5, Defendant and Secretary of Education Linda McMahon sent Harvard a further letter (the "May 5 Letter") declaring that, for substantially the same reasons as those stated in the April 3 and April 11 Letters, the federal government would not award Harvard University *any* future grants. That letter specifically refers to Defendants' prior demands in the April 3 and April 11 Letters and cites Harvard's rejection of Defendants' prior demands as among the bases for the Department of Education's decision.

5. The NIH sent Harvard a further letter dated May 6, 2025 (the "May 6 Letter") announcing the immediate and categorical termination of more than $2 billion in NIH grants to Harvard comprising, on information and belief, all active Harvard grant awards from the NIH. The May 6 Letter implements Defendants' April 14 decision to freeze $2.2 billion in federal funding to Harvard due to unspecified allegations of antisemitism and discrimination. The May 6 Letter cited the same factual basis as the April 3, April 11, and May 5 Letters and, in particular, cited the University's refusal to agree to the demands in the April 3 and April 11 Letters as a basis to justify the termination. More letters followed over the course of the next week announcing the cancellation of

funding from USDA, DOE, DOD, NSF, and HUD, all citing the same allegations from Defendants' previous letters as the basis for termination.

6. Harvard, like all American universities, depends on federal funding to conduct its academic research. This funding is essential to the global preeminence of research universities like Harvard.

7. Actual and threatened funding freezes or terminations like those made by the Trump administration are an existential "gun to the head" for a university. *Nat'l Fed'n of Indep. Bus. v. Sebelius*, 567 U.S. 519, 581 (2012). They also hold hostage billions of dollars in congressional appropriations that are crucial to ensuring the American university system remains a global leader in scientific, medical, and technological research. Defendants insist they are enforcing Title VI of the Civil Rights Act—the anti-discrimination law covering institutions that receive federal funds. But under Title VI and its implementing regulations, the government may terminate funding *only* after complying with several specific steps, including issuing findings of noncompliance; making an effort to obtain voluntary compliance and determining that voluntary compliance is impossible; giving notice to both the university and Congress; providing a hearing; and ensuring that any changes demanded as a condition of avoiding termination are tailored to the findings of noncompliance. 42 U.S.C. § 2000d *et seq.* These procedures exist because Congress recognized that allowing federal agencies to hold funding hostage, or to cancel it cavalierly, would give them dangerously broad power in a system in which institutions depend so heavily upon federal funding.

8. Defendants have not followed any of these procedures. Instead, Defendants summarily froze, and ultimately terminated, billions of dollars in federal funding to Harvard and established a policy refusing to consider Harvard for future awards, all without any meaningful process or any specific finding of wrongdoing, because Harvard refused to implement the Trump

administration's demands to overhaul the University's governance and leadership, academic programs, admissions system, hiring process, and discipline system—with the promise of more onerous conditions on funding yet to come. These sweeping demands are not remedies targeting the causes of any determination of noncompliance with federal law. Instead, they overtly seek to impose on Harvard University political views and policy preferences advanced by the Trump administration and commit the University to punishing disfavored speech.

9. These tactics amount to exploiting Title VI to coerce universities into undermining free speech and academic inquiry in service of the government's political or policy preferences. Just last year the Supreme Court unanimously reaffirmed that such coercion is unconstitutional. *See Nat'l Rifle Ass'n of Am. v. Vullo*, 602 U.S. 175, 190 (2024).

10. Defendants' actions against Harvard follow a playbook that has already succeeded in undermining free speech and academic freedom in America. In March, Defendants launched a similar investigation into Columbia University and, shortly thereafter, summarily terminated over $400 million in federal contracts while threatening billions more. Under immense financial pressure, Columbia acceded to the Trump administration's demands. A remarkable component of that concession was Columbia's agreement to "[e]xpand[] … intellectual diversity" as defined by the Trump administration, alter its procedures for hiring faculty and disciplining students according to the administration's policy preference, hire a new internal security force with the power to remove and arrest individuals from campus, and overhaul its Middle Eastern studies department, all without any formal finding of misconduct. Despite its voluntary cooperation, as of April 10, the Trump administration had been reported to be seeking further demands from Columbia in the form of a consent decree and the NIH has further frozen all of Columbia's grant funding without any notice. The Trump administration has also frozen over $1 billion in funding for Cornell University and

$790 million for Northwestern University with an even more shocking lack of process, not even purporting to issue communications providing notice under Title VI or any other legal authority.

11. The Trump administration has made clear in public remarks that its intent in freezing Harvard's federal funding is to suppress academic freedom, set American research back, and make an example of venerated institutions with which the Trump administration disagrees.

12. Defendants' unlawful actions have already caused severe and irreparable harm by halting academic research and inquiry at Harvard, including in areas that have no relation whatsoever to charges of antisemitism or other civil rights violations.

13. Defendants' actions also create, by design, a pervasive climate of fear and self-censorship for Plaintiffs and their members. Despite Harvard's celebrated public stance rejecting Defendants' demands, Harvard has already been coerced into acceding to some of those demands and into restricting academic freedom and punishing disfavored speech on campus. To name just a few examples of the actions Harvard has taken after the April 3 and April 11 Letters: Harvard has closed its DEI office and retasked its former DEI officials to work on different institutional priorities, and centralized student discipline for inter-school disciplinary matters in a newly empowered central body convened by the Office of the University President—all actions that closely mirror the demands Defendants made in their April 3 and April 11 Letters. Even before the April 3 and April 11 Letters themselves, Harvard fired the leadership of a controversial University program as an early concession to Trump administration demands.

14. Plaintiffs' members have already been—and will continue to be—harmed by actual and threatened funding freezes and terminations. AAUP–Harvard members and UAW members have been forced to delay their research and halt their experiments midstream. Over time, these members will have to close their labs, dismiss staff, and terminate their studies, resulting in the lost

value of essential research. The funding freeze, terminations, and threats of future cuts also directly harm graduate student workers and postdoctoral scholars whose tuition and living costs are largely sponsored by federal grants. Losing their funding will delay or entirely prohibit members from being able to complete their thesis and dissertation research, either slowing the timeline to degree completion or causing some members to reconsider their projects or even drop out of their programs.

15. "Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and ... is therefore a special concern of the First Amendment." *Keyishian v. Bd. of Regents of Univ. of State of N.Y.*, 385 U.S. 589, 603 (1967). "To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation." *Sweezy v. New Hampshire*, 354 U.S. 234, 250 (1957). Our country's greatness depends in meaningful part upon the continued independence and intellectual freedom of its universities and colleges. The Court should act to ensure free speech and academic freedom by enjoining Defendants' acts and declaring them unlawful.

THE PARTIES

A. Plaintiffs

16. Plaintiff American Association of University Professors–Harvard Faculty Chapter, founded in April 2024, is a nonprofit membership association of faculty across Harvard University's many departments and schools and a chapter of the AAUP. AAUP–Harvard advocates for meaningful and democratic shared governance, academic freedom, and the economic security of those who perform the institution's core instructional work. AAUP–Harvard is headquartered in Cambridge, Massachusetts.

17. Plaintiff American Association of University Professors is a membership association and labor union of faculty and academic professionals throughout the country organized under

Section 501(c)(6) of the Internal Revenue Code. AAUP is headquartered in Washington, D.C. Founded in 1915, AAUP remains the nation's leading organization primarily dedicated to protecting academic freedom and shared governance in higher education. AAUP has approximately 44,000 members on college and university campuses across the country, including a large number of faculty members who rely on federal grants to support their work across a range of academic disciplines.

18. AAUP's mission is to advance academic freedom and shared governance of higher education institutions; to define fundamental professional values and standards for higher education; to promote the economic security of faculty, academic professionals, graduate students, postdoctoral fellows, and all those engaged in teaching and research in higher education; to help the higher education community organize to make its goals a reality; and to ensure higher education's contribution to the common good. AAUP has helped to shape American higher education by developing the standards and procedures that maintain quality in education and academic freedom in this country's colleges and universities.

19. Plaintiff the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America is one of the largest and most diverse unions in North America, with members in the United States, Canada, and Puerto Rico, and in virtually every sector of the economy. From its earliest days, the UAW has been a leader in the struggle to secure economic and social justice for all people. It has a rich history of supporting inclusion, equity, and diversity in the higher education sector and in all workplaces. The UAW has nearly 1,000,000 active and retired members and represents approximately 120,000 workers in higher education—graduate students, postdoctoral scientists, researchers, university staff, and faculty—at institutions across the country including Northeastern University, Wellesley College, University of Southern California,

University of California, California State University, University of Washington, Columbia University, New York University, Harvard University, University of Pennsylvania, Princeton University, and Worcester Polytechnic Institute, among many others. Tens of thousands of UAW members rely on federal grant funding for their jobs and training.

20. Harvard's UAW-affiliated bargaining units include the Harvard Graduate Students Union ("HGSU–UAW") and Harvard Academic Workers ("HAW–UAW"). HGSU–UAW represents approximately 5,400 academic workers across Harvard, including teaching fellows, course assistants, and graduate research assistants. HAW–UAW represents more than 3,300 non-student academic workers, including postdoctoral researchers, lecturers, teaching assistants, research scientists, and others who do similar work at The Faculty of Arts and Sciences, Harvard Medical School, and the Harvard Divinity School. Many members of HGSU–UAW and HAW–UAW hold positions funded by the federal government, such as research grants from the National Science Foundation ("NSF") or NIH.

B. Defendants

21. Defendant the United States Department of Justice is a federal agency headquartered in Washington, D.C. The DOJ is an agency within the meaning of the Administrative Procedure Act ("APA"). 5 U.S.C. §§ 551(1), 701(b)(1).

22. Defendant Pamela Bondi is sued in her official capacity as the United States Attorney General.

23. Defendant Leo Terrell is sued 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.

24. Defendant the United States Department of Health and Human Services is a federal agency headquartered in Washington, D.C. HHS is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

25. Defendant Robert F. Kennedy, Jr. is sued in his official capacity as the United States Secretary of HHS.

26. Defendant Sean R. Keveney is sued in his official capacity as the Acting General Counsel of HHS.

27. Defendant the National Institutes of Health is a federal agency within HHS and is headquartered in Bethesda, Maryland. NIH is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

28. Defendant Jayanta Bhattacharya is sued in his official capacity as the Director of the NIH.

29. Defendant the United States Department of Education is a federal agency headquartered in Washington, D.C. ED is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

30. Defendant Linda McMahon is sued in her official capacity as the United States Secretary of Education.

31. Defendant Thomas E. Wheeler is sued in his official capacity as Acting General Counsel of the ED.

32. Defendant Craig Trainor is sued in his official capacity as Acting Assistant Secretary for the Office for Civil Rights, United States Department of Education.

33. Defendant the United States General Services Administration is a federal agency headquartered in Washington, D.C. GSA is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

34. Defendant Stephen Ehikian is sued in his official capacity as Acting Administrator of the GSA.

35. Defendant Josh Gruenbaum is sued in his official capacity as Commissioner of the Federal Acquisition Service within the GSA.

36. Defendant United States Department of Energy is a federal agency headquartered in Washington, D.C. DOE is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

37. Defendant Christopher A. Wright is sued in his official capacity as Secretary of DOE.

38. Defendant United States National Science Foundation is a federal agency headquartered in Alexandria, Virginia. NSF is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

39. Defendant Brian Stone is sued in his official capacity as Acting Director of NSF.

40. Defendant United States Department of Defense is a federal agency headquartered in Arlington County, Virginia. DOD is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

41. Defendant Peter B. Hegseth is sued in his official capacity as Secretary of DOD.

42. Defendant National Aeronautics and Space Administration is a federal agency headquartered in Washington, D.C. NASA is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

43. Defendant Janet E. Petro is sued in her official capacity as Acting Administrator of NASA.

44. Defendant United States Department of Agriculture is a federal agency headquartered in Washington, D.C. USDA is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

45. Defendant Brooke L. Rollins is sued in her official capacity as Secretary of USDA.

46. Defendant United States Department of Housing and Urban Development is a federal agency headquartered in Washington, D.C. HUD is an agency within the meaning of the APA. 5 U.S.C. §§ 551(1), 701(b)(1).

47. Defendant Scott Turner is sued in his official capacity as Secretary of HUD.

JURISDICTION AND VENUE

48. This action arises under the United States Constitution, 42 U.S.C. § 2000d-2, 42 U.S.C. § 1988, and 5 U.S.C. §§ 702, 706.

49. This Court has subject matter jurisdiction pursuant to Article III of the United States Constitution and 28 U.S.C. §§ 1331.

50. Plaintiffs do not seek money damages or an order mandating specific performance of any contract. Instead, they seek an order declaring unlawful and setting aside sweeping agency action taken in violation of Plaintiffs' constitutional rights and rights guaranteed by statute and regulation. Therefore, this Court has jurisdiction over Plaintiffs' claims.

51. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b)(2) and (e)(1) because a substantial part of the events or omissions giving rise to the claim occurred in this district.

FACTUAL ALLEGATIONS

I. Defendants' Campaign to Undermine Free Speech and Academic Freedom

52. President Trump expressly campaigned on a promise to undermine free speech and academic freedom by using federal power to control universities.

53. President Trump's 2024 campaign website included numerous statements describing his intention to curtail academic freedom and control the viewpoints expressed on campuses.

54. That website included President Trump's plan "to reclaim our once great educational institutions from the radical Left and Marxist maniacs."[1]

55. It expressly identified threats to withhold federal funding and extract financial penalties from private universities, specifically "at Harvard," as a means of such control, stating "we will take the billions and billions of dollars that we will collect by taxing, fining, and suing excessively large private university endowments, and we will then use that money to endow a new institution called the American Academy."[2]

56. The President's campaign website also pledged to suppress views contrary to (1) its preferred narrative with respect to the Israeli-Palestinian conflict, and (2) its preferred narratives with respect to race and gender—what it vaguely refers to as "diversity, equity, and inclusion," or "DEI," or sometimes "wokeness."

57. President Trump's campaign website highlighted that such viewpoints would be prohibited at the American Academy, stating that "there will be no wokeness or jihadism allowed—none of that's going to be allowed."[3]

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[1] *Agenda47: Protecting Students from the Radical Left and Marxist Maniacs Infecting Educational Institutions*, DonaldJTrump.com (July 17, 2023), https://www.donaldjtrump.com/agenda47/agenda47-protecting-students-from-the-radical-left-and-marxist-maniacs-infecting-educational-institutions.

[2] *Agenda47: The American Academy*, DonaldJTrump.com (Nov. 1, 2023), https://www.donaldjtrump.com/agenda47/agenda47-the-american-academy.

[3] *Id.*

58. Prior to his appointment as Senior Counsel to the Assistant Attorney General for Civil Rights and head of the DOJ Task Force to Combat Anti-Semitism, Defendant Terrell promised that "Harvard will lose much more [funding] effective January 2025" because "America will no longer fund Jew Hating Schools!"[4] In connection with news reports that President Trump had tapped Terrell for his federal position, Terrell threatened, "Harvard, I start work next week!"[5]

59. Prior to his election as Vice President, JD Vance stated that "the professors are the enemy"[6] and that "the universities are the enemy."[7] Since becoming Vice President he has praised Hungarian President Victor Orbán's aggressive strategy to make Hungarian universities better reflect Orbán's own ideology.[8]

60. Hungary[9]—along with its authoritarian counterparts in Turkey[10] and Brazil[11]— has attempted to place universities under the control of the central government.

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[4] Leo Terrell (@TheLeoTerrell), X (Oct. 20, 2024, 3:33PM), https://x.com/TheLeoTerrell/status/1848085166297686207.

[5] Leo Terrell (@TheLeoTerrell), X (Jan. 14, 2025, 11:19PM), https://x.com/TheLeoTerrell/status/1879382847511052551.

[6] JD Vance, *Nat'l Conservatism Conf., Keynote Address: The Professors Are the Enemy* (Nov. 2, 2021), available at https://www.youtube.com/watch?v=0FR65Cifnhw&embeds_referring_euri=https%3A%2F%2Fnationalconservatism.org%2F&source_ve_path=MjM4NTE.

[7] *Id.*

[8] Rob Dreher, *"I would like to see European elites actually listen to their people for a change": An Interview with J.D. Vance*, The European Conservative (Feb. 22, 2024), https://europeanconservative.com/articles/dreher/i-would-like-to-see-european-elites-actually-listen-to-their-people-for-a-change-an-interview-with-j-d-vance/.

[9] Lydia Gall, *Hungary Continues Attacks on Academic Freedom*, Human Rights Watch (Sept. 3, 2020), https://www.hrw.org/news/2020/09/03/hungary-continues-attacks-academic-freedom.

[10] Muzaffer Kaya, *Turkey's Purge of Critical Academia*, Middle East Rsch. & Info. Project (2018), https://merip.org/2018/12/turkeys-purge-of-critical-academia.

[11] Pedro Salgado, *The Crisis of Brazilian Universities: Higher Education Under Bolsonaro*, Int'l Rsch. Grp. on Authoritarianism & Counter-Strategies (July 21, 2021), https://irgac.org/articles/the-crisis-of-brazilian-universities-higher-education-under-bolsonaro/.

61. On January 20, 2025, President Trump signed Executive Order 14151, titled "Ending Radical and Wasteful Government DEI Programs and Preferencing."[12]

62. Executive Order 14151 states that "'diversity, equity, inclusion, and accessibility' (DEIA)" programs are "illegal and immoral discrimination programs." The order directs "[e]ach agency, department, or commission head" to "terminate, to the maximum extent allowed by law, all ... 'equity-related' grants or contracts."[13]

63. On January 21, 2025, President Trump signed Executive Order No. 14173, titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity."[14]

64. Executive Order 14173 states that "'diversity, equity, and inclusion' (DEI)," and "'diversity, equity, inclusion, and accessibility' (DEIA)" policies are "illegal," "dangerous," and "immoral" and can violate federal civil rights laws. It directs federal agencies to take action "[h]olding Federal contractors and subcontractors responsible for taking 'affirmative action'" against DEI and DEIA policies and directs the heads of all agencies to "take all appropriate action with respect to the operations of their agencies to advance in the private sector the policy of individual initiative, excellence, and hard work," which the Executive Order asserts is inconsistent with "DEIA."[15]

65. Executive Order 14173 further directs the Attorney General to submit a report "containing recommendations for enforcing Federal civil-rights laws and taking other appropriate measures to encourage the private sector to end illegal discrimination and preferences, including DEI." In addition, the Order states that the Attorney General's report must "contain a proposed

[12] Exec. Order No. 14151, 90 Fed. Reg. 8339 (Jan. 20, 2025).
[13] *Id.*
[14] Exec. Order No. 14173, 90 Fed. Reg. 8633 (Jan. 21, 2025).
[15] *Id.*

strategic enforcement plan" that, relevant here, includes "up to nine potential civil compliance investigations" of institutions including "institutions of higher education with endowments over 1 billion dollars."[16]

66. Neither Executive Order 14151 nor Executive Order 14173 define the terms "DEI," "DEIA," "diversity," "equity," "inclusion," or "accessibility."

67. On January 27, 2025, the Office of Management and Budget ("OMB") issued a memorandum requiring all agencies to "temporarily pause all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders, including, but not limited to, financial assistance for foreign aid, nongovernmental organizations, DEI, woke gender ideology, and the green new deal."[17]

68. On January 28, 2025, Harvard University announced that the OMB guidance "require[s] a pause on a subset of federally funded research activities implicated in an evolving set of executive orders or through stop work orders or other guidance issued by federal agencies" and promised that "member[s] of our research community" would "receive additional direction."[18]

69. On January 29, 2025, President Trump signed Executive Order 14188, titled "Additional Measures to Combat Anti-Semitism."[19]

70. Executive Order 14188 requires the heads of all executive agencies or departments to submit reports identifying all civil and criminal authorities or actions within their jurisdictions

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[16] *Id.*

[17] *Temporary Pause of Agency Grant, Loan, and Other Financial Assistance*, Off. of Mgmt. & Budget (Jan. 27, 2025), https://www.whitehouse.gov/wp-content/uploads/2025/03/M-25-13-Temporary-Pause-to-Review-Agency-Grant-Loan-and-Other-Financial-Assistance-Programs.pdf.

[18] *Emerging Regulations and Legislation*, Harvard University Office of the President (Jan. 28, 2025), https://www.harvard.edu/president/news/2025/emerging-regulations-and-legislation/.

[19] Exec. Order No. 14188, 90 Fed. Reg. 8847 (Jan. 29, 2025).

"that might be used to curb or combat anti-Semitism, and containing an inventory and analysis of all pending administrative complaints, as of the date of the report, against or involving institutions of higher education alleging civil-rights violations related to or arising from post-October 7, 2023, campus anti-Semitism."[20]

71. Executive Order 14188 explicitly reaffirmed Executive Order 13899, which President Trump issued on December 11, 2019, during his first term. Executive Order 13899 specifically invokes Title VI enforcement as the means for agencies to combat antisemitism on university campuses.[21]

72. Executive Order 14188 makes no mention of the First Amendment or the need to protect free speech alongside efforts to eradicate illegal discrimination and harassment.

73. On February 3, 2025, DOJ announced the creation of a multi-agency "Task Force to Combat Anti-Semitism" ("DOJ Task Force"), led by Defendant Terrell, to carry out the mandate of Executive Order 14188.[22] The DOJ Task Force includes representatives from DOJ, ED, and HHS.

74. That same day, ED announced Title VI investigations into five private and state universities (Columbia, Northwestern University, Portland State University, the University of California at Berkeley, and the University of Minnesota, Twin Cities) where ED stated that "widespread antisemitic harassment has been reported."[23] The announcement did not point to any specific

[20] *Id.*
[21] Exec. Order No. 13899, 84 Fed. Reg. 68779 (Dec. 11, 2019).
[22] Press Release, Off. of Pub. Affs., *Justice Dep't Announces Formation of Task Force to Combat Anti-Semitism*, U.S. Dep't of Just. (Feb. 3, 2025), https://www.justice.gov/opa/pr/justice-department-announces-formation-task-force-combat-anti-semitism.
[23] Press Release, U.S. Dep't of Educ., *U.S. Dep't of Educ. Probes Cases of Antisemitism at Five Univs.*, (Feb. 3, 2025), https://www.ed.gov/about/news/press-release/us-department-of-education-probes-cases-of-antisemitism-five-universities.

allegations of antisemitic harassment.

75. On March 3, 2025, HHS, ED, and GSA announced a "comprehensive review of Columbia University's federal contracts and grants in light of ongoing investigations for potential violations of Title VI of the Civil Rights Act."[24] The announcement did not point to any specific allegations of antisemitic harassment.

76. On March 4, 2025, President Trump posted on Truth Social, "All Federal Funding will STOP for any College, School, or University that allows illegal protests. Agitators will be imprisoned/or permanently sent back to the country from which they came. American students will be permanently expelled or, depending on the crime, arrested. NO MASKS! Thank you for your attention to this matter."[25]

77. The post did not say how federal officials would distinguish "illegal protests" from protests protected by the First Amendment or how they would identify "agitators" for purposes of implementing the President's policy, nor did it otherwise provide guidance to faculty, students, or administrators seeking to exercise (or to allow others to exercise) First Amendment rights while avoiding the risk of imprisonment, deportation, expulsion, arrest, or loss of "[a]ll" federal funding.

78. On March 7, 2025—only four days after announcing its review of Columbia's federal funding—DOJ, HHS, ED, and GSA announced the "immediate cancellation of approximately $400 million in federal grants and contracts to Columbia University due to the school's continued

[24] Press Release, U.S. General Servs. Admin., *HHS, ED, and GSA announce additional measures to end anti-Semitic harassment on college campuses* (Mar. 3, 2025), https://www.gsa.gov/about-us/newsroom/news-releases/hhs-ed-and-gsa-announce-additional-measures-to-end-antisemitic-harassment-03032025.

[25] Donald Trump (@realDonaldTrump), Truth Social (Mar. 4, 2025, 7:30AM), https://truthsocial.com/@realDonaldTrump/posts/114104167452161158.

inaction in the face of persistent harassment of Jewish students."[26] The announcement stated that these cuts "represent the first round of action and additional cancellations are expected to follow."[27]

79. Defendants' press release announcing this action stated in no uncertain terms that the measure was intended to send a message "to Columbia and other universities."[28] The March 7 press release stated, "decisive action by the DOJ, HHS, ED, and GSA to cancel Columbia's grants and contracts serves as a notice to every school and university that receives federal dollars that this Administration will use all the tools at its disposal to protect Jewish students and end anti-Semitism on college campuses."[29]

80. On or about March 9, 2025, Defendant Terrell stated on Fox News that "We are going to bankrupt these universities. We are going to take away every single federal dollar. That is why we are targeting these universities. The academic system in this country has been hijacked by the left, has been hijacked by the Marxists. They have controlled the mindset of our young people … and we have to put an end to it."[30]

81. He further stated, "If these universities do not play ball, lawyer up, because the federal government is coming after you." He concluded, "President Trump is going after [the universities] in every aspect … this taskforce is every agency. Homeland Security is involved, the FBI

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[26] Press Release, *DOJ, HHS, ED, and GSA announce initial cancellation of grants and contracts to Columbia University worth $400 million*, U.S. General Servs. Admin. (Mar. 7, 2025), https://www.gsa.gov/about-us/newsroom/news-releases/doj-hhs-ed-and-gsa-announce-initial-cancellation-of-grants-and-contracts-03072025.

[27] *Id.*

[28] Press Release, U.S. Dep't of Health and Hum. Servs., *DOJ, HHS, ED, and GSA Announce Initial Cancellation of Grants and Contracts to Columbia University Worth $400 Million,* (Mar. 7, 2025), https://www.hhs.gov/about/news/2025/03/07/doj-hhs-ed-gsa-announce-initial-cancellation-grants-contracts-columbia-university-worth-400-million.html.

[29] *Id.*

[30] Mark McMillan, *Leo Terrell with Mark Levin- How we'll defeat antisemitism in the USA*, YouTube (Mar. 9, 2025) https://www.youtube.com/watch?v=NOFIKRr2Sco.

is involved, HHS, the [Education] department, and the Treasury department because we are going to go after their 501(c)(3) status …. This is my number one commitment." [31]

82. On March 10, Defendants sent letters to Harvard and 59 other universities "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."[32] The targeted universities include a mix of private and public universities in a total of 24 states and Washington D.C.

83. Defendants also issued a press release to ensure publicity concerning these letters. The press release explicitly stated that Defendants had "announced the immediate cancellation of $400 million in federal grants and contracts to Columbia University due to the school's continued inaction to protect Jewish students from discrimination."[33]

84. The clear import of the press release was to threaten Harvard and the other universities who received the letter that they, too, might be subject to "immediate cancelation" of federal grants and contracts, outside of the required Title VI procedures.

85. On March 10, Harvard issued a public statement acknowledging the "substantial financial uncertainties driven by rapidly shifting federal policies" and instituting "a temporary pause on staff and faculty hiring across the University."[34]

86. On March 13, 2025, HHS, ED, and GSA sent another letter to Columbia "outlin[ing] immediate next steps that we regard as a precondition for formal negotiations regarding

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[31] *Id.*

[32] Press Release, *U.S. Department of Education's Office for Civil Rights Sends Letters to 60 Universities Under Investigation for Antisemitic Discrimination and Harassment*, U.S. Dep't of Educ. (Mar. 10, 2025), https://www.ed.gov/about/news/press-release/us-department-of-educations-office-civil-rights-sends-letters-60-universities-under-investigation-antisemitic-discrimination-and-harassment.

[33] *Id.*

[34] *Financial Stewardship*, Harvard University Office of the President (Mar. 10, 2025), https://www.harvard.edu/president/news/2025/financial-stewardship/.

Columbia University's continued financial relationship with the United States government."[35] The letter listed nine demands, including *inter alia* that Columbia impose specific forms of discipline (including "expulsion or multi-year suspension") on students involved in particular protests; re-structure its entire student disciplinary system in a centralized manner dictated by the federal government; institute a "mask ban"; place the Middle East, South Asian, and African Studies department into receivership; and overhaul its "undergraduate admissions, international recruiting, and graduate admissions practices."[36]

87. In a March 19, 2025 interview, Defendant Terrell was asked if it was his "intention" to "get a consent decree where Columbia gets a new law school dean, they get a new president, a new board, a new department of history, a new set of reasonable time, place, and manner regulations for a [sic] speech on campus that ban masks." Terrell answered, "Yes, yes, and yes."[37]

88. On March 21, 2025, Columbia shared updated policies appearing to give in to nearly all of Defendants' demands.[38]

89. For example, Defendants demanded that Columbia abolish its independent body responsible for discipline decisions and centralize discipline proceedings. Columbia stated that it would relocate the disciplinary body within the Office of the Provost (who reports to the President),

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[35] *Id.*

[36] Letter from J. Gruenbaum to K. Armstrong (Mar. 13, 2025), https://static01.nyt.com/newsgraphics/documenttools/6d3c124d8e20212d/85dec154-full.pdf. The March 13, 2025 Letter did not say what federal "policy" requires over and above federal law, nor did it allege any specific violations of federal law.

[37] *On Crushing Anti-Semitism on Campus*, Hughniverse Podcast (Mar. 19, 2025), https://hughhewitt.com/leo-terrell-senior-counsel-to-the-attorney-general-for-civil-rights-on-crushing-anti-semitism-on-campus.

[38] *Advancing Our Work to Combat Discrimination, Harassment, and Antisemitism at Columbia*, Columbia Office of the President (Mar. 21, 2025), https://president.columbia.edu/sites/default/files/content/03.21.2025%20Columbia%20-%20FINAL.pdf.

restrict participation to faculty and administrators, institute a "rigorous vetting and conflict review process to ensure objectivity, impartiality, and commitment to following and enforcing our community's rules and policies,"[39] and give the provost final approval over all panel members and appellate deans.

90. Defendants demanded that Columbia "empower internal law enforcement," including ensuring officers have full authority to arrest and remove "agitators who foster an unsafe or hostile work or study environment or otherwise interfere with classroom instruction or the functioning of the university."[40] Columbia announced that it has hired 36 "special officers"—it is unclear whether this is in addition to the 117 public safety officers the University had already hired in the past 16 months—who will "have the ability to remove individuals from campus and/or arrest."[41]

91. Defendants demanded that Columbia place the Middle East, South Asian, and African Studies department in an "academic receivership" for a "minimum of five years."[42] It is very rare for a university to decide to place an academic department under receivership, and a demand by the federal government that a university place an academic department in receivership is entirely unprecedented. Nevertheless, in response to Defendants' demands, Columbia announced the appointment of a new Senior Vice Provost who will "conduct a thorough review of the portfolio of programs in regional areas across the University, starting immediately with the Middle East. This review will include the Center for Palestine Studies; the Institute for Israel and Jewish Studies;

[39] *Id.* at 1

[40] Letter from J. Gruenbaum to K. Armstrong (Mar. 13, 2025), https://static01.nyt.com/newsgraphics/documenttools/6d3c124d8e20212d/85dec154-full.pdf.

[41] *Advancing Our Work to Combat Discrimination, Harassment, and Antisemitism at Columbia* 2, Columbia Office of the President (Mar. 21, 2025), https://president.columbia.edu/sites/default/files/content/03.21.2025%20Columbia%20-%20FINAL.pdf.

[42] Letter from J. Gruenbaum to K. Armstrong (Mar. 13, 2025), https://static01.nyt.com/newsgraphics/documenttools/6d3c124d8e20212d/85dec154-full.pdf.

Middle Eastern, South Asian, and African Studies; the Middle East Institute; the Tel Aviv and Amman global hubs; the School of International and Public Affairs Middle East Policy major; and other University programs focused on the Middle East (together, the 'Middle East Programs')."[43] The new Senior Vice Provost will take steps including "ensur[ing] the educational offerings are comprehensive and balanced," reviewing "leadership and curriculum," creating a new process for hiring faculty in these programs, reviewing the process for "approving curricular changes," and making recommendations about "necessary changes" and "academic restructuring" to "ensure academic excellence and complementarity" in Columbia's Middle East programs.[44]

92. Columbia made explicit that it will engineer the ideological balance of speech on campus in response to the federal government's demands. Columbia stated that it will expand "intellectual diversity among faculty."[45] It explained, "Faculty searches have begun and will be expanded to ensure intellectual diversity across our course offerings and scholarship."[46]

93. Despite all this, Defendants have not stated that Columbia's federal funding will be restored. To the contrary, Defendants stated that "Columbia's compliance with the Task Force's preconditions is only the first step in rehabilitating its relationship with the government, and more importantly, its students and faculty" and only the "first step in the university maintaining a financial relationship with the United States government."[47]

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[43] *Advancing Our Work to Combat Discrimination, Harassment, and Antisemitism at Columbia* 3, Columbia University Office of the President (Mar. 24, 2025), https://president.columbia.edu/sites/default/files/content/03.21.2025%20Columbia%20-%20FINAL.pdf.
[44] *Id.*
[45] *Id.*
[46] *Id.*
[47] Press Release, *HHS, ED, and GSA Respond to Columbia University's Actions to Comply with Joint Task Force Pre-Conditions*, Dep't of Health and Hum. Servs. (Mar. 24, 2025), https://www.hhs.gov/press-room/columbia-comply-anti-semitism-task-force-preconditions-met.html.

94. As of the time of filing of this Amended Complaint, Defendants have not reinstated or restored the $400 million in terminated funding and in fact have only continued to take additional coercive actions towards Columbia. The Trump administration is reportedly seeking a consent decree that could extract further concessions and impose active oversight over Columbia's implementation of the wide-ranging commitments the university has already made.[48] Defendants have also escalated Columbia's funding freezes, despite its concessions: the NIH has frozen all of Columbia's grants indefinitely and will no longer pay any investigators working on existing NIH projects: researchers will need NIH approval to draw from existing funding.[49] The Trump administration failed to provide Columbia with any notice of these additional cancellations.[50]

95. On April 3, *The New York Times* reported that the Trump administration had frozen over $1 billion in funding for Cornell University and $790 million for Northwestern University, including federal grants and contracts with the Departments of Agriculture, Defense, Education, and Health and Human Services.[51] This reporting came less than one month after Cornell and Northwestern had been "warn[ed]" in Defendants' March 10 letter "of potential enforcement actions" if they did not fulfill their obligations under Title VI.[52] The information was leaked by U.S. officials, who spoke anonymously about the "unannounced decision."[53]

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[48] Jonah E. Bromwich et al., *Trump May Seek Judicial Oversight of Columbia, Potentially for Years*, N.Y. Times (Apr. 10, 2025), https://www.nytimes.com/2025/04/10/nyregion/columbia-trump-consent-decree.html.

[49] Sara Reardon, *Exclusive: NIH freezes all research grants to Columbia University*, Science (Apr. 9, 2025), https://www.science.org/content/article/nih-freezes-all-research-grants-columbia-university.

[50] *Id.*

[51] Michael C. Bender & Sheryl Gay Stolberg, *Trump Administration Freezes $1 Billion for Cornell and $790 Million for Northwestern, Officials Say*, N. Y. Times (Apr. 8, 2025), https://www.nytimes.com/2025/04/08/us/politics/cornell-northwestern-university-funds-trump.html?smid=nytcore-ios-share&referringSource=articleShare.

[52] *Id.*

[53] *Id.*

96. Cornell confirmed that it "ha[d] not received information that would confirm this figure" but nonetheless "received more than 75 stop work orders from the Department of Defense related to research that is profoundly significant to American national defense, cybersecurity, and health" and was "actively seeking information about federal officials to learn more about the basis for these decisions."[54]

97. Northwestern officials also first learned of the Trump administration's funding freeze through media reports.[55] Northwestern was unable to confirm the veracity of that reporting until two days after the initial reports,[56] on April 10, when an HHS "spokesperson" confirmed to a local media site that Northwestern's freeze was "underway" because of "federal antisemitism *investigations* into the University."[57] Northwestern "has not received any official notification from the federal government about a large-scale freeze or rationale for such a move."[58]

98. Shortly after summarily cancelling Columbia University's funding, Defendant Terrell appeared on a podcast in which he stated, "what we did was we basically gave them noticed [sic], and we stopped providing the funding. And I've got news for you. To Harvard, to NYU, to Michigan, same thing's happening to them. It's going to happen, because we're going to look at the

[54] Michael I. Kotlikoff et al., *Federal research funding*, Cornell University (Apr. 8, 2025), https://statements.cornell.edu/2025/20250408-federal-research-funding.cfm.
[55] Michael Schill et al., *Reports on Federal Funding Freeze*, Northwestern University (Apr. 8, 2025), https://www.northwestern.edu/leadership-notes/2025/reports-on-federal-funding-freeze.html.
[56] Michael Schill et al., *Update on Federal Funding*, Northwestern University (Apr. 10, 2025), https://www.northwestern.edu/leadership-notes/2025/update-on-federal-funding.html.
[57] Isaiah Steinberg and Nineth Kanieski Koso, *HHS cites incidents of antisemitism in confirmation of Northwestern funding freeze while experts question legality*, The Daily Northwestern (Apr. 10, 2025), https://dailynorthwestern.com/2025/04/10/campus/hhs-cites-incidents-of-antisemitism-in-confirmation-of-northwestern-funding-freeze-while-experts-question-legality/ (emphasis added).
[58] Michael Schill et al., *Update on Federal Funding*, Northwestern University (Apr. 10, 2025), https://www.northwestern.edu/leadership-notes/2025/update-on-federal-funding.html.

numbers of federal dollars, and . . . it totals in the hundreds of millions of dollars. And we're going after them."[59]

99. The interviewer later asked, "Who's the next target? I want it to be Harvard, and I want it to be Michigan, and I want it to be UCLA, but I don't get to pick the targets .... Who's the next target?" Defendant Terrell answered, "It's one of those three schools. I can't disclose it right now, because I'll get in trouble. But one of those three schools. I just gave you some breaking news."[60]

100. Less than two weeks later, Defendants confirmed that the next target was Harvard.

II. Defendants' Pretextual Investigation and Unlawful Threat—Ultimately Realized—to Withhold Federal Funding from Harvard

A. Defendants' March 31 Announcement; April 3, April 11, May 5, May 6, May 9, and May 12 Letters; and Harvard's Response

101. On March 31, 2025, Defendants HSS, ED, and GSA announced "a comprehensive review of federal contracts and grants at Harvard University and its affiliates" as "part of the ongoing efforts of the Joint Task Force to Combat Anti-Semitism."[61]

102. The March 31 Announcement referred to "Harvard's failure to protect students on campus from anti-Semitic discrimination" and stated that the Task Force would "review the more than $255.6 million in grants between Harvard University, its affiliates and the Federal Government" as well as "more than $8.7 billion in multi-year grant commitments to Harvard University

[59] *On Crushing Anti-Semitism on Campus*, Hughniverse Podcast (Mar. 19, 2025), https://hughhewitt.com/leo-terrell-senior-counsel-to-the-attorney-general-for-civil-rights-on-crushing-anti-semitism-on-campus.
[60] *Id.*
[61] Press Release, *HHS, ED, and GSA Initiate Federal Contract and Grant Review of Harvard University*, Dep't of Health and Hum. Servs. (Mar. 31, 2025), https://www.hhs.gov/press-room/task-force-antisemitism-harvard-contracts-grants.html.

and its affiliates to ensure the university is in compliance with federal regulations, including its civil rights responsibilities."[62]

103. The announcement further criticized Harvard for "promoting divisive ideologies over free inquiry."[63]

104. The announcement did not specify what it meant by "divisive ideologies" or provide any specific allegations of promoting such ideologies. It was not even clear whether this statement was intended to refer to some aspect of the scope of Defendants' investigation and review.

105. The announcement did not point to any specific allegations of antisemitic discrimination, nor did it request or advise Harvard of any steps to deter or remedy such discrimination.

106. Weeks earlier, on February 3, 2025, HHS had launched a Title VI investigation into Harvard, relating to allegations of pro-Palestine messaging worn by some Harvard Medical School students at graduation ceremonies. In a letter notifying Harvard of the investigation, HHS Associate Deputy Director Daniel Shieh wrote that the department initiated the proceedings because of a January 27, 2025 New York Post article that showed students wearing keffiyehs and stoles displaying the Palestinian flag.[64]

107. HHS gave Harvard Medical School thirty days to provide their account of the protest and actions they took in preparation to prevent discrimination. An HMS spokesperson confirmed that the school had submitted a response addressing "all requests from the Feb. 3 letter" and

[62] *Id.*
[63] *Id.*
[64] Dhruv T. Patel and Grace E. Yoon, *Health and Human Services Dept. to Investigate Harvard Medical School over Commencement Protests*, Harvard Crimson (Feb. 5, 2025), https://www.thecrimson.com/article/2025/2/5/hhs-investigation-hms-commencement/.

was "cooperating with the compliance review."[65]

108. According to the website of ED's Office of Civil Rights ("OCR"), there are two open investigations into Harvard University on the basis of race and national origin discrimination. One of the investigations was opened on July 24, 2023, and the other was opened on February 6, 2024.[66] One of those claims is for national origin discrimination involving religion, and one is for admissions. This data was last updated on January 14, 2025.

109. Upon information and belief, both of those investigations remain open.

110. Defendants' March 31 Announcement did not reference these investigations. It is not clear whether or how Defendants' March 31 action or any of the subsequent actions alleged herein relate to any open investigations.

111. The same day of Defendants March 31 Announcement, Harvard publicly acknowledged "the important goal of combatting antisemitism," and stated that "[u]rgent action and deep resolve are needed to address this serious problem that is growing across America and around the world."[67]

112. Harvard stated that, over the past fifteen months, it had "devoted considerable effort to addressing antisemitism," including that the University had:

- "[S]trengthened our rules and our approach to disciplining those who violate them."

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[65] Graham W. Lee and Elise A. Spenner, *Harvard Medical School Submits Documents in Antisemitism Investigation*, Harvard Crimson (Apr. 8, 2025), https://www.thecrimson.com/article/2025/4/8/hms-investigation-docs/.

[66] *Pending Cases Currently Under Investigation at Elementary-Secondary and Post-Secondary Schools*, U.S. Dep't. of Educ., Off. for Civil Rights, https://ocrcas.ed.gov/open-investigations?field_ois_state=All&field_ois_discrimination_statute=700&field_ois_type_of_discrimination=All&items_per_page=1000&field_ois_institution=Harvard+University&field_ois_institution_type=All&field_open_investigation_date_1=&field_open_investigation_date_2=&field_open_investigation_date=&field_open_investigation_date_3= (last updated Jan. 14, 2025).

[67] *Our Resolve*, Harvard University Office of the President (Mar. 31, 2025), https://www.harvard.edu/president/news/2025/our-resolve/.

- "[E]nhanced training and education on antisemitism across our campus and introduced measures to support our Jewish community and ensure student safety and security."
- "[L]aunched programs to promote civil dialogue and respectful disagreement inside and outside the classroom."
- "[A]dopted many other reforms" to "combat antisemitism and to foster a campus culture that includes and supports every member of our community."[68]

113. Three days later, on April 3, 2025, Harvard's President Alan Garber received an e-mail from Defendant Josh Gruenbaum with the subject line "Official Notice: Task Force to Combat Anti-Semitism Letter of Demands to Harvard University." The email stated: "I am sending you an official notice of pre-conditions your institution must comply with in order to be in good standing and continue to be the recipient of federal taxpayer dollars."

114. The email attached the April 3 Letter to President Garber and "Harvard Corporation Lead Member" Penny Pritzker, outlining "immediate next steps that we regard as necessary for Harvard University's continued financial relationship with the United States government" and listing nine demands "that the government views as necessary for Harvard to implement to remain a responsible recipient of federal taxpayer dollars."[69]

115. The list constituted a broad and eclectic range of vaguely defined provisions, only some of which had any apparent connection to combating antisemitism, including demands to:

- review and make "necessary changes" to unspecified "[p]rograms and departments that fuel antisemitic harassment";
- make unspecified programmatic changes "to address bias, improve viewpoint diversity, and end ideological capture";
- overhaul student discipline, among other things to ensure that "senior administrative leaders are responsible for final decisions";

[68] *Id.*

[69] Letter from Josh Gruenbaum to Alan M. Garber (Apr. 3, 2025), https://s3.documentcloud.org/documents/25879226/april-3-harvard-preconditions-letter.pdf.

- enact a "mask ban";
- hold student groups accountable for unspecified "violations of Harvard policy"
- undertake sweeping "[g]overnance and leadership reforms" described only as "meaningful" and designed to "empower faculty and administrative leaders who are committed to implementing the changes indicated in this letter";
- adopt "merit-based admissions policies" and "[m]erit-based hiring reform" without any description of what those polices entail other than an additional demand to "cease all preferences based on race, color, or national origin";
- "shutter" all "DEI programs," which Defendants allege "teach students, faculty, staff, and leadership to make snap judgments about each other based on crude race and identity stereotypes, which fuels division and hatred based on race, color, national origin, and other protected identity characteristics" without specifying what programs constitute "DEI programs";
- "cooperate with law enforcement to ensure student safety" without further elaboration; and
- "commit to full cooperation with DHS," and "make organizational changes as necessary to enable full compliance."

116. The April 3 Letter stated that "Harvard University, however, has fundamentally failed to protect American students and faculty from antisemitic violence and harassment in addition to other alleged violations of Title VI and Title VII of the Civil Rights Act of 1964."

117. The letter did not point to any specific allegations of antisemitic violence or harassment and made no findings relating to any such allegations.

118. The April 3 Letter did not provide any constitutional, statutory, or regulatory authority for the government's imposition of its specified conditions on a private university. It did not issue any factual findings or explain whether or how implementation of any of the demanded actions would deter or remedy antisemitic harassment or any "other alleged violations" of Title VI or Title VII. Nor did it address whether there were less intrusive means of ensuring compliance with those laws.

119. The letter did not reference the HHS investigation opened on February 4 or any other OCR investigation. Nor did it purport to make any findings related to that investigation or explain whether or how any of the letter's nine demands related to any allegations or findings of that investigation.

120. The letter made no mention of the First Amendment or the need to protect free speech alongside the imperative to eradicate illegal discrimination and harassment.

121. The demands in the letter are not even internally consistent. The DOJ Task Force demands that Harvard take steps to "improve viewpoint diversity" while simultaneously demanding that it cease hiring and admission initiatives that Harvard instituted to accomplish that very task.

122. On April 11, Defendants Gruenbaum, Wheeler, and Keveney sent another letter to President Garber and Pritzker.[70] The April 11 Letter elaborated on the demands of the April 3 Letter and attempted to impose further—and even more extreme—demands on "Harvard University's operations" as preconditions to "maintain[ing] Harvard's financial relationship with the federal government." Among other things, the April 11 Letter demanded that Harvard "to the satisfaction of the federal government":

- make "meaningful governance reform and restructuring to make possible major change consistent with" the April 11 Letter;
- subject itself to an ongoing "comprehensive audit by the federal government" of its hiring and admissions practices through at least 2028;
- agree to "immediately report to federal authorities, including the Department of Homeland Security and State Department, any foreign student ... who commits a conduct violation" and otherwise "report all requested immigration and related information to the United States Department of Homeland Security";

[70] Letter from Josh Gruenbaum to Alan M. Garber (Apr. 11, 2025), https://static01.nyt.com/newsgraphics/documenttools/092f8701fdf305fd/4d7d152d-full.pdf

- subject itself to an annual third-party audit of its "student body, faculty, staff, and leadership" at least through 2028 to determine whether "each department, field or teaching unit [is] individually viewpoint diverse";

- hire and admit "a critical mass" of new faculty and students "who will provide viewpoint diversity" to the satisfaction of the federal government;

- reform a long list of programs, schools, centers, and departments the letter identified as "of concern" to the Trump administration;

- cooperate with the Trump administration to "determine appropriate sanctions for those faculty members" found to have "discriminated against Jewish and Israeli students";

- "immediately shutter all diversity, equity, and inclusion (DEI) programs, offices, committees, positions, and initiatives";

- reform its student discipline processes;

- "implement a comprehensive mask ban" with a minimum and "immediate" consequence of suspension for any violation;

- retroactively investigate and "carry out meaningful discipline" for all "violations" since the 2023-2024 academic year, including "permanently expelling" students involved in particular incidents enumerated in the letter;

- "commit to cooperating in good faith with law enforcement";

- establish whistleblower programs allowing Harvard affiliates to report noncompliance with the demands in the letter to both university leadership and the federal government and be protected from adverse actions for doing so;

- "disclose the source and purpose" of all "foreign funds" and subject itself to a "forensic audit" of the same; and

- provide a quarterly report to the federal government "certified for accuracy" documenting its implementation of the demands in the letter.

123. The April 11 Letter concluded by demanding "immediate cooperation in implementing these critical reforms."

124. These demands, too, are internally inconsistent. Defendants demand that Harvard "abolish all criteria, preferences, and practices… that function as ideological litmus tests," in its admissions and hiring, while also requiring Harvard ensure that a "critical mass" of its faculty and

student body reflect "viewpoint diversity" and "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." Defendants also demand that Harvard "reduc[e] the power held by faculty … more committed to activism than scholarship" while threatening to cancel federal grants to Harvard's cutting-edge scientific scholars and researchers.

125. On April 14, Harvard University responded to the April 11 Letter through counsel. The April 14 Response declined to accept any of the demands in the April 11 Letter and identified them as violations of the University's First Amendment and statutory rights.

126. Hours after Harvard rejected the Trump administration's demands for control, the DOJ Task Force "announce[ed] a freeze on $2.2 billion in multi-year grants and $60[million] in multi-year contract value to Harvard University."[71] Defendants did not articulate a legal basis for these funding freezes other than the Title VI basis referenced in their prior letters and public announcements.

127. On April 21, Harvard University filed a seven-count complaint before this Court challenging these funding cutoffs.[72]

128. While one Trump administration spokesperson has suggested that the April 11 Letter was "unauthorized" and should not have been sent, Defendants have nonetheless stood by its contents and, as of the time of filing of this Amended Complaint, have declined to withdraw it.[73]

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[71] Press Release, *Joint Task Force statement regarding Harvard University*, U.S. General Servs. Admin. (Apr. 14, 2025), https://www.gsa.gov/about-us/newsroom/news-releases/joint-task-force-statement-regarding-harvard-university-04142025.

[72] Complaint, *President & Fellows of Harvard Coll. v. U.S. Dep't of Health & Hum. Servs.,* No. 1:25-cv-1104 (D. Mass. Apr. 21, 2025) (ECF No. 1).

[73] Michael S. Schmidt and Michael C. Bender, *Trump Officials Blame Mistake for Setting Off Confrontation with Harvard*, N.Y. Times (Apr. 18, 2025), https://www.nytimes.com/2025/04/18/business/trump-harvard-letter-mistake.html.

Because it is not clear whether the April 11 Letter was authorized, it is not clear whether federal funding would be restored to Harvard or if Defendants would cease their threats to funding even if Harvard met the demands listed in the Letter.

129. In fact, the Trump administration has only doubled down on its efforts to coerce Harvard, accusing its leadership of "malpractice" and "showboating" for failing to "call the members of the antisemitism task force who they had been talking to for weeks" after receiving the April 11 Letter and attempting to strongarm the University to "come to the negotiating table in good faith."[74]

130. Since at least April 24, the NIH has refused to disburse funding to Harvard in response to normal-course requests for reimbursement of federally sponsored project expenditures and, on information and belief, so have all other federal government entities sponsoring projects at Harvard. This is the same approach that Defendants took to cutting off funding to Columbia University as discussed above.

131. On May 5, Defendant Linda McMahon, the Secretary of Education, sent President Alan Garber the May 5 Letter in which Secretary McMahon stated that the Administration "remains committed to" the demands in the April 3 and April 11 Letters and "inform[ing] [President Garber] that Harvard should no longer seek GRANTS from the federal government, **since none will be provided.**"[75]

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[74] Alan Blinder and Michael C. Bender, *Harvard Plans to Use Trump's Haste Against Him as It Fights Funding Cut*, N.Y. Times (Apr. 22, 2025), https://www.nytimes.com/2025/04/22/us/trump-harvard-legal-case.html; Michael S. Schmidt and Michael C. Bender, *Trump Officials Blame Mistake for Setting Off Confrontation with Harvard*, N.Y. Times (Apr. 18, 2025), https://www.nytimes.com/2025/04/18/business/trump-harvard-letter-mistake.html.

[75] Linda McMahon (@EDSecMcMahon), X (May 5, 2025, 6:20PM) https://x.com/EDSecMcMahon/status/1919517481313427594 (emphasis added).

132. As the basis for this blanket policy of refusing to consider Harvard for any federal grant funding, Secretary McMahon cited several policy choices she attributes to Harvard and with which the Trump administration disagrees, including hiring faculty members whom the Trump administration disfavors; developing alternative grading systems and "scrapp[ing]" standardized tests; instituting a "remedial math" program for students needing additional mathematics education; "teach[ing] [Harvard's] students to despise" a "free-market system"; and "encourag[ing] resentment and instill[ing] grievance and racism into our wonderful young Americans."[76]

133. The May 5 Letter does not cite any legal authority for the Secretary of Education's declaration that Harvard will no longer receive any federal grants, other than its implicit reference to Defendants' previous invocation of Title VI by referencing the demands of Defendants' prior April 3 and April 11 Letters.

134. On May 7, 2025, public reporting identified a further letter dated May 6, 2025, from Michelle G. Bulls, Director of the Office of Policy for Extramural Research Administration at NIH to President Garber.[77] The May 6 Letter stated it "provid[ed] notice that funding for the projects in the attached spreadsheet will be terminated pursuant to the [NIH] Grants Policy Statement ... and 2 C.F.R. § 200.340(a)(4)." On information and belief, the spreadsheet attached to the May 6 Letter identified all active federal grants between Harvard and NIH.

135. Like the April 3, April 11, and May 5 Letters, the May 6 Letter cited as the basis for this termination the same generalized grievances with Harvard's management and expression, including "race discrimination in [Harvard's] admissions process, and in other areas of student life,

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[76] *Id.*

[77] Jon Michael Raasch, "Trump escalates war on Harvard by officially terminating $2.2B in federal grants" Daily Mail (May 7, 2025) https://www.dailymail.co.uk/news/article-14689209/trump-letter-harvard-terminating-federal-grants.html

such as access to the Law Review at Harvard Law School" and "antisemitic action that suggest[s] the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students." The letter claims that "ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students has ground day-to-day campus operations to a halt, deprived Jewish students of learning and research opportunities to which they are entitled, and brought shame upon the University and our nation as a whole."

136. Like the May 5 Letter, the May 6 Letter also cites Harvard's refusal to agree to Defendants' demands in the April 3 and April 11 Letters as grounds for this termination, justifying immediate termination as opposed to suspension because "upon being made aware of systematic institutional failures to address deeply rooted antisemitism and racial discrimination, the University has refused to take appropriate action. NIH perceives these categorical rejections to manifest the University's unwillingness to take corrective action or implement necessary reforms." The May 6 Letter thus similarly relies on Title VI as the fundamental basis for the terminations it sets out, despite the agency's post-hoc attempt to rely on 2 C.F.R. § 200.340(a)(4) as the basis for termination.

137. On May 9, 2025 USDA sent a letter (the "May 9 Letter") citing substantially the same basis as the May 6 Letter to announce a cancellation of Forest Service funding to Harvard. And on May 12, 2025, each of DOE, DOD, NSF, HUD sent letters (the "May 12 Letters") announcing cancellation of funding to Harvard from each respective Defendant, in each case again citing substantially the same basis as the May 6 Letter.

138. Each of these letters is a continuation of the same course of conduct that began with the March 31 Announcement of a "review" of Harvard's funding due to unspecified antisemitism allegations. Each of the April 3, April 11, May 5, May 6, May 9, and May 12 Letters refers to and

incorporates that same allegation as its basis. And the May letters each refer to Harvard's rejection of the demands in the April 3 and April 11 Letters as the reason for immediate blanket terminations. Each of these letters is an outgrowth of the allegations at the core of Plaintiffs' claims: Defendants have abused the disbursement of congressionally appropriated funds for coercive and retaliatory purposes.

139. On May 13, the DOJ Task Force issued a public statement explicitly citing allegations of antisemitism and race discrimination as the basis for all of Defendants' actions terminating Harvard's funding.[78] As a direct result of these allegations, according to the Task Force, "eight federal agencies across the government are announcing the termination of approximately $450 million in grants to Harvard, which is in addition to the $2.2 billion that was terminated" by NIH.[79] The Task Force praised the "multi-agency move to cut funding to Harvard" as a demonstration of "the entire Administration's commitment to eradicating discrimination on Harvard's campus."[80]

B. Defendants' Failure to Follow Title VI Statutory and Regulatory Requirements Governing Title VI Investigations and Termination of Federal Funding

140. Section 602 of Title VI sets out specific procedural requirements that federal agencies must follow before taking "any action terminating, or refusing to grant or continue, [federal financial] assistance because of failure to comply with [Section 601]." 42 U.S.C. § 2000d-1. Specifically, Title VI only allows for termination of federal assistance after "there has been an express finding on the record, after opportunity for hearing, of a failure to comply" with Title VI's nondiscrimination provision. *Id.* No such action may be taken until the agency "has determined that

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[78] HHS, *Joint Task Force to Combat Anti-Semitism Statement on Additional Harvard Actions* (May 13, 2025), https://www.hhs.gov/press-room/anti-semitism-task-force-statement-on-additional-harvard-grants.html

[79] *Id.*

[80] *Id.*

compliance cannot be secured by voluntary means." *Id.* Finally, before termination, the agency must "file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action." *Id.* Agency action terminating federal funding will not be effective until thirty days after the congressional report is filed. *Id.*

141. Further procedural requirements are laid out in binding federal regulations. Section 602 "direct[s]" federal agencies to "issu[e] rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken." *Id.* Agencies are required to seek approval of those regulations from the President, *id.*, who has delegated that authority to the Attorney General, who then oversees and coordinates enforcement of Title VI among federal agencies. *See, e.g.*, Exec. Order No. 12250 (1980) at §§ 1–2; Exec. Order 11764, 3A C.F.R. § 124 (1974 Comp.); Exec. Order 11247, 3 C.F.R. 1964–1965 Comp. 348 (Sept. 24, 1965).

142. Pursuant to Section 602, and consistent with this legislative intent, each of the Defendant agencies has promulgated regulations imposing additional procedural requirements on the termination of federal funding for alleged noncompliance with Section 601.

143. These regulations, which are effectively the same across the Defendant agencies, provide that "[n]o order suspending, terminating or refusing to grant or continue Federal financial assistance shall become effective until (1) the responsible Department official has advised the applicant or recipient of his failure to comply and has determined that compliance cannot be secured by voluntary means, (2) there has been an express finding on the record, after opportunity for hearing, of a failure by the applicant or recipient to comply with a requirement imposed by or pursuant to this part, (3) the expiration of 30 days after the Secretary has filed with the committee of the

House and the committee of the Senate having legislative jurisdiction over the program involved, a full written report of the circumstances and the grounds for such action." 34 C.F.R. § 100.8(c) (ED); *see* 45 C.F.R. § 80.8(c) (HHS); 28 C.F.R. § 42.108(c) (DOJ); 41 C.F.R. § 101-6.211-3 (GSA).

144. OCR, which has responsibility for enforcing Title VI with respect to educational institutions like Harvard, has developed a Case Processing Manual ("CPM") laying out the proper procedures for handling discrimination cases, including Title VI cases.[81] DOJ publishes a similar legal manual specific to Title VI enforcement through its own Civil Rights Division.

145. Defendants' actions targeting Harvard deviate drastically from OCR's procedures and do not comply with the statutory or regulatory requirements.

146. The CPM states that "[w]hen OCR opens a complaint for investigation, it will issue letters of notification to the complainant and the recipient" containing details about the allegations and information about mediation options. Case Processing Manual, art. 1, § 111.

147. This process implements Defendants' binding regulations—including those of HHS, ED, DOJ, or GSA—stating that where the evidence "indicates a failure to comply with [Section 601], the responsible Department official or his designee will so inform the recipient and the matter will be resolved by informal means whenever possible." 34 C.F.R. § 100.7(d) (ED); *see* 45 C.F.R. § 80.7(d) (HHS); 28 C.F.R. § 42.107(d) (DOJ); 41 C.F.R. § 101–6.210–4(a) (GSA).

148. Upon information and belief, no such letter of notification has been sent.

149. To the extent that the March 31 Announcement, April 3 Letter, or April 11 Letter are intended to function as this letter of notification, they do not contain the requisite level of

[81] *Case Processing Manual*, U.S. Dept. of Educ., Off. for Civil Rights (Feb. 19, 2025), https://www.ed.gov/sites/ed/files/about/offices/list/ocr/docs/ocrcpm.pdf.

specificity regarding the allegations, or the information required by OCR procedures or agency regulations.

150. Federal regulations further require that any Title VI investigation include "a review of the pertinent practices and policies of the recipient, the circumstances under which the possible noncompliance with this part occurred, and other factors relevant to a determination as to whether the recipient has failed to comply with this part." 34 C.F.R. § 100.7(c) (ED); 45 C.F.R. § 80.7(c) (HHS); 28 C.F.R. § 42.107(c) (DOJ).

151. Upon information and belief, the investigation that Defendants have invoked as the basis for terminating Harvard's federal funding has not complied with this regulation. Indeed, there are no indications that Defendants undertook *any* review of Harvard's pertinent practices and policies, the circumstances surrounding any noncompliance with Title VI, or any other relevant factor.

152. On February 28, 2025, the DOJ Task Force announced that it intended to visit ten university campuses that had allegedly "experienced antisemitic incidents since October 2023" including Harvard, as well as Columbia and Northwestern University.[82]

153. Public reporting indicates that representatives of the DOJ Task Force visited Boston, Massachusetts on April 9, 2025, to meet with city officials,[83] but there is no record that the DOJ Task Force visited Harvard or met with officials there.

[82] Press Release, Off. of Pub. Affs., *Federal Task Force to Combat Antisemitism Announces Visits to 10 College Campuses that Experienced Incidents of Antisemitism*, Dep't of Just. (Feb. 28, 2025), https://www.justice.gov/opa/pr/federal-task-force-combat-antisemitism-announces-visits-10-college-campuses-experienced.

[83] Tonya Alanez, *DOJ Officials Visit Boston City Hall in Advance of Antisemitism Taskforce's Proposed Meeting with Wu*, Boston Globe (Apr. 9, 2025), https://www.bostonglobe.com/2025/04/09/metro/federal-antisemitism-task-force-pre-visit-to-boston/.

154. If, after the investigatory process, OCR determines that an educational institution is not in compliance with Title VI based upon the preponderance of the evidence, the OCR Case Processing Manual states that OCR will "negotiate a resolution agreement and issue a letter of finding(s)." Case Processing Manual, art. III, § 303(b). The letter of findings should "explain[] the reason(s) for its decision to both the recipient and the complainant." *Id*., art. III, § 303(e).

155. Upon information and belief, Defendants have not issued a letter of findings or any determination or investigatory findings to support their actions.

156. The resolution agreement that should accompany the letter of findings functions like proposed settlement terms, laying out "action steps that, when implemented, will remedy both the individual discrimination at issue and any similar instances where future violative conduct may recur." *Id*., art. III, § 303(b).

157. OCR and the non-compliant education institution then have 90 calendar days to negotiate a final agreement. *Id*., art. III, § 303(f).

158. Upon information and belief, Defendants have not proposed a resolution agreement, nor have mediation or negotiations been offered.

159. The forgoing actions, governed by statute, regulation, and agency procedure, constitute a process intended to precede any movement toward enforcement actions including the termination of federal funding. That process exists to effectuate governing laws and rules mandating that voluntary compliance and negotiated resolutions are the enforcement norm. Section 602 requires that *no action* to terminate or revoke funding may be taken "until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and *has determined that compliance cannot be secured by voluntary means*." 42 U.S.C. § 2000d-1 (emphasis added).

160. Codified Department of Justice guidelines reiterate the importance of voluntary compliance, as well as the importance of clear communication about the specific nature of any alleged noncompliance. "Title VI requires that a concerted effort be made to persuade any noncomplying applicant or recipient voluntarily to comply with title VI. Efforts to secure voluntary compliance should be undertaken at the outset in every noncompliance situation and should be pursued through each stage of enforcement action. Similarly, where an applicant fails to file an adequate assurance or apparently breaches its terms, notice should be promptly given of the nature of the noncompliance problem and of the possible consequences thereof, and an immediate effort made to secure voluntary compliance." 28 C.F.R. § 50.3; *see also* 34 C.F.R. § 100.7(d) (ED); 45 C.F.R. § 80.7(d) (HHS); 28 C.F.R. § 42.107(d) (DOJ); 41 C.F.R. § 101–6.210–4(a) (OMB) (only where "it has been determined that the matter cannot be resolved by informal means" shall terminating "action ... be taken").

161. Resolution agreements are common. According to OCR's public database, OCR resolved eight Title VI investigations specifically related to national-origin discrimination claims involving religion in January 2025 and twenty-six in 2024.[84]

162. Only where these efforts fail has Congress authorized threats to federal funding.

163. Section 602 provides that terminating or refusing to grant or to continue assistance may be done only after "an express finding on the record, after opportunity for hearing, of a failure to comply with [Section 601]." 42 U.S.C. § 2000d-1.

[84] *Office for Civil Rights Recent Resolution Search*, U.S. Dept. of Educ., Off. of Civil Rights, https://ocrcas.ed.gov/ocr-search?race_and_national_discrimination%5B%5D=549&title_vi=526&sort_order=DESC&sort_by=field_resolved (last visited Apr. 5, 2025).

164. To that end, if negotiations have reached an impasse and/or the 90-day window has elapsed, OCR issues a formal "Impasse Letter" that includes a description of the unsuccessful attempts to resolve the complaint and "informs the recipient that OCR will issue a letter of impending enforcement action in 10 calendar days if a resolution agreement is not reached within that 10-day period."[85] The case processing manual includes specific details and language about what must be included in the letter of impending enforcement action.[86] If, following negotiation and an impasse letter, voluntary compliance proved unattainable, only then could OCR even begin enforcement proceedings that might include threats to federal funding.[87]

165. Upon information and belief, Defendants have not issued an Impasse Letter or made any determination that voluntary compliance is unattainable.

166. Following an Impasse Letter and determination that voluntary compliance is unattainable, Department of Education regulations and the CPM require OCR to provide institutions with specific notice of the proposed enforcement action and the opportunity for a hearing on the record with counsel. 34 C.F.R. §§ 100.8–9.

167. Upon information and belief, no such communication has occurred and no such hearing has been offered or occurred.[88]

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[85] *Case Processing Manual* 18-19, U.S. Dept. of Educ., Off. for Civil Rights (Feb. 19, 2025), https://www.ed.gov/sites/ed/files/about/offices/list/ocr/docs/ocrcpm.pdf.
[86] *Id.* at 19.
[87] *Id.* at 23.
[88] Agency regulations further set out detailed provisions governing these hearings, 34 C.F.R. § 100.9(a); *see* 45 C.F.R. § 80.9(a); 28 C.F.R. § 42.109(a); 41 C.F.R. § 101–6.212–1, including that they comply with certain APA requirements, 34 C.F.R. § 100.9(d)(1)-(2); *see* 45 C.F.R. § 80.9(d)(1)-(2); 28 C.F.R. § 42.109(d)(1)-(2); 41 C.F.R. § 101–6.212–4(a)-(b). The Defendant agencies' regulations also impose requirements regarding post-hearing termination decisions and notices. 34 C.F.R. § 100.10(a)-(d); *see* 45 C.F.R. § 80.10(a)-(d); 28 C.F.R. § 42.110(a)-(d); 41 C.F.R. § 101–6.213–1-4.

168. After a determination of noncompliance on the record, OCR is then required to submit a report to the relevant House and Senate committees detailing the circumstances giving rise to the enforcement action and grounds for the revocation of funds. Section 602 states that "the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action[,]" and that "[n]o [terminating] action shall become effective until thirty days have elapsed after the filing of such report." 42 U.S.C. § 2000d-1.; *see also* 34 C.F.R. § 100.8(c).

169. Upon information and belief, no such reports have been submitted.

170. Section 602 further provides that any "termination or refusal [to grant or to continue assistance under Title VI] shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, *shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found.*" 42 U.S.C. § 2000d-1 (emphasis added); *see also* 34 C.F.R. § 100.8(c); 45 C.F.R. § 80.8(c); 28 C.F.R. § 42.108(c); 41 C.F.R. § 101–6.211–3.

171. Despite this requirement, Defendants' actions purport to freeze billions of dollars in federal grants untethered to any finding of noncompliance in any particular program.

172. These stringent procedural requirements for termination or refusal to grant or continue assistance reflect congressional intent to safeguard against the potential exploitation of Title VI funding leverage as a "vindictive or punitive" measure against federal funding recipients.[89] From the very inception of the Civil Rights Act of 1964, lawmakers were aware of and concerned about the far-reaching authority Title VI grants the federal government over programs receiving federal

[89] *See* 88 Cong. Rec. S7062 (statement of Sen. John Pastore).

funds. The congressional notice requirement, presidential approval of agency regulations implementing Title VI (discussed below), and requirement for a hearing on the record were all introduced as amendments to the original bill and were expressly aimed at preventing abuses of power.[90]

173. Senator John Pastore from Rhode Island, who was the floor manager in the Senate for the Civil Rights Act of 1964, explained that "Failure of a recipient to comply with a rule, regulation, or order issued by an agency may ultimately lead to a termination or refusal of Federal assistance. Cutoff of assistance is not the object of title VI, however. I wish to repeat: Cutoff of assistance is not the objective of title VI. Fund cutoff is a last resort, to be used only if all else fails to achieve the real objective—the elimination of discrimination in the use and receipt of Federal funds."[91]

174. Senator Pastore further elaborated on the importance of the statutory and regulatory safeguards in ensuring that revocation of funding was "a last resort" rather than a "punitive or vindictive measure," noting that "cutoff of funds would not be consistent with the objective of the Federal assistance statutes if other effective means of ending discrimination are available."[92]

175. Until the Trump administration's unlawful pattern of threatening federal funding, Congress' effort to ensure that Title VI be enforced through nonpunitive means had been a success. As of January 14, 2025, OCR had at least 3,281 open Title VI investigations into educational

[90] *See* 88 Cong. Rec. H2498 (statement of Rep. Edwin Willis); 88 Cong. Rec. H2499 (statement of Rep. John Lindsay).
[91] 88 Cong. Rec. S7059, 7059 (statement of Sen. John Pastore).
[92] *Id.*

institutions, 649 of which are focused on post-secondary institutions.[93] Eighty of those specifically focus on discrimination on the basis of national origin involving religion.[94]

176. Claims of religious discrimination, including antisemitism, fall within Title VI where they overlap with race or national origin discrimination and are investigated as discrimination on the basis of national origin involving religion.[95]

177. Despite the number of open Title VI investigations, there is no record of any cancelation or revocation of funding to educational institutions due to Title VI noncompliance, with the possible exception of the Trump administration's recent actions toward Columbia and other universities.

178. A 2019 Congressional Research Service analysis could not find any termination orders issued under Title VI by OCR in the prior 25 years.[96]

C. Defendants' Failure to Provide a Reasoned Decision for Their Actions

179. Defendants failed to provide any reasoned basis for their actions. Defendants' March 31 Announcement and the April 3 and April 11 Letters do not identify any specific evidence of any antisemitic harassment to which the University was deliberately indifferent, or any other evidence of wrongdoing.

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[93] *Pending Cases Currently Under Investigation at Elementary-Secondary and Post-Secondary Schools*, U.S. Dept. of Educ., Off. for Civil Rights, https://ocrcas.ed.gov/open-investigations?field_ois_state=All&field_ois_discrimination_statute=700&field_ois_type_of_discrimination=All&items_per_page=20&field_ois_institution=&field_ois_institution_type=752&field_open_investigation_date_1=&field_open_investigation_date_2=&field_open_investigation_date=&field_open_investigation_date_3= (last updated Jan. 14, 2025).

[94] *Id.*

[95] Abigail A. Graber, Cong. Rsch. Serv., LSB11129, Religious Discrimination at School: Application of Title VI of the Civil Rights Act of 1964 (2024).

[96] Jared Cole, Cong. Rsch. Serv., R45665, Civil Rights at School: Agency Enforcement of Title VI of the Civil Rights Act of 1964 19 n. 154 (2019).

180. Defendants have not acknowledged the efforts that Harvard is already taking to address any alleged antisemitism and racial discrimination in admissions. Harvard has issued a number of statements, studies, reports, and policy changes in response to complaints of antisemitism and discrimination on campus.

181. On January 10, 2024, Students Against Antisemitism ("SAA") filed a lawsuit against Harvard College, claiming that Harvard had subjected Jewish students to discrimination and a hostile environment in violation of Title VI of the Civil Rights Act.[97]

182. On May 22, 2024, the Louis D. Brandeis Center for Human Rights Under Law and Jewish Americans for Fairness in Education filed another lawsuit against Harvard College, also alleging violations of Title VI of the Civil Rights Act based on alleged antisemitic discrimination, a hostile environment, and retaliation.[98]

183. On January 21, 2025, Harvard announced that it had settled both lawsuits. As part of the settlement, Harvard agreed to take numerous actions to combat antisemitism on campus including, *inter alia*, (1) adopting the more expansive definition of antisemitism propounded by the International Holocaust Remembrance Alliance ("IHRA"), which includes an acknowledgement that Zionism is a part of many Jewish people's religious identity; (2) preparing a public annual report for the next five years covering Harvard's response to discrimination or harassment based on Title VI-protected traits; (3) providing transparency regarding discipline outcomes in Title VI matters; (4) providing additional resources to support the study of antisemitism, including hosting an annual academic symposium on the topic of antisemitism; (5) reaffirming annually that

[97] Complaint, *Kestenbaum v. President and Fellows of Harvard College*, 24-cv-10092 (D. Mass. Jan. 10, 2024), ECF No. 1.
[98] Complaint, *Louis D. Brandeis Center for Human Rights Under Law v. President and Fellows of Harvard College*, 24-cv-11354 (D. Mass. May 22, 2024), ECF No. 1.

antisemitism will not be tolerated at Harvard; (6) providing expert training on combating antisemitism for staff involved in reviewing complaints of discrimination; (7) broadly promoting annual training for the University community focused on recognizing and combating antisemitism; and (8) ensuring that Title VI and Harvard's Non-Discrimination policies are enforced equally, applying a single standard for all students, including Jewish and Israeli students.[99]

184. Moreover, in June 2023, the Supreme Court struck down the use of race-based affirmative action in college admissions and ordered Harvard to stop using race as a factor in its admissions process.[100] Harvard immediately took several steps in response, including (1) ensuring that admissions readers do not have access to applicants' self-reported answers to questions about race and ethnicity; (2) reviewing and updating application reader and alumni interviewer training; (3) revising its application supplement to require students to answer five short-answer questions designed to help reviewers better understand an applicant's life experiences; and (4) expanding its admissions recruiting efforts to reach more diverse potential applicants.[101]

185. On information and belief, Defendants have not made a reasoned determination whether Harvard's responses to complaints of antisemitism and discrimination on campus were or were not sufficient under Title VI, and did not make any such determination prior to sending the

[99] *Harvard and Students Against Antisemitism Announce Settlement of Lawsuit*, Harvard University (Jan. 21, 2025), https://www.harvard.edu/media-relations/2025/01/21/press-release-settlement-harvard-saa/; *The Brandeis Center and Jewish Americans for Fairness in Education Agree with Harvard to Settle Title VI Litigation*, Harvard University (Jan. 21, 2025), https://www.harvard.edu/media-relations/2025/01/21/press-release-settlement-harvard-brandeis-ctr-jafe/.

[100] *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181, 230 (2023).

[101] *Weighing the Future of Harvard Admissions*, Harvard Gazette (Oct. 3, 2023), https://news.harvard.edu/gazette/story/2023/10/weighing-the-future-of-harvard-admissions/.

March 31 Announcement, the April 3 Letter, or the April 11 Letter. Rather, upon information and belief, any investigation into any such complaints were still ongoing at the time of those letters.

186. Defendants also have provided no basis for the breadth of their threats to Harvard's federal funding. For example, Defendants have not explained what grants have been selected for review and potential termination and on what basis, or whether these grants have any connection to any alleged Title VI violation, nor have Defendants identified any such connection for the grants they have terminated or for which they have declined to disburse funding since April 14.

187. The lack of any connection between Defendants' funding freezes and threatened cuts and their legal basis for those cuts has exacerbated the harm, as Plaintiffs and their members do not know and cannot anticipate whether any program receiving federal funding will be impacted, requiring all such programs to prepare for the possibility of significant and immediate termination of funding.

188. Defendants also have not acknowledged or considered the enormous reliance interests implicated by their freezing of billions of dollars supporting critical research and other activities. The summary press releases and letters released by Defendants make no mention of the incalculable damage that Defendants' actions will cause—to patients whose clinical trials will end, faculty whose careers will be derailed, employees around the world whose livelihoods are in jeopardy, and the public who will no longer benefit from the research those federal grants supported.

189. Defendants also have failed to explain the basis for any of the many conditions they have imposed on Harvard, nor have they explained how those demands would bring Harvard into compliance with Title VI.

D. Defendants' Overt Expressions of Viewpoint-Based Animus

190. The true motive for Defendants' actions is not mysterious. The Trump administration's remarks on social media, press releases, and other public forums highlight its discriminatory,

viewpoint-based motives in freezing Harvard's federal funds and imposing conditions on further funding.

191. On April 14, the day Defendants froze $2 billion in federal funds, President Trump asked, "What if we never pay them? Wouldn't that be cool?"[102] A senior government official described the Trump administration's strategy: "to make examples of elite schools to intimidate other universities."[103]

192. The next day, April 15, President Trump took to Truth Social to write, "Perhaps Harvard should lose its Tax Exempt Status and be Taxed as a Political Entity if it keeps pushing political, ideological, and terrorist inspired/supporting 'Sickness?' Remember, Tax Exempt Status is totally contingent on acting in the PUBLIC INTEREST!"[104] President Trump reiterated this threat on May 2, explaining that "We are going to be taking away Harvard's Tax Exempt Status" because "[i]t's what they deserve!"[105]

193. This purported instruction to the Internal Revenue Service to investigate and potentially revoke Harvard's status as a tax-exempt non-profit entity is unlawful. That threat of unlawfully imposing arbitrary consequences for disfavored speech is part of Defendants' broader pattern of abusing power to target Harvard and Plaintiffs' members based on viewpoint. In particular, private foundation funding for university research work—which many of Plaintiffs' members use to supplement their federal funding—is generally only available to tax-exempt organizations. By threatening to unlawfully revoke Harvard's tax-exempt status alongside its federal funding,

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[102] Michael C. Bender et al., *Inside Trump's Pressure Campaign on Universities*, N.Y. Times (Apr. 14, 2025), https://www.nytimes.com/2025/04/14/us/politics/trump-pressure-universities.html.
[103] *Id.*
[104] Donald Trump (@realDonaldTrump), Truth Social (Apr. 15, 2025, 10:09AM) https://truthsocial.com/@realDonaldTrump/posts/114342374504628520.
[105] Donald Trump (@realDonaldTrump), Truth Social (May 2, 2025, 7:25AM) https://truthsocial.com/@realDonaldTrump/posts/114437989795464761.

Defendants expand their unlawful and coercive funding threat to jeopardize even research dollars Harvard receives from third parties outside the government's control.

194. Also on April 15, the White House Press Secretary Karoline Leavitt said, "[President Trump] wants to see Harvard apologize, and Harvard should apologize for the egregious anti-Semitism that took place on their college campus against Jewish American students."[106]

195. On April 16, President Trump again took to Truth Social to write:

> 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 "bird-brains" 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 [sic] 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![107]

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[106] *White House: Trump wants Harvard to apologize*, Reuters (Apr. 15, 2025) https://www.reuters.com/world/us/white-house-trump-wants-harvard-apologize-2025-04-15/.

[107] Donald Trump (@realDonaldTrump), Truth Social (Apr. 16, 2025, 7:05AM) https://truthsocial.com/@realDonaldTrump/posts/114347313852363347.

196. On April 19, a White House official told CNN, "Instead of grandstanding, Harvard should focus on rebuilding confidence among all students, particularly Jewish students, by prioritizing their safety, holding radical activists accountable, and ending discrimination on campus."[108]

197. On April 24, President Trump again posted about Harvard on Truth Social, this time attacking not only the University, but also the lawyers representing it on this very issue:

> 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 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." 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![109]

198. That motive is also evident in the nature of the conditions Defendants have imposed on discussions about restoring funding. Defendants' March 31 Announcement, April 3 Letter, and April 11 Letter all contain provisions expressly targeting specific disfavored viewpoints. The April 11 Letter demands that Harvard's faculty and departments be "individually viewpoint diverse" to the satisfaction of the Trump administration and calls upon Harvard to audit its faculty and their departments for "viewpoint diversity." If found lacking, Harvard is to reform the lack of diverse viewpoints by hiring a "critical mass" of new faculty to provide viewpoint diversity. It also requires Harvard to cooperate with the Trump administration to "to determine appropriate sanctions for those faculty members" who "discriminated against Jewish or Israeli students or incited students to

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[108] Michelle Watson and Betsy Klein, *New York Times: Trump administration sent letter of demands to Harvard University in error*, CNN (Apr. 19, 2025), https://www.cnn.com/2025/04/19/us/harvard-trump-administration-letter-mistake/index.html.

[109] Donald Trump (@realDonaldTrump), Truth Social (Apr. 24, 2025, 9:33 AM) https://truthsocial.com/@realDonaldTrump/posts/114393194962253226.

violate Harvard's rules following October 7."[110] Secretary McMahon's May 5 Letter also expressly targets viewpoints, decisions, and even individuals the Trump administration politically disfavors and makes clear that future grant awards are also contingent on compliance with those (and likely further) demands.

III. Impact of Defendants' Actions on Plaintiffs

A. The Federal Research Funding Apparatus

199. The federal government is the largest source of funding for scientific research in the United States and, until it was surpassed by China in 2024, the world at large.

200. This funding primarily comes through grants sponsored by the NIH and its various constituent institutes—like the National Cancer Institute, the National Institute of Mental Health, and the National Institute of Allergy and Infectious Diseases—as well as the NSF and the Department of Defense ("DOD").[111]

201. The funding process for researchers like those who are members of AAUP–Harvard and UAW typically begins with a notice (a "Notice of Funding Opportunity" or "NOFO")[112] published by a federal entity sponsor announcing that funding is available for a particular activity or project and stating the parameters for a proposal to receive funding. In addition to specific NOFOs, some funding sponsors have funds available for more general scientific purposes for which researchers can apply.

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[110] Letter from Josh Gruenbaum to Alan M. Garber (Apr. 11, 2025), https://static01.nyt.com/newsgraphics/documenttools/092f8701fdf305fd/4d7d152d-full.pdf.

[111] Some of these federal grant sponsors also sponsor contracts under which researchers conduct research for the federal government.

[112] The terminology for these announcements varies widely, and NOFO is a general umbrella term encompassing them all. Other names include funding opportunity announcement ("FOA"), program announcement ("PA"), request for application ("RFA"), etc. For consistency, Plaintiffs use NOFO throughout.

202. NOFOs are not always targeted solely at funding specific research projects. For example, some NOFOs relate to funding programs designed to support the development of future scientists. One such program, the T32 grant program, provides institutions with funding they can use to train pre- and post-doctoral researchers in specific research areas with a documented shortage of highly qualified scientists; the F32 program provides similar funding to individual pre- and post-doctoral researchers.

203. Individual researchers typically prepare a proposal seeking to secure funding for a specific use, sometimes targeted at specific NOFOs, other times targeted at more general funding availability. Individual researchers themselves generally cannot submit these proposals, however. Instead, they must submit their proposals through an Eligible Organization, like Harvard.

204. Once submitted, these proposals get routed to a Program Officer housed in the relevant federal sponsor who reviews these proposals, eliminates any that are incomplete or fail to meet basic criteria, and forwards the remainder to the sponsor's relevant Scientific Review Group ("SRG"), a group of non-federal scientists led by a NIH scientist who conduct a peer-review assessment of the proposals and each assign individual scores (with lower scores being better) that are then averaged to produce an overall score for the proposal. Submitted proposals are then ranked from lowest score (best) to highest score (worst). Applicants receive their proposal's score, its percentile ranking among other proposals, and feedback in a summary statement prepared by the SRG.

205. These proposals and their score, ranking, and other evaluation materials are then presented to the sponsor's Advisory Council for a funding decision. Although the Advisory Council typically reviews and makes funding determinations proceeding from lowest-scoring proposal to highest-scoring proposal until the available funding for that review round is fully allocated, the Council may fund higher-scoring proposals without necessarily funding all lower-scoring proposals

if it so chooses. The level at which funding runs out for a given review round (called the "payline") is often expressed as a percentage of proposals submitted to that sponsor and generally ranges from 10 to 15 percent.

206. If the Advisory Council elects to fund a particular proposal, the Eligible Organization receives a Notice of Award stating that funding is available for the given project.

207. The federal government generally does not, however, provide lump-sum funding for these projects after issuing a Notice of Award. Instead, once a project is approved and funding made available at a specific level, those funds remain with the federal government until drawn down. Eligible Organizations, like Harvard University, typically incur the expenses associated with the project and submit invoices for those expenses to the relevant federal government sponsor. That sponsor then draws down the funds available for the project and disburses those funds as a reimbursement.

208. Multi-year grants are funded one year at a time, with later funding subject to an annual Research Performance Progress Report ("RPPR") assessment. The RPPR requires the researcher to report on the major goals and objectives of the project; their progress toward them and other achievements during the reporting year; and their plans, including proposed budgets, for the upcoming year. A project sponsor rarely refuses to fund further years of a multi-year grant where the applicant submitted an RPPR, and approval for the next year's funding typically comes roughly one month after RPPR submission.

B. Federally Funded Research and Scholarship at Harvard

209. There is no comprehensive public accounting of the billions of dollars in commitments that Defendants have frozen, but the publicly available information about those commitments underscores the devastating impact of any widespread cuts to AAUP–Harvard and UAW members.

210. In 2024, Harvard University received $686 million in federal funding, accounting for nearly 70 percent of its total sponsored research expenditure and approximately 11 percent of its total operating revenue.[113]

211. The NIH is by far Harvard's largest government funding source, accounting for more than 70 percent of all federal funding in 2024, or $488 million.[114]

212. The NIH is the primary driver of biomedical research at Harvard, supporting a vast network of laboratories and research centers. Numerous institutes within the NIH, such as the National Cancer Institute, the National Institute of Mental Health, and the National Institute of Allergy and Infectious Diseases, provide funding for dozens of research centers affiliated with Harvard. Some of the largest Harvard-affiliated recipients of NIH funding include the Harvard University Center for AIDS Research, the M.D.-Ph.D. physician scientist program—funded via the T32 grant program discussed above—which trains the next generation of medical researchers, and a large clinical research center focused on diagnosing rare conditions.[115]

213. The NSF provided approximately $56 million in federal funding to Harvard in 2024, accounting for approximately 8 percent of Harvard's total federal funding.[116]

214. The NSF supports a wide spectrum of cutting-edge, practically applied research across the natural and social sciences at Harvard. NSF grants fund projects in diverse fields such as

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[113] *FY 2024 Financial Report* 9, Harvard University (Oct. 2024), https://finance.harvard.edu/files/fad/files/fy24_harvard_financial_report.pdf; Avani B. Rai and Saketh Sundar, *Harvard's Federal Funding Is Under Fire. Here's What's at Risk.*, Harvard Crimson (Jan. 31, 2025), https://www.thecrimson.com/article/2025/1/31/harvard-funding-threat.

[114] Avani B. Rai and Saketh Sundar, *Harvard's Federal Funding Is Under Fire. Here's What's at Risk.*, Harvard Crimson (Jan. 31, 2025), https://www.thecrimson.com/article/2025/1/31/harvard-funding-threat.

[115] *Id.*

[116] Saketh Sundar, *Senate Committee Targets $3 Million in Harvard NSF Research Grants for 'Far-Left Ideology'*, Harvard Crimson (Feb. 19, 2025), https://www.thecrimson.com/article/2025/2/19/senate-report-grants/.

ecology, political science, physics, computer science, and engineering. Examples of NSF-funded projects at Harvard include basic scientific research on powdery mildews—a primary cause of disease for important agricultural crops,[117] the creation of intelligent nature-inspired olfactory sensors to accurately identify dangerous volatile compounds in the air,[118] the support of advanced cyberinfrastructure for research computing,[119] and the development of biodegradable, living materials for use in advanced robotics.[120]

215. The DOD provides approximately $55 million in federal funding to Harvard, accounting for approximately 8 percent of Harvard's total federal funding.[121]

216. DOD funding supports diverse research, including projects working to develop integrated human organ-on-chip microphysiological systems,[122] biologically inspired soft smart exosuits for injury prevention and performance augmentation,[123] and a portable device to treat sepsis and clean blood of harmful agents.[124]

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[117] *Pfister and Bradshaw Receive NSF Grant*, Harvard University (July 10, 2023), https://www.huh.harvard.edu/news/pfister-and-bradshaw-receive-nsf-grant.

[118] *Holly Samuelson Awarded Starter Grant Funding from the National Science Foundation*, Harvard University (Mar. 22, 2024), https://www.gsd.harvard.edu/2024/03/holly-samuelson-awarded-starter-grant-funding-from-the-national-science-foundation/.

[119] *Research Computing Part of $5.3M NSF Award for Advanced Cyberinfrastructure*, Harvard University (Mar. 4, 2014), https://science.fas.harvard.edu/news/research-computing-part-53m-nsf-award-advanced-cyberinfrastructure.

[120] *Award Abstract # 2421461*, NSF, https://www.nsf.gov/awardsearch/showAward?AWD_ID=2421461.

[121] Avani B. Rai and Saketh Sundar, *Harvard's Federal Funding Is Under Fire. Here's What's at Risk.*, Harvard Crimson (Jan. 31, 2025), https://www.thecrimson.com/article/2025/1/31/harvard-funding-threat.

[122] *Grant Summary*, USA Spending, https://www.usaspending.gov/award/ASST_NON_W911NF1220036_2100.

[123] *Contract Summary*, USA Spending, https://www.usaspending.gov/award/CONT_AWD_W911NF14C0051_9700_-NONE-_-NONE-.

[124] *Contract Summary*, USA Spending, https://www.usaspending.gov/award/CONT_AWD_HR001113C0025_9700_-NONE-_-NONE-.

217. Over a third of sponsored expenditures go toward salaries. More than 6,200 Harvard employees, including 1,673 faculty members, relied on sponsored expenditures for at least part of their salaries in 2024.[125]

218. In addition to the direct impact on research that Plaintiffs' members and other members of the Harvard community undertake using federal funds disbursed through Harvard, Defendants' withdrawal of federal project funding will also impact the five independent Boston-area hospitals affiliated with Harvard Medical School at which Harvard Medical School faculty (including Plaintiffs' members) conduct cutting-edge research using funds awarded to and disbursed through the hospitals, including Massachusetts General Hospital, Brigham and Women's Hospital, Boston Children's Hospital, Dana-Farber Cancer Institute, and Beth Israel Deaconess Medical Center, which collectively received more than $1.56 billion in NIH funding in 2024. This is more than double the approximately $686 million that Harvard University received from the entire federal government in the same year.[126]

219. The hospitals depend on NIH support to fund thousands of active research programs, including everything from molecular biology wet labs to late-stage clinical trials.[127] These research projects are routinely designed and led by physicians who are faculty members or researchers affiliated with Harvard Medical School, including physician-scientists who are Plaintiffs' members.

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[125] Avani B. Rai and Saketh Sundar, *Harvard's Federal Funding Is Under Fire. Here's What's at Risk.*, Harvard Crimson (Jan. 31, 2025), https://www.thecrimson.com/article/2025/1/31/harvard-funding-threat/.

[126] Saketh Sundar, *Trump Admin's $9 Billion Review of Harvard's Grants Could Hit Boston's Hospitals Hardest*, Harvard Crimson (Apr. 4, 2025), https://www.thecrimson.com/article/2025/4/4/funding-review-hospitals/.

[127] *Id.*

220. The Greater Boston Chamber of Commerce has recognized the importance of this federal funding to the community, noting that "[e]ach dollar invested in research at medical schools and teaching hospitals generates $2.60 in economic activity."[128]

C. Impacts of Funding Freeze and Terminations on Plaintiffs' Members

221. On April 14, Defendants announced that they had frozen over $2 billion in federal funding to Harvard. Many Harvard employees working on federally sponsored projects have received orders stopping their work or terminating their grants. Since at least April 24, the NIH has refused to disburse funds in response to Harvard's normal-course invoices on these projects, and, on information and belief, so have all other federal government entities sponsoring projects at Harvard. Harvard researchers who submitted RPPRs for multi-year grants as early as January 2025 still have not received approval for future year spending. And on May 5 Secretary McMahon announced that the federal government would no longer consider Harvard University for future federal funding awards. In the following days, Harvard received notice from NIH, DOD, DOE, NSF, and HUD that its federal grants with each agency were terminated.

222. Plaintiffs' members have experienced and are experiencing significant harms as a result of these actions. Defendants' March 31 Announcement and April 3 Letter caused Plaintiffs' members' significant harm because "[b]efore any budget cuts ha[d] even been made, academic leaders [at Harvard University] ha[d] stalled hiring, stalled expansions, stalled research conferences and graduate student admissions" as a direct result of Defendants' threats.[129] And these harms have

[128] *With Federal Funds, Harvard Helps Drive Local Economy*, Harvard Gazette (Mar. 1, 2020), https://news.harvard.edu/gazette/story/2020/03/harvard-attracts-federal-funding-supports-economy/.

[129] Saketh Sundar, *Trump Admin's $9 Billion Review of Harvard's Grants Could Hit Boston's Hospitals Hardest*, Harvard Crimson (Apr. 4, 2025) (quoting Statement of Jonathan Kagan, Director of Basic Research, Chair of Gastroenterology, Boston Children's Hospital), https://www.thecrimson.com/article/2025/4/4/funding-review-hospitals/.

only been magnified by Defendants' decision to freeze, and then terminate, over $2 billion in federal funding to Harvard while threatening to cut billions more.

1. AAUP and AAUP–Harvard Members

223. Shortly after Defendants announced that they had frozen over $2 billion in federal funding to Harvard on April 14, at least several AAUP–Harvard members[130] received orders to stop their work on federally sponsored projects. Since this freeze on April 14, other AAUP–Harvard members have also received stop-work orders, experienced grant cancellations, or otherwise lost their funding.

224. These AAUP–Harvard members report having to cease all work, which, in turn, has already meant delayed project timelines; missed gating points for scientific research, such as institutional review board meetings; clinical trials and experiments halted midstream, resulting in untreated patients and the lost value of already-expended research effort; and the potential for lost human capital as talented and meticulously trained scientists and support staff begin searching for work elsewhere. If these cessations continue, these members expect they or their labs will be forced to take even more harmful steps, such as euthanizing lab animals or permanently dismissing staff.

225. In the most extreme cases, AAUP–Harvard members report that if they can no longer access funding they expect they will soon need to abruptly shut down partnerships with study participants and third-party collaborators with whom these members have spent decades carefully cultivating personal and professional relationships. These members report that these abrupt shutdowns would not only devastate the science they are working on today but also make it more difficult for them to structure future scientific work—because they would have squandered trust with study participants, who will now be reluctant to enroll, and tarnished important relationships with

[130] Every member of AAUP–Harvard is necessarily a member of AAUP.

service partners, who will be unwilling to invest in future collaborative scientific work with Harvard researchers.

226. The President of the Harvard-AAUP Chapter has also been impacted by the hiring freeze because it includes a freeze on hiring new research assistants, which slows the pace of faculty research, as well as a freeze on new tenure-track hiring, leaving critical teaching gaps.

227. One AAUP member attests that the University has already halted seed grants that are fundamental to initiating new projects and scientific collaborations. Harvard is encouraging faculty to pursue philanthropic funding for their work, but this faculty member's research is unlikely to garner private funding.

228. Another AAUP–Harvard member is on the faculty of the Harvard T.H. Chan School of Public Health. This member's research focuses on health outcomes in pregnant women and their children. This member is the principal investigator on a twenty-year U.S.-based multisite network study evaluating the effects of antiretroviral treatment for mothers with HIV and their children in its last year of funding. The grant supports twenty-four clinical research sites conducting five different research studies involving about 150 total staff. The suspension of funding to Harvard has prevented the release of carry-over funds (unspent funds from prior grant years) which were committed by various NIH institutes but held in reserve for the last year to ensure the appropriate closure of the studies. These closure activities include data and specimen submission, document archiving, and regulatory compliance of human research activities at the clinical sites. This refusal to release carry-over funds will likely lead to an early termination of subawards from Harvard to this member's clinical research sites, with devastating consequences for the sites' research programs.

229. The same member is also the principal investigator on another multisite cohort study on women with HIV in its last year of funding. Funding has ceased following the Trump administration's notice of its suspension of federal government research funding to Harvard. As a result, valuable data collected on voluntary study participants will not be included in public data repositories. The funding freeze has caused this member to lay off one staff member and send notices of possible furloughs to three additional staff members. This member has also needed to communicate with the thirteen clinical sites enrolling and following study participants that their work may not continue unless funding is received at Harvard. This member's own faculty position at Harvard is no longer secure, as 90 percent of this member's salary comes from research grants.

230. And because Defendants' funding cutoffs indiscriminately affect all work receiving any form of financial assistance from the federal government at any Harvard affiliate, many AAUP–Harvard members expect to imminently experience these same harms as soon as their programs next request reimbursement for expenses from the federal government.

231. One AAUP–Harvard member is on the faculty of Harvard Medical School. This faculty member's research focuses on interventions for adolescents with HIV. This faculty member has recently finished enrolling individuals in a federally funded international study of interventions for adolescents with HIV. This faculty member expects they will soon lose access to their federal funding for this study and so will soon need to suspend or terminate it. Doing so would require this faculty member to lay off or terminate study staff, including staff in a foreign country, and stop providing services they committed to providing to young people living with HIV.

232. AAUP–Harvard member Meredith Rosenthal is on the faculty of the Harvard T.H. Chan School of Public Health and is at risk of losing her NIH funding. About sixty percent of Rosenthal's salary comes from research grants, including those funded by the NIH. Rosenthal

understands that her current grant, as well as any future federal grants for which she may apply, are within the funding the Trump administration has announced it is withholding from Harvard. A loss of federal funding would be devastating for Rosenthal's health policy research. Without federal funding, she would likely have to stop her study without reaching its conclusion, wasting all of the resources that have been spent to this point. Rosenthal would also have to let go of some of her staff if NIH rescinds her grant money, including graduate student summer research staff. A loss of federal funds would make collaboration across institutions much more challenging for Rosenthal. Ambitious, large-scale programs that foster academic discourse and innovation, like the one Rosenthal currently conducts research under, would disappear. Rosenthal's team has been working overtime to squeeze in as much work as possible while they still have grant funding, but they will not be able to finish their research before the grants are up for renewal. This rush to squeeze in work under threat of funding termination could affect the quality of the team's research.

233. Another AAUP member is also on the faculty at the Harvard T.H. Chan School of Public Health. This member's research involves developing methods that map the processes that control how cells change as they move from health to disease; a strong emphasis of this member's work is how these control processes depend on sex and gender as a biological variable. This member and their research are funded in large part by a National Cancer Institute Outstanding Investigator Award through the R35 grant mechanism. The R35 grant mechanism was designed to recognize investigators with a long career of exceptional contributions and provides $600,000 of funding a year for seven years. The National Cancer Institute has announced a pause in new awards but has confirmed that the funding of current awardees will continue for the duration of their award. This member nevertheless expects that they will lose access to this funding before the end of the current award period because NIH is refusing to reimburse current-year funds to Harvard. Losing this

funding would mean the large repository of cutting-edge software tools this member's team developed over many years, all of which are publicly available as open-source tools for academic and commercial use, would become dysfunctional and this member would not be able to move their research projects forward. A loss of current award period funding would also require this member to lay off or terminate postdoctoral fellow staff and this member's research team would diminish to zero members. This award also constitutes 50% of this member's salary. Tenured faculty at the School of Public Health are expected to cover 90% of their research effort and failure to meet that threshold would result in a salary reduction for this member. And even if the funding was released at a later date, these losses would effectively prevent this member from securing NIH funding for these projects for the foreseeable future, perhaps for several years.

234. The President of the AAUP–Harvard Faculty Chapter reports that cutting $8.7 billion dollars in federal funding would leave no part of the University untouched. They similarly report that the School of Public Health is particularly vulnerable because 60 percent of its operating budget comes from sponsored support, including federal grants.

235. Numerous AAUP members are biomedical researchers.

236. Biomedical research funded by federal grants requires planning years in advance because of the technical expertise required and the need to prepare human samples that are obtained at significant cost and effort. Part of this long-term planning requires having additional fundable projects lined up to provide continuous resources for long-term research initiatives. Frozen federal funding puts at risk years' worth of researchers' future grants which would disrupt their life's work.

237. Several AAUP members also have pending proposals for funding before federal grant sponsors that have scored sufficiently well to be funded in the normal course, and several UAW members work for principal investigators with grants under review. Secretary McMahon's

May 5 Letter will prevent those individuals from receiving the awards they otherwise would receive.

238. Another AAUP member is on the faculty at Harvard Medical School and an internationally recognized scholar in their field. They are afraid to have their name publicized in connection with this litigation because if they lose federal funding, they will need to seek bridge funding and fear their actions may influence their ability to receive this alternative funding. This faculty member reports that, as a result of Defendants' threats to withdraw promised federal funding—now realized—they have seen administrative staff who are responsible for tasks such as grant administration and human studies review seek employment elsewhere. Early career scientists who have completed multiple years of postgraduate training are seeking career opportunities outside of research. Scientists with unique and advanced skills are seeking positions outside of academia. Projects that require the recruitment of human study participants are being reduced out of concern that the associated research project will not be continued to completion. This faculty member further reports that foundational scientific research that has taken many years of human effort and institutional investment to reach its current stage is being paused in a manner that may preclude the possibility of future research.

2. UAW Members

239. The President of the Harvard Graduate Students Union ("HGSU–UAW") reports that HGSU–UAW members have been and will be directly harmed by the current funding freezes, terminations, and potential additional cuts. Federal grants represent an important source of funding for graduate student workers at Harvard. Students who work as research assistants have their tuition covered and receive salary or stipends to pay for living costs. A loss of those grants means no funding for the majority of research assistant positions, resulting in many HGSU–UAW members being unable to cover their tuition and living expenses. In turn, this will result in severely stalling

or entirely prohibiting members' ability to produce both academic work and work as university employees. Cutting federal grants will interrupt the thesis and dissertation research HGSU–UAW members are completing, either slowing the timeline to degree completion or causing some members to reconsider their projects or even drop out of their programs.

240. For example, the HGSU–UAW President reports that eight students in the Health Policy program are supported by training grants from the Agency for Healthcare Research and Quality, which funds their tuition and living stipends while also paying for crucial professional development activities, such as conference travel and additional academic training. Without this funding, the ability of these eight students to continue their programs is put in jeopardy and will severely detract from the experience of being a doctoral student at Harvard and eliminate professional development opportunities right as they are beginning their careers.

241. In another example cited by the HGSU–UAW President, seven first- and second-year PhD students and two postdoctoral fellows in the Program of Virology are funded by the T32 grant program described above. A funding freeze on T32 payments means that Harvard is no longer receiving the funds used to cover these researchers' tuition and living expenses, which puts this training program in jeopardy. If the T32 grant is permanently cut, the ability of the Virology Program to support graduate students and postdoctoral scholars will dissolve. Additionally, cuts to the T32 grant would restrict these researchers' freedom of research into topics that the Trump administration has arbitrarily determined are non-essential, despite the high impact on public health that these research topics present.

242. One HGSU–UAW member is a graduate research fellow who understands that payments on their NIH virology training grant have been frozen. This researcher's salary is covered by the NIH training grant, so a loss of funding would mean likely losing their job. This member

supervises the only other researcher on their project, whose salary is also government funded. Beyond the loss of their jobs, a loss of funding would necessarily result in a serious slowing of their research and could lead to experiments being destroyed, wasting hundreds of thousands of dollars already spent on a project with promising results. This researcher's lab has already laid off two employees, including the lab manager, which has required this researcher to work additional hours on administrative tasks, like ordering supplies and hazardous waste removal, with no additional pay. This researcher has also had to work additional unpaid hours on grant writing to cover the imminent losses in the coming months. Even if they are able to secure private funding, such private sources will only cover a minimal version of the project and will only cover the first steps. This researcher has asked multiple levels of Harvard leadership about whether Harvard would fund their research, none of which said they would. Amid the ongoing attacks on Harvard, this researcher has been applying to fewer virology projects and is moving towards other fields, even considering career options outside of science.

243. Another HGSU–UAW member is a PhD student and teaching fellow whose doctoral thesis focuses on the development of observational research methods for vaccine safety and efficacy and applying these methods to real world data. Their research work is only possible through a NIH-funded external collaboration with a large health system and the data they manage. This member's research group and industry partner were awarded separate grants under the SeroNet program, a coordinated effort by NIH to expand the nation's capacity for SARS-CoV-2 serologic testing and advance research on the immune response to SARS-CoV-2 infection and COVID-19 vaccination among diverse and vulnerable populations. Losing NIH funding would require that the industry partner end its affiliation with Harvard and fund the labor from other sources. Because the industry partner manages data and data analysis on this project, this member's research would not

be able to continue if this affiliation ends. This member would have to cease their work in its current state and begin writing a final manuscript with minimal input from industry partners. They would also need to switch research projects at the last minute to fulfill their dissertation requirements and parts of their dissertation would need to be replaced on short notice. More broadly, losing funding for this project would also result in gaps in the vaccine study design literature. There are no immediate plans to replace this funding if lost permanently.

244. Another HGSU–UAW member and PhD student reports that they received notice that their NIH dissertation grant was terminated on April 29 and that the termination was made "retroactive" to December 31, 2024. As a result of the termination, this student faces imminent loss of salary and incentive funding provided by their program. This student was rejected from all of the Harvard-based T32 postdoctoral jobs that they applied for, despite receiving preliminary offers from most. This student, whose research focuses on transgender health, now needs to completely reinvent and reframe their health research to focus on other topics not related to their body of work.

245. Additionally, two days after receiving notification of grant termination, on May 1, this student received notification from the government stating that they were allegedly in federal noncompliance for not submitting a final progress report following the grant termination. NIH typically requires a final progress report to be submitted within 120 days of grant termination. Because the government made the termination "retroactive" to December 31, 2024, it appears that the government is now claiming that this student was obligated to submit a final progress report within 120 days of that date (April 30, 2025), even though the student had only received notification of grant termination the *day before*. It is now likely that this student's record will show that they were in noncompliance with grant requirements, which could prevent them from receiving federal funds in the future.

246. Jennifer Chen is a HGSU–UAW member and postdoctoral researcher at Harvard who received an email notifying her that her grant program had been terminated and that any funds beyond the active award, which ends June 30, will not be funded. Because she is on maternity leave, she will be unable to use the remaining funds on her active award before they expire. Losing her grant also makes her a less competitive candidate on the job market because her grant was intended to cover her salary and would have also funded a portion of a lab as a faculty member. Applying for non-governmental sources of funding to replace the frozen funds will inevitably delay her timeline for finishing her postdoctoral research and applying to faculty jobs.

247. Another HGSU–UAW member is a staff scientist at Harvard who understands that the funding freeze will imminently affect their work and job stability. This scientist is a biocurator working at FlyBase—a free database of Drosophila (fruit fly) genetics research that scientists around the world rely on for their work. FlyBase is funded by grants from the NIH and NSF. Without continued federal funding, this scientist predicts layoffs and cut hours, and fears that the FlyBase database would need to stop updating. Disruptions in funding would mean that newly discovered genes, data, and other discoveries would not be integrated in the FlyBase database and shared with the world. Even a temporary halt in funding would result in a large backlog of work, causing delays in reporting on fundamental scientific findings. The harm would have ripple effects across the globe, as Drosophila scientists worldwide rely on FlyBase to conduct vital research that contributes to both human medical research and fundamental understandings of biology. This scientist does not believe there is a viable alternate source of funding that would realistically replace the federal funding for FlyBase.

D. Harms to Plaintiffs Directly

248. Plaintiffs have themselves suffered direct harm as a result of the March 31 Announcement, April 3 Letter, April 11 Letter, and the threats to federal funding and imposition of policy and procedure changes demanded by Defendants.

1. Harm to AAUP and AAUP-Harvard

249. As part of its core organizational activities, Plaintiff AAUP regularly consults and works with local chapters and individual members regarding academic freedom, faculty governance, and other issues involving the employment relationship between university employees and their employers, including but not limited to collective bargaining. AAUP local chapters also provide for the representation of individual members regarding academic freedom, shared governance, and due process issues in proceedings before their university employers. Investigations of complaints of institutions violating academic freedom principles in relationship to AAUP members are authorized by the Executive Director and conducted by a subcommittee appointed by the Executive Director.

250. AAUP also maintains a standing committee, known as Committee A on Academic Freedom and Tenure, which "[p]romotes principles of academic freedom, tenure, and due process in higher education through the development of policy documents and reports relating to these subjects and the application of those principles to particular situations that are brought to its attention."

251. Defendants' actions have undermined and eroded the longstanding principles of academic freedom, shared governance, and due process that AAUP previously helped secure at Harvard and other institutions where its members are employed.

252. Defendants' actions have made it more difficult and resource-intensive for Plaintiff AAUP to carry out its advocacy that benefits faculty in general and its individual members in particular. Because Defendants have pressured Harvard and other universities to abandon their

commitment to academic freedom, shared governance, and due process principles, AAUP must now expend more time and money to ensure that its members' rights in these regards are adequately protected.

253. Defendants' actions have also made it more difficult and resource-intensive for Plaintiff AAUP to provide accurate and effective guidance to its chapters and members regarding these principles. Plaintiff AAUP has had to divert staff and financial resources to address the significant influx of inquiries from chapter leaders and members regarding the effect of such actions on members' academic freedom, shared governance, and due process rights. In addition to responding to such individual requests, staff for Plaintiff AAUP have had to conduct nationwide calls and virtual meetings with chapter leaders regarding Defendants' actions and to provide guidance on representing individual members in the face of such actions.

254. Defendants' actions have directly impaired these and other activities of AAUP.

255. Plaintiff AAUP–Harvard has also suffered harm as a result of Defendants' actions. Defendants' actions have made it more difficult and resource-intensive for Plaintiff AAUP–Harvard to carry out its advocacy that benefits Harvard faculty in general and AAUP–Harvard members in particular. Because Defendants have pressured Harvard to abandon its commitment to academic freedom, shared governance, and due process principles, AAUP–Harvard must now expend more time and money to ensure that its members' rights in these regards are adequately protected and that individual members are adequately represented before their employer.

256. Defendants' actions have impeded AAUP–Harvard's ability to recruit members into its Harvard chapter as some potential members fear that membership in the group may be perceived negatively by Defendants and the Trump administration, which may in turn imperil their access to grants and their job security.

257. AAUP–Harvard has had to spend time responding to the fallout from Defendants' actions, including putting people in touch with needed resources and sponsoring trainings and workshops for faculty, instead of doing the internal governance work that is its core mission.

258. Defendants' actions have also caused a pervasive sense of fear and intimidation among AAUP and AAUP–Harvard members. Because of Defendants' actions and the threats of further cuts to research funding, some members have been compelled to forego participating in and supporting the AAUP's activities, or asserting their academic freedom, shared governance, and due process rights because Defendants actions make clear that such participation, support, or assertion will render them targets for retaliation.

2. Harm to UAW

259. Plaintiff UAW, as part of its core organizational activities, works with its local unions to negotiate UAW-represented workers' terms and conditions of employment. Local UAW unions at Harvard advocate for members' job security, fair wages, academic freedom, and safe working conditions, including protections from bullying, harassment, and discrimination. In addition, UAW has a long-standing history of supporting expansion of civil and workers' rights including non-discrimination protections, as well as increased federal funding for scientific research, due to its importance for innovation, economic growth, and public health.

260. Defendants' actions have directly impaired these and other central activities of UAW. UAW has been forced to spend significant time and resources responding to the fallout from Defendants' actions, including counseling members who have lost or anticipate loss of jobs or funding and connecting members with outside resources, instead of doing the representational, organizing, and advocacy work that is its core mission. UAW has had to divert staff and financial resources to address the significant influx of inquiries from local union leaders and members regarding the

effect of the administration's actions on research funding, academic freedom, and due process rights.

261. Defendants' actions have also caused a pervasive sense of fear and intimidation among UAW members. Because of Defendants' actions and the threats of further cuts to research funding, some members no longer feel comfortable asserting their academic freedom and First Amendment rights. UAW members have expressed fears that publicly supporting the UAW's efforts opposing Defendants' actions could jeopardize their future eligibility for federal research funding. As many members are early career scientists, access to such federal funding is essential to their long-term academic and research goals. Losing these opportunities would significantly disrupt their career trajectories.

E. Impacts on Academic Freedom and Free Speech

262. Plaintiffs' members have experienced and are experiencing significant harms to their First Amendment rights to free speech and academic freedom as a result of Defendants' actions.

263. As alleged above, Defendants' threatened and actual freezing of federal funds and refusal to consider Harvard for future federal grants is motivated by viewpoint discrimination and, thus, chills the expression of such viewpoints on campus, whether those viewpoints are expressed in the course of academic instruction, research, debate, or other on-campus expression of ideas.

264. Moreover, Defendants' actions directly threaten the free speech and academic freedom of Plaintiffs' members by targeting specific disfavored viewpoints and demanding changes that will directly impair freedom of speech and academic freedom. All members of Harvard–AAUP are employed by a university that has already been compelled, and will continue, to host less speech, and less diverse speech, as a result of Defendants' actions.

1. Harvard Begins Implementing Some of Defendants' Demands

265. Defendants' threats and actions have already had and will continue to have a coercive effect on Harvard University, including by pressuring the University to acquiesce to some of its unlawful demands. Such acquiescence has included severely curtailed rules regarding campus demonstrations, posters, and signage, as well as new rules regarding silent expressive activity in residence halls, educational buildings, libraries, and other campus spaces.

266. It has also included termination of long-standing staff and programming disfavored by the Trump administration. For example, after Defendants sent the March 10 warning letter, Harvard removed two faculty members from their roles as Director and Associate Director of the Center for Middle Eastern Studies. This Center had been a focus of Defendants' threats; it was one of five Harvard centers, departments, and programs specifically named in Defendants' April 11 Letter as targets for an "audit" aimed at "reforming" programs that Defendants believe "reflect ideological capture" or "fuel antisemitic harassment." In addition to the removal of these tenured and tenure-track faculty members from their positions, Harvard terminated longstanding staff affiliated with other programs targeted by Defendants.

267. Many of these changes took place during a period when Harvard was reportedly negotiating with Defendants in hopes of avoiding the execution of Defendants' unlawful threats.

268. To date, despite Harvard's rejection of Defendants' demands, these changes have not been reversed. On the contrary, despite its public stance and its filing of a lawsuit on April 21, Harvard continues to take actions suggesting it remains open to enacting some number of reforms Defendants demanded in the April 3 and April 11 Letters, and demonstrating the coercive effect of Defendants' actions.

269. When the Harvard Crimson summarized the above events (and others) in an April 30 article describing how Harvard's leadership was responding to Defendants' threats, it titled the article "Harvard Fights in Court but Retreats on Campus."[131]

270. The New York Times has reported that even after Harvard announced its rejection of Defendants' demands, several of Harvard's most powerful donors had been—and likely still are—agitating for Harvard to accede to those demands, including former Secretary of State Condoleezza Rice and hedge fund managers John Paulson and William A. Ackman. The article states that, far from rejecting this suggestion and contrary to Harvard's public position categorically rejecting those demands, "Dr. Garber told one donor that the devil would be in the details in what the White House asked of Harvard."[132]

271. On April 24, President Garber announced that the University had altered its longstanding policies vesting ultimate authority for student discipline in each of the university's respective faculties. Instead, all inter-school disciplinary cases at Harvard will now be adjudicated by a panel convened by the President that is newly empowered "to investigate and impose penalties in cross-school disciplinary hearings." This change to the university's longstanding internal governance practices closely echoes the April 11 Letter's demand that Harvard "immediately reform its student discipline policies and procedures so as to swiftly and transparently enforce its existing

[131] Dhruv T. Patel & Grace E. Yoon, *Harvard Fights in Court but Retreats on Campus*, The Crimson (Apr. 30, 2025), https://www.thecrimson.com/article/2025/4/30/Harvard-Fights-Retreats.

[132] Rob Copeland et al., *As Harvard Is Hailed a Hero, Some Donors Still Want It to Strike a Deal*, N.Y. Times (Apr. 22, 2025), https://www.nytimes.com/2025/04/22/business/harvard-trump-deal.html?smid=url-share.

disciplinary policies with consistency and impartiality, and without double standards based on identity or ideology."[133]

272. On April 28, Harvard announced that it was closing its Office for Equity, Diversity, Inclusion, and Belonging ("EDIB"). EDIB and the affinity groups it supports are important, and broadly supported, programs that help ensure members of demographic groups less widely represented at the university feel supported and able to fully and meaningfully participate in university life. Former staff of that office will now be retasked to a new Office for Community and Campus Life, which will pursue different institutional priorities from the shuttered EDIB office.[134]

273. The same day, the Office for Community and Campus Life announced in an email to Harvard's affinity groups that it would no longer host or fund affinity group celebrations during commencement.[135]

274. These changes are responsive to the April 11 Letter demand to "shutter all diversity, equity, and inclusion (DEI) programs, offices, committees, positions, and initiatives."[136]

275. The connection between these changes and Defendants' coercion is evident from the manner in which they mirror Defendants' specific demands. It is also clear from Harvard's own statements. For example, in emails to the Harvard community, President Garber has repeatedly

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[133] Letter from Josh Gruenbaum to Alan M. Garber (Apr. 11, 2025), https://static01.nyt.com/newsgraphics/documenttools/092f8701fdf305fd/4d7d152d-full.pdf.

[134] Letter from Sherri Ann Charleston to Harvard University (Apr. 28, 2025), https://links.repoint.harvard.edu/servlet/MailView?ms=MzU5MDY2NTgS1&r=MjE4MzYzMTkzNzcS1&j=Mjg4Mzk4MjYzOAS2&mt=1&rt=0.

[135] Cam. N. Srivastava, *Harvard Will Not Fund Affinity Group Graduation Celebrations Following Ed Department Warning* (Apr. 28, 2025), https://www.thecrimson.com/article/2025/4/29/affinity-funding-cut/.

[136] Letter from Josh Gruenbaum to Alan M. Garber (Apr. 11, 2025), https://static01.nyt.com/newsgraphics/documenttools/092f8701fdf305fd/4d7d152d-full.pdf.

cited recent speech-restrictive changes in campus policy as proof that Defendants' attacks against Harvard are unfounded.

276. These coerced changes have had and will continue to have a direct effect on the free speech and academic freedom of Plaintiffs and their members. For example, the changes to disciplinary policies are a direct response to Defendants' perception that disciplinary bodies previously under the direct authority of Harvard's faculties were insufficiently punishing students who had engaged in certain protests and other expressive activity, particularly activity expressing particular viewpoints regarding Israel and Palestine. Harvard's acquiescence to that demand thus is reasonably perceived as a step toward punishment of such viewpoints and has the direct effect of chilling speech on campus.

277. As a further example, the shuttering of Harvard's EDIB program and withdrawal of support for affinity group celebrations has reasonably caused Plaintiffs and their members to fear that any research, instruction, programming, or other campus speech falling under the Trump administration's vague, overbroad and indiscernible understanding of "DEI," including research, instruction, programming, or speech related to issues concerning race, gender, ethnicity, gender expression, or sexual orientation, will incur sanctions from Defendants and adverse action from Harvard University.

278. Against this backdrop, any number of academic programs, research areas, instructional activities, or campus speech activities undertaken by Plaintiffs' members are at risk of becoming the next offering surrendered by the university in hopes of avoiding Defendants' threatened and ongoing unlawful coercion.

2. Examples of Chilling Effects on Plaintiffs' Members

279. Defendants' actions have caused Plaintiffs' members to fear that their scholarship and teaching, if not aligned with the views or priorities of the Trump administration, could lead to

even further incursions on the academic freedom of their own departments. As a result, some are engaging and will engage in self-censorship on topics that are in tension with Defendants' espoused viewpoint.

280. Plaintiffs' members' speech and academic freedom have been chilled in a variety of ways. This complaint provides a few examples.

281. One UAW member is a Harvard lecturer whose curriculum will change as a result of the Trump administration's attacks on Harvard. This member typically teaches courses on topics including the Holocaust, World War II, and global transgender history, all of which are implicated by the administration's targeting of academic freedom at Harvard. This member has already decided not to teach a course on global transgender history in the upcoming Fall semester. While they currently plan to teach courses on World War II and the Holocaust next year, they anticipate needing to make curricular and pedagogical changes in response to the administration's continued threats. In particular, this member reads the administration's demands in its April 11 Letter as requiring undefined but extreme changes to their course content and teaching methodology to avoid accusations of antisemitism, "ideological capture," or failure to promote "viewpoint diversity." Due to the current threats and attacks on Harvard, this member cannot in good conscience recommend that doctoral applicants attend Harvard right now.

282. The HGSU–UAW President has also experienced the chilling effects of the Trump administration's actions against Harvard. Her job as a teaching fellow in music and the humanities often involves teaching students about gender and queer theory, the philosophy of marginalized groups, colonialism, and cultural appropriation, as well as the cultural concepts of debated issues like national borders and music genres. In planning and executing class discussions about these topics, she encourages her students to engage in critical thinking, often in connection with current

events or well-known texts, such as the writings of Harvard alumnus and post-colonial scholar Edward Said. The Trump administration's threats to constrain academic freedom and expression at Harvard will make it more difficult for her to adequately educate her students and foster a robust academic space.

283. One AAUP member is a professor in Women, Gender, and Sexuality Studies ("WGS"). Their research explores the ways in which race, gender, and region have shaped collective memory and archival silence, they teach undergraduate courses on labor history, immigration, and gun violence, and they advise undergraduate students pursuing independent research on topics related to gender, sexuality, and power. This faculty member reasonably fears that Harvard University may accede to Defendants' demands in the face of immense financial pressure. They reasonably fear for the future of their research. Their research and teaching concerns gender and sexuality studies, ethnic studies, African American studies, and critical race theory—all fields disfavored by Defendants. If Harvard's leadership makes further concessions to comply with Defendants' demands, this faculty member believes Women, Gender, and Sexuality studies could become a target, with enhanced scrutiny on its curricular offerings and research. This member does not have tenure, which makes them particularly vulnerable to Defendants' demands for budget cuts.

284. The President of AAUP–Harvard is similarly fearful that colleagues will be denied tenure if their research falls under the broad areas for "reform" listed in the Demand Letter.

285. The WGS faculty member has also witnessed a chilling effect on scholarly and pedagogical innovation as a direct result of Defendants' attacks on higher education. Their colleagues who teach courses related to gender and sexuality have been targeted and doxed based on the titles and intellectual foci of their courses. They expect these attacks will increase if Harvard further complies with Defendants' demands or loses federal funding.

286. The President of AAUP–Harvard similarly reports that the demand concerning DEI programs will be interpreted, especially among non-tenure-track and other contingent faculty who do not have the protections of tenure, as implying that any kind of teaching and research related to race, ethnicity, racial equity, and identity in a U.S. or global context could lead to career-damaging consequences.

287. The WGS faculty member has witnessed a chilling impact on the academic environment at Harvard. They have witnessed that their students are becoming fearful about sharing their perspectives in public. This faculty member's speech has also been chilled. They are Jewish and have conducted significant research on Jewish history in the United States. They wear a keffiyeh on campus as a reminder of their obligation as a Jew to use their relative privilege to participate in *tikkun olam*, or healing the world. They do not believe it is antisemitic to care about and respond to the suffering of others and express care for and solidarity with the Palestinian people. Nonetheless, they have become more cautious about sharing their thoughts related to Palestine and Israel in the classroom and on campus. They also worry now that if they wear their keffiyeh in public, they may be inviting physical harm or violence.

288. An AAUP member reports that they had been vocal in support of pro-Palestine student protestors in the past but adjusted their speech and teaching as a result of this latest chilling wave of threats from Defendants.

289. This same member reports that they changed their teaching plans for next semester because they fear harassment. They had planned to teach a course that would have dealt with topics including settler colonialism, slavery, Indian removal, and the U.S.-Mexico War, all of which could be covered by Defendants' ill-defined demand that anything related to DEI be eliminated.

290. The AAUP–Harvard President reports that two colleagues have changed their plans for courses they intend to teach next fall to avoid topics explicitly disfavored by the Trump administration—one changed their curricular offerings to no longer be explicitly about transgender issues and another to no longer be explicitly about race.

291. Numerous AAUP members also report on the chilling effect Defendants' threats and demands have had on students.

292. Rosenthal reports having heartbreaking conversations with graduate students about the risks associated with pursuing certain questions and topics disfavored by Defendants' political agenda for fear that it will inhibit their ability to receive federal grants and find academic jobs. The AAUP–Harvard President reports that students have changed their senior research topics, as well as their behavior, as a result of Defendants' demands.

293. In one of the AAUP–Harvard President's classes, students were recently speaking about setting up a mutual support Signal group after the detention of Rumeysa Ozturk at Tufts University. One non-citizen student said they were too scared to have Signal on their phone out of fear border agents would think they had something to hide. This prevents the student from fully participating in the scholarly community.

294. Another non-citizen student was walking through Harvard Yard when they saw a protest with cameras. They pulled up their hoodie and fled in the opposite direction because they were afraid of the repercussions of being photographed at a protest in which they were not even involved.

295. All members of the AAUP–Harvard chapter are employed by Harvard, and as a result are directly impacted by the threatened imposition of new policies and procedures demanded in the April 3 and April 11 Letters.

296. AAUP members report that Harvard University has already made changes to policies and procedures in response to Defendants' threats and in anticipation of threats to its federal funding. This complaint provides a few examples.

297. One AAUP member reports that during the spring admissions cycle, the Public Health School admitted fewer students, and the Global Health program admitted no new students at all, due to the vulnerable state of its federal funding. The AAUP–Harvard President reports that the shrinking of admissions to the School of Public Health will have lasting effects on future scientific research.

CAUSES OF ACTION

COUNT I

APA (5 U.S.C. §§ 702, 704, 706) – Contrary to Procedure and Contrary to Law (Title VI and related law and procedure)

298. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

299. The APA directs courts to hold unlawful and set aside agency actions that are "without observance of procedure required by law." 5 U.S.C. § 706(2)(D). The APA further directs courts to hold unlawful and set aside agency actions that are found to be "[a]rbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law," 5 U.S.C. § 706(2)(A), or "in excess of statutory jurisdiction, authority, or limitations, or short of statutory right," 5 U.S.C. § 706(2)(C).

300. Section 602 of Title VI and binding regulations with the force of law, as well as Defendants' internal procedures, establish procedural requirements that must be followed in order to escalate an investigation to a termination of federal funding for alleged noncompliance with Title VI of the Civil Rights Act. *See, e.g.*, 42 U.S.C. § 2000d-1; 34 C.F.R. §§ 100.6-100.11 (ED); 45 C.F.R. §§ 80.6–80.11 (HHS); 28 C.F.R. §§ 42.106–111 (DOJ); 41 C.F.R. §§ 101–6.209-214 (GSA).

301. Defendants' failure to follow these requirements renders their actions alleged herein without observance of procedure required by law and contrary to law.

302. Nothing in Title VI, Title VII, or any other law authorizes Defendants' actions as alleged herein taken outside the scope of these governing requirements. Defendants' belated attempt to invoke 2 C.F.R. § 200.340(a)(4) in their May 6, May 9, and May 12 Letters is merely a post-hoc justification for their failure to follow the congressionally mandated Title VI procedures.

303. No lawful grant or contract condition authorizes Defendants' actions as alleged herein taken outside the scope of these governing requirements.

304. Defendants' actions alleged herein constitute "[a]gency action made reviewable by statute," 5 U.S.C. § 704; 42 U.S.C. § 2000d-2, as well as "final agency action for which there is no other adequate remedy in a court," 5 U.S.C. § 704, and is therefore subject to judicial review, 5 U.S.C. §§ 702, 704.

305. Plaintiffs and their members have suffered a legal wrong as a result of, and have been adversely affected or aggrieved by, Defendants' actions alleged herein for purposes of 5 U.S.C. § 702 and 42 U.S.C. § 2000d-2, including by chilling their speech, including their teaching, and terminating funding for their ongoing scientific research as well as their ability to support that research by making appropriate hiring decisions.

COUNT II

APA (5 U.S.C. §§ 702, 704, 706) – Arbitrary and Capricious

306. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

307. The APA directs courts to hold unlawful and set aside agency actions that are found to be "[a]rbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

308. Agency action is arbitrary or capricious where it is not "reasonable and reasonably explained." *Ohio v. EPA*, 603 U.S. 279, 292 (2024) (quotation omitted). This standard requires that agencies provide "a satisfactory explanation for its action[,] including a rational connection between the facts found and the choice made." *Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983) (quotation omitted). An action is also arbitrary and capricious if the agency "failed to consider ... important aspect[s] of the problem." *Dep't of Homeland Sec. v. Regents of the Univ. of Calif.*, 591 U.S. 1, 25 (2020) (quotation omitted) (alterations in original).

309. Defendants' actions alleged herein are arbitrary and capricious because the decision to undertake them was not objectively reasonable and Defendants failed to provide a reasoned explanation for that decision.

310. Defendants have frozen and terminated billions of dollars in funding to Harvard and established a policy of refusing to consider Harvard for future federal funding but have failed to provide any reasoned explanation regarding whether or in what particular manner Harvard has failed to comply with any specific requirement of Title VI, its implementing regulations, Title VII, or any other law.

311. Defendants have failed to provide any reasoned explanation for whether the funding they have frozen, terminated, or for which they refuse to consider Harvard has any relation to the programs (or parts of programs) in which the unidentified Title VI or Title VII violation or violations occurred, or of why those billions of dollars in grants and contracts in particular were targeted for review and termination.

312. Defendants have failed to provide any reasoned explanation for the imposition of any of the demands listed in the April 3, April 11, or May 5 Letters. Defendants failed to link any of the demands to any specific violation of federal law or any funding requirement. Defendants

failed to provide any reasoned explanation for why any of the requirements were necessary or sufficient to remedy any violation of federal law. Defendants failed to consider or even acknowledge any of the steps Harvard University has already undertaken that resemble, or obviate the need for, Defendants' demands.

313. The conditions imposed by the April 3, April 11, and May 5 Letters are also arbitrary and capricious because they are vague and indiscernible and fail to provide a sufficiently reasoned basis to guide compliance.

314. Defendants' actions alleged herein constitute "[a]gency action made reviewable by statute," 5 U.S.C. § 704, as well as "final agency action for which there is no other adequate remedy in a court," 5 U.S.C. § 704, and is therefore subject to judicial review, 5 U.S.C. §§ 702, 704.

315. Plaintiffs and their members have suffered a legal wrong as a result of, and have been adversely affected or aggrieved by, Defendants' actions alleged herein for purposes of 5 U.S.C. § 702, including by chilling their speech, including their teaching, and terminating funding for their ongoing scientific research as well as their ability to support that research by making appropriate hiring decisions.

COUNT III

First Amendment: Freedom of Speech

316. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

317. The First Amendment protects Plaintiffs' and Plaintiffs' members' right to free speech and academic freedom, including the right to pursue research and express different viewpoints and political beliefs without retaliation, punishment or deterrence based on the subject matter of that research, or those viewpoints and beliefs.

318. Defendants' actions alleged herein violate the First Amendment because they constitute coercion, persuasion, and/or intimidation that is intended to and has the effect of inhibiting the free exchange of ideas and promoting a government orthodoxy.

319. Defendants' actions alleged herein further violate the First Amendment by interfering with Harvard University's curriculum and decisions concerning who may teach and/or areas of research.

320. Defendants' actions alleged herein further violate the First Amendment by targeting for retaliation specific areas or topics of research, scholarship, and other forms of expression based on content and viewpoint, and by seeking to punish Harvard University, its faculty and its students for engaging in speech disfavored by the government.

321. Defendants' actions alleged herein further violate the First Amendment by infringing upon the right of Plaintiffs and their members to make expressive choices about what third-party speech to host and provide a forum for in the pursuit of intellectual and academic inquiry and debate.

322. Defendants' actions alleged herein further violate the First Amendment because they constitute threats of legal sanction and other means of coercion to achieve the suppression of disfavored speech and academic freedom, including by coercing a private party to punish, suppress, or control speech on the government's behalf.

323. Defendants' actions alleged herein have the purpose and effect of direct and indirect censorship and both content-based and viewpoint-based discrimination against faculty and students at Harvard University, including Plaintiffs' members.

324. Defendants' actions alleged herein further violate the First Amendment because they constitute funding conditions that place an unconstitutional burden on the First Amendment

rights set forth above and leverage funding to regulate unrelated matters outside the contours of any discrete federal program.

325. Each of these actions standing alone constitutes an independent First Amendment violation.

326. Defendants' actions alleged herein have already and will continue to chill the speech and academic freedom of Plaintiffs, Plaintiffs' members, and other faculty and students whose freedoms are integral to the mission and work of Plaintiffs and their members.

327. Defendants' actions alleged herein are not justified by any substantial or compelling government interest and are not narrowly tailored to serve any such interest.

328. Federal courts have the equitable power to enjoin unlawful actions by executive officials. *See Armstrong v. Exceptional Child Ctr., Inc.*, 575 U.S. 320 (2015). This Court can and should exercise its equitable power to enter appropriate declaratory and injunctive relief.

COUNT IV

APA (5 U.S.C. §§ 702, 704, 706) – Contrary to Law (First Amendment)

329. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

330. The APA directs courts to hold unlawful and set aside agency actions that are contrary to constitutional rights. 5 U.S.C. § 706(2)(B).

331. Defendants' actions alleged herein are contrary to constitutional rights for the reasons set forth in Count III of this Complaint.

332. Defendants' actions alleged herein constitute "[a]gency action made reviewable by statute," 5 U.S.C. § 704, as well as "final agency action for which there is no other adequate remedy in a court," 5 U.S.C. § 704, and is therefore subject to judicial review, 5 U.S.C. §§ 702, 704.

333. Plaintiffs and their members have suffered a legal wrong as a result of, and have been adversely affected or aggrieved by, Defendants' actions alleged herein for purposes of 5 U.S.C. § 702.

COUNT V

Separation of Powers / Spending Clause (U.S. Const., art I) / *Ultra Vires* Action

334. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

335. The Constitution vests the legislative power, including the spending power and the authority to place conditions on federal spending, in Congress. U.S. Const., art. I. Federal legislation must be passed by both chambers of Congress before it may be presented to the President, and, if signed, become law. *Id.*; *I.N.S. v. Chadha*, 462 U.S. 919, 951 (1983).

336. The Constitution vests executive power in the President, U.S. Const., art. II, and imposes on the President a duty to "take Care that the Laws be faithfully executed," U.S. Const. art. II, § 3.

337. Congress exercised its Article I legislative and spending authority to authorize the federal grants and contracts for which Defendants have purported to freeze funding.

338. None of the funds received by Harvard University have a congressionally authorized condition requiring them to comply with any of the demands in the April 3, April 11, or May 5 Letters or that subject them to review in the manner Defendants have undertaken as alleged herein. Defendants' termination of federal funding to Harvard thus is not authorized by statute and will unlawfully override the direct congressional authorization of federal funding. No Article II constitutional power authorizes Defendants to cancel duly authorized federal funding on grounds not authorized by statute.

339. No law or statute, including Title VI and Title VII, requires Harvard to comply with the demands in the April 3, April 11, or May 5 Letters. The demands in the April 3, April 11, and May 5 Letters are not necessary to ensure compliance with Title VI or any other federal civil rights law, and Defendants lacked authority to impose those demands or to take actions seeking to enforce compliance with them. Even if they were, as alleged above, Defendants failed to follow statutory, regulatory, and other binding procedural requirements for the exercise of powers under these statutes.

340. No provision of the Constitution authorizes the Executive Branch to enact, amend, or repeal statutes, including both Title VI and appropriations approved and signed into law.

341. Defendants' actions alleged herein are, therefore, an unconstitutional usurpation of the spending power of Congress, an unconstitutional effort to amend congressional appropriations by attaching conditions not contemplated by Congress, and a violation of the separation of powers. They are therefore *ultra vires*.

342. Federal courts have the equitable power to enjoin unlawful actions by executive officials. *See, e.g.*, *Armstrong v. Exceptional Child Ctr., Inc.*, 575 U.S. 320, 326-27 (2015). This Court can and should exercise its equitable power to enter appropriate declaratory and injunctive relief.

COUNT VI

APA (5 U.S.C. §§ 702, 704, 706) – Contrary to Law (Separation of Powers / Spending Clause /*Ultra Vires*)

343. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

344. The APA directs courts to hold unlawful and set aside agency actions that are found to be "not in accordance with law," 5 U.S.C. § 706(2)(A) or "contrary to constitutional right, power, privilege, or immunity," 5 U.S.C. § 706(2)(B).

345. Defendants' actions alleged herein are contrary to Article I of the Constitution for the reasons set forth in Count V of this Complaint.

346. Defendants' actions alleged herein constitute "[a]gency action made reviewable by statute," 5 U.S.C. § 704, as well as "final agency action for which there is no other adequate remedy in a court," 5 U.S.C. § 704, and is therefore subject to judicial review, 5 U.S.C. §§ 702, 704.

347. Plaintiffs and their members have suffered a legal wrong as a result of, and have been adversely affected or aggrieved by, Defendants' actions alleged herein for purposes of 5 U.S.C. § 702.

COUNT VII

Fifth Amendment Due Process Clause (U.S. Const. amend. V)

348. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

349. The Due Process Clause of the Fifth Amendment to the United States Constitution requires due process of law before the deprivation of a constitutionally protected interest.

350. Plaintiffs' members have constitutionally protected property interests in funding that supports their salaries and stipends, as well as in their ongoing research. Plaintiffs' members have relied on this funding, and the protections of federal law governing this funding, in pursuing their research, hiring staff, making commitments to research partners, and in many other ways. Plaintiffs' members also have constitutionally protected liberty interests in their freedom of speech and expression, including academic freedom, and in pursuing their livelihoods.

351. Defendants' termination of federal funding as set forth in this Complaint does not provide the university or Plaintiffs' members fair notice or a reasonable opportunity to be heard.

352. The Due Process Clause also prohibits government actions that fail to give fair notice of what conduct is forbidden or required.

353. Defendants' actions alleged herein establish unconstitutionally vague standards for determining whether federal funding will be terminated and do not tie the cancelation of grants and contracts to specific alleged acts or omissions, much less specific conduct reasonably related to the grants and contracts at issue. Nor did the announcement provide any adequate notice to Plaintiffs' members or to Harvard regarding what conduct was forbidden or required to avoid such consequences.

354. Federal courts have the equitable power to enjoin unlawful actions by executive officials. *See, e.g.*, *Armstrong*, 575 U.S. at 326-27. This Court can and should exercise its equitable power to enter appropriate declaratory and injunctive relief.

COUNT VIII

APA (5 U.S.C. §§ 702, 704, 706) – Contrary to Law (Fifth Amendment Due Process)

355. Plaintiffs incorporate the above paragraphs as if fully set forth herein.

356. The APA directs courts to hold unlawful and set aside agency actions that are found to be "not in accordance with law." 5 U.S.C. § 706(2)(A). The APA also directs courts to hold unlawful and set aside agency actions that are contrary to constitutional rights. 5 U.S.C. § 706(2)(B).

357. Defendants' actions alleged herein are contrary to constitutional rights for the reasons set forth in Count VII of this Complaint.

358. Defendants' actions alleged herein constitute "[a]gency action made reviewable by statute," 5 U.S.C. § 704, as well as "final agency action for which there is no other adequate remedy in a court," 5 U.S.C. § 704, and is therefore subject to judicial review. 5 U.S.C. §§ 702, 704.

359. Plaintiffs and their members have suffered a legal wrong as a result of, and have been adversely affected or aggrieved by, Defendants' actions alleged herein for purposes of 5 U.S.C. § 702.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request that this Court:

A. Declare unlawful and set aside Defendants' investigation and review of Harvard University's federal funds, including (i) the withdrawal or cancellation of federal funds set out in the March 31 Announcement and April 3, April 11, May 6, May 9, and May 12 Letters; (ii) the refusal to consider Harvard for future federal grants set out in the May 5 Letter; (iii) the conditions imposed in each of the April 3, April 11, May 5, May 6, May 9, and May 12 Letters; and (iv) any future actions by Defendants forming a part of this pattern of conduct in each case as undertaken in the absence of constitutional and statutory authority, not in compliance with applicable law and procedure, unlawfully coercive, and unconstitutionally intended to target protected speech;

B. Preliminarily and permanently enjoin any further investigation or review of Harvard University's federal funding, including any threat to withdraw or cancel federal funding, actual withdrawal or cancelation of such funding from Harvard University, or categorical refusal to consider Harvard University for future federal grants, in the absence of constitutional and statutory authority and in compliance with applicable law and procedure;

C. Preliminarily and permanently enjoin Defendants, their agents, and all persons acting in concert or participation with Defendants from using the withdrawal of federal funds or the threat of withdrawal of federal funds to coerce Harvard University to suppress viewpoints or speech of Plaintiffs and their members, including by specifically enjoining the conditions imposed in the April 3, April 11, May 5, May 6, May 9, and May 12 Letters as well as any future actions by Defendants forming a part of this pattern of conduct;

D. Preliminarily and permanently enjoin Defendants, their agents, and all persons acting in concert or participation with Defendants from using the power of the government to target and punish Harvard University for the viewpoints and speech of Plaintiffs and their members;

E. Award Plaintiffs their reasonable attorneys' fees and costs in accordance with law including but not limited to 42 U.S.C. § 1988; and

F. Award such other relief as the Court deems just and proper.

Dated: May 16, 2025

Respectfully submitted,

By: /s/ *Corey Stoughton*

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Attorneys for Plaintiffs

* Admitted *pro hac vice*
** *Pro hac vice* application forthcoming

CERTIFICATE OF SERVICE

I hereby certify that this document, filed electronically through the Court's CM/ECF system, was sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: May 16, 2025

/s/ *Corey Stoughton*
Corey Stoughton

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS–HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-CV-10910-ADB

DECLARATION OF DANIEL H. SILVERMAN IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

I, Daniel H. Silverman, declare as follows:

1. I am a Partner at the law firm Cohen Milstein Sellers & Toll PLLC and am duly licensed to practice in the State of Massachusetts (BBO# 704387).

2. I am counsel for Plaintiffs American Association of University Professors ("AAUP"), American Association of University Professors–Harvard Faculty Chapter ("AAUP–Harvard"), and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW") in the above-captioned litigation

3. I submit this declaration in support of Plaintiffs' Motion for Summary Judgment, filed herewith.

4. Attached hereto as **Exhibit 1** is a true and correct copy of a press release issued by the Department of Justice's Office of Public Affairs entitled "Justice Department Announces Formation of Task Force to Combat Anti-Semitism" and dated February 3, 2025.

5. Attached hereto as **Exhibit 2** is a true and correct copy of a press release issued by the General Services Administration entitled "HHS, ED, and GSA announce additional measures to end anti-Semitic harassment on college campuses" and dated March 3, 2025.

6. Attached hereto as **Exhibit 3** is a true and correct copy of a post on Truth Social by Donald J. Trump dated March 4, 2025.

7. Attached hereto as **Exhibit 4** is a true and correct copy of a press release by the General Services Administration entitled "DOJ, HHS, ED, and GSA announce initial cancellation of grants and contracts to Columbia University worth $400 million" and dated March 7, 2025.

8. Attached hereto as **Exhibit 5** is a true and correct copy of a video recording entitled "Leo Terrell with Mark Levin- How we'll defeat antisemitism in the USA" as downloaded from YouTube's website at https://www.youtube.com/watch?v=NOFIKRr2Sco.

9. Attached hereto as **Exhibit 6** is a true and correct copy of a press release by the U.S. Department of Education entitled "U.S. Department of Education's Office for Civil Rights Sends Letters to 60 Universities Under Investigation for Antisemitic Discrimination and Harassment" and dated March 10, 2025.

10. Attached hereto as **Exhibit 7** is a true and correct copy of an audio recording of the March 19, 2025, interview of Leo Terrell on the Hugh Hewitt Show as downloaded from https://eadn-wc05-2440449.nxedge.io/wp-content/uploads/2025/03/03-19hhs-terrell.mp3.

11. Attached hereto as **Exhibit 8** is a true and correct copy of a post on Truth Social by Donald J. Trump dated April 15, 2025.

12. Attached hereto as **Exhibit 9** is a true and correct copy of a post on Truth Social by Donald J. Trump dated April 16, 2025.

13. Attached hereto as **Exhibit 10** is a true and correct copy of a post on Truth Social by Donald J. Trump dated April 24, 2025.

14. Attached hereto as **Exhibit 11** is a true and correct copy of a post on Truth Social by Donald J. Trump dated May 2, 2025.

15. Attached hereto as **Exhibit 12** is a true and correct copy of a video recording entitled "Education Secretary Linda McMahon to Harvard: Obey the law and you can be eligible for funding" as downloaded from YouTube's website at https://www.youtube.com/watch?v=bb6YJUHMqc4.

16. Attached hereto as **Exhibit 13** is a true and correct copy of a video recording entitled "Watch CNBC's full interview with Education Secretary Linda McMahon" as downloaded from YouTube's website at https://www.youtube.com/watch?v=h3KHwRH1DYQ.

17. Attached hereto as **Exhibit 14** is a true and correct copy of the declaration of Kirsten Weld executed on June 2, 2025.

18. Attached hereto as **Exhibit 15** is a true and correct copy of the declaration of Todd Wolfson executed on May 30, 2025.

19. Attached hereto as **Exhibit 16** is a true and correct copy of the declaration of John Quackenbush executed on June 2, 2025.

20. Attached hereto as **Exhibit 17** is a true and correct copy of the declaration of Caroline Light executed on June 1, 2025.

21. Attached hereto as **Exhibit 18** is a true and correct copy of the declaration of Molly Forrest Franke executed on May 30, 2025.

22. Attached hereto as **Exhibit 19** is a true and correct copy of the declaration of Meredith Rosenthal executed on June 2, 2025.

23. Attached hereto as **Exhibit 20** is a true and correct copy of the declaration of Paige Williams executed on June 2, 2025.

24. Attached hereto as **Exhibit 21** is a true and correct copy of the declaration of Shoba Ramanadhan executed on June 2, 2025.

25. Attached hereto as **Exhibit 22** is a true and correct copy of the declaration of Scott Delaney executed on June 1, 2025.

26. Attached hereto as **Exhibit 23** is a true and correct copy of the declaration of Walter Willett executed on May 30, 2025.

27. Attached hereto as **Exhibit 24** is a true and correct copy of the declaration of Sarah Fortune executed on May 30, 2025.

28. Attached hereto as **Exhibit 25** is a true and correct copy of the declaration of Donald Ingber executed on May 30, 2025.

29. Attached hereto as **Exhibit 26** is a true and correct copy of the declaration of Bence Ölveczky executed on May 29, 2025.

30. Attached hereto as **Exhibit 27** is a true and correct copy of the declaration of Victoria Jenkins executed on May 30, 2025.

31. Attached hereto as **Exhibit 28** is a true and correct copy of the declaration of Jennifer Chen executed on May 29, 2025.

32. Attached hereto as **Exhibit 29** is a true and correct copy of the declaration of of Beau Schaeffer executed on May 30, 2025.

33. Attached hereto as **Exhibit 30** is a true and correct copy of the declaration of Adam Sychla executed on May 30, 2025.

34. Attached hereto as **Exhibit 31** is a true and correct copy of the declaration of Kelsey Tyssowski executed on May 30, 2025.

35. Attached hereto as **Exhibit 32** is a true and correct copy of the declaration of Trudy Merritt executed on May 30, 2025.

36. Attached hereto as **Exhibit 33** is a true and correct copy of the declaration of Jules Riegel executed on May 31, 2025.

37. Attached hereto as **Exhibit 34** is a true and correct copy of the declaration of Neal Sweeney executed on June 1, 2025.

38. Attached hereto as **Exhibit 35** is filed under seal pursuant to the Court's order granting Plaintiffs' Motion to Seal, Dkt. 72.

39. Attached hereto as **Exhibit 36** is filed under seal pursuant to the Court's order granting Plaintiffs' Motion to Seal, Dkt. 72.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 2nd day of June, 2025, in Boston, Massachusetts.

Signed: *<u>/s/ Daniel H. Silverman</u>*
Daniel H. Silverman (BBO # 704387)
COHEN MILSTEIN SELLERS & TOLL PLLC
769 Centre Street
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EXHIBIT 14

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-cv-10910-ADB

Declaration of Kirsten Weld

I, Kirsten Weld, declare as follows:

1. I am a tenured Professor of History at Harvard University.

2. I have a PhD in history from Yale University as well as MPhil and MA degrees from Yale University and a BA degree from McGill University.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. I am the President of the American Association of University Professors – Harvard Faculty Chapter ("Harvard AAUP"). I have voluntarily served in this role since April 2024. I have been an American Association of University Professors ("AAUP") member since April 2024.

5. As a chapter of the AAUP, Harvard AAUP advocates for policies at Harvard that promote the AAUP's mission of advancing academic freedom and shared government, defining professional values and standards for higher education, ensuring higher education's contribution to the common good, and safeguarding the economic security of faculty, academic professionals,

graduate students, post-doctoral fellows, and others engaged in teaching and research in higher education. As part of this mission, Harvard AAUP provides support to AAUP members on Harvard's campus.

6. Harvard AAUP is not aligned with any political party or ideology. Our members have diverse political and personal beliefs, and we welcome that diversity.

7. All Harvard AAUP members are members of the AAUP.

8. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and many other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the U.S. Department of Education ("DOE"), U.S. Department of Health and Human Services ("HHS"), and U.S. General Services Administration ("GSA") announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates.

9. I am aware that on April 3, 2025, officials from the GSA, HHS, and DOE sent a letter to Harvard that was made public and demanded that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[ed] and supersed[ed] the terms of" the April 3 Letter (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). I have read the demands listed in the Demand Letters, which were made public.

10. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds under these grants despite receiving requests from Harvard University to do so.

11. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health (NIH) terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the DOE, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters. The government has now canceled about $2.7 billion in federal grants to Harvard.

12. I am also aware of a variety of "stop work" orders that have been issued by federal funding agencies to grants held by researchers working at Harvard beginning in February 2025. I am aware that on April 4, 2025, the Boston Globe reported on a federal government memorandum issued March 31 that specified grants for specific research projects the current administration is targeting. I know that some of these grants belong to AAUP members.

13. I am aware that after the Trump administration froze over $2.2 billion in federal funds to Harvard on April 14, 2025, approximately twenty AAUP members have had their federal grants and contracts cancelled. This has happened in waves. I am aware that AAUP members received a large wave of grant cancellation notices from Harvard on May 15, 2025.

14. I am further aware of a variety of public statements made by the Trump administration beginning in January 2025 slandering the work of university researchers, impugning the integrity of the university, and making a variety of threats about the ways the federal government intends to use its authority to impose a moving target list of demands on Harvard.

15. I am also aware of the cancellation of $400 million in federal grants and contracts to Columbia University and the changes Columbia agreed to implement because of the Trump administration's cutting of funding and other demands. Everyone on Harvard's campus seemed to be aware of what was going on at Columbia; there was a lot of discussion, fear, and uncertainty. I am also aware that even after Columbia capitulated to the Trump administration's demands it still wasn't enough; Columbia's federal funding has not been restored, and indeed, on April 9, the NIH announced that all its research grants to Columbia would be frozen effective immediately.

16. It is my understanding that Harvard preemptively took a series of actions in anticipation of similar demands and threats to cancel its federal funding and in response to threats made by the Trump administration targeted at Harvard as far back as January 2025.

17. I understand that Title VI and its implementing regulations require the government to provide notice and opportunity for a hearing, followed by a finding on the record, before terminating federal funding in any program or part thereof based on a violation of Title VI. I am not aware of any such notice having been provided to any AAUP member to date.

18. I fear that the recent actions of the Trump administration will lead to Harvard making decisions that stifle the ability of AAUP members to exercise their academic freedom and freedom of speech to express differing viewpoints. I am also afraid of the profound negative impacts the loss of Harvard's federal funding will have on research across the campus.

Impact on AAUP as an Organization and on its Members

19. The series of actions the Trump administration has taken targeting Harvard have had negative impacts on AAUP as an organization.

20. The Trump administration's actions are causing a drain on the AAUP's resources because the organization has to spend time dealing with crises and putting people in touch with needed resources instead of doing the internal governance work that the AAUP usually does within

the university. For example, we sponsored a training on digital surveillance and information security for our members, and we are in the process of planning a Know Your Rights workshop aimed specifically at faculty.

21. We now hold twice as many meetings with our members as we did before the Trump administration began attacking Harvard University. We use these meetings to address the significant obstacles these demands, funding freezes, and terminations pose to the academic freedom and economic security of our members, such as by discussing how and whether AAUP-Harvard members can maintain their academic freedom in the wake of these attacks.

22. The AAUP has three guiding principles: academic freedom, governance, and economic security. These are core objectives of the Harvard AAUP chapter that track the priorities of AAUP national. Even a narrow interpretation of the capacious demands in the Demand Letters will have severe impacts on each of these three areas, which I will discuss in turn.

Academic Freedom

23. This first AAUP principle involves upholding agreed upon norms and standards of academic freedom for scholarly research and teaching.

24. Harvard has already taken actions in anticipation of the Trump administration investigating the university, threatening to withhold its federal funding, and termination of about $2.7 billion in federal funds. For example, on March 26, 2025—after the March 10, 2025 warning letter was sent to Harvard and other universities—there was a very unusual firing of the Director and Associate Director of the Center for Middle Eastern Studies. They were removed from their directorship positions at the Center, seemingly based on a handful of accusations that their programming was "imbalanced" regarding Palestine. Secretary of Education McMahon recently highlighted this dismissal when asked if the Trump administration was succeeding in its goals of changes at Harvard. Harvard also declined to renew a long-standing partnership between the

Harvard School of Public Health's François-Xavier Bagnoud (FXB) Center for Health and Human Rights and Birzeit University in the West Bank.

25. Around the same time, Harvard declined to renew the annual contract of a colleague who had served as Associate Director for the Religion, Conflict, and Peace Initiative at Harvard Divinity School. That colleague, who had led programming in Middle East Studies at Harvard for 23 years, was the only Palestinian-American employed at the Harvard Divinity School. The Religion, Conflict, and Peace Initiative was suspended.

26. I believe it reasonable to interpret all these actions as having been taken in anticipation of a Trump administration investigation. These were all programs accused by the congressional Committee on Education & the Workforce of being antisemitic, echoing inflammatory statements by Harvard affiliates about units of the Harvard Divinity School being "Hamas or Palestinian embassies." The fact that these programs were all shut down around the same time raised grave concerns that legitimate inquiry regarding Israel and Palestine was being shut down by Harvard as a result of threats made by the Trump administration to investigate the university.

27. Recently, Harvard changed its disciplinary procedures for students accused of committing infractions of the student code of conduct. A new committee called the University Committee of Rights and Responsibilities now has final authority over certain student discipline cases and faculty have lost power and jurisdiction over such cases – indeed, the Harvard Corporation amended the University Statutes to this effect. This change was made in response to one of the demands in the April 11 Letter.

28. Recently, Harvard renamed its Office for Equity, Diversity, Inclusion, and Belonging as the Office of Community and Campus Life, and charged it with pursuing a different set of objectives. I understand this move to amount to a shuttering of Harvard's DEI office in compliance

with the demands in the April 3 and April 11 Letters. Similar changes were made to the diversity offices at Harvard's affiliated hospitals in the weeks following the April 3 and April 11 Letters. For example, at Massachusetts General Hospital and at Brigham and Women's Hospital, the former Centers for Diversity and Inclusion at MGH and BWH, as well as the Office for Belonging and Engagement and the Center for Faculty Development at MGH, were collapsed and amalgamated into the MGB Center for Academic Development and Enrichment (CADE). One AAUP-Harvard member who is employed at one of the affected hospitals reports that in late April, "we had a department meeting in which we were told that there was going to be no DEI anymore."

29. I have also received confidential reports of both top-down censorship and anticipatory self-censorship at Harvard-affiliated publications, in which authors of both scholarly and public-facing material attest to being discouraged from publishing on topics disfavored by the Trump administration. Individuals who have shared these confidential reports with me have stressed that I cannot discuss these incidents with any specificity because they fear being fired from their positions or facing professional retaliation.

30. What is likely to follow if Harvard further capitulates to the demands in the Demand Letters presents an even greater threat to academic freedom. The Demand Letters seek to force Harvard to alter its criteria for hiring and elevate voices of compliant faculty into administrative positions while marginalizing the roles of "noncompliant" faculty.

31. I have two colleagues who have already changed their plans for the courses they were going to teach in the fall out of self-preservation because their planned courses were on topics explicitly disfavored by the Trump administration. They changed their curricular offerings to no longer be explicitly about transgender issues in one case and no longer be explicitly about race in the other.

32. Biomedical researchers have expressed concerns to me about whether they can do research anymore concerning topics like health equity, maternal mortality for women of color, and disparities in health outcomes, which is a clear issue of academic freedom. Some of these researchers received stop work orders in early February, and others received them more recently. They are being prevented from doing work they have done all their lives and are concerned they will no longer have the freedom to conduct their research in the way their professional training and disciplinary expertise leads them to deem most appropriate.

Governance

33. This second AAUP principle involves advocating for robust shared governance at universities according to guidelines and recommendations that AAUP national has established over the course of the past century. These guidelines detail the joint responsibility of faculty, administrations, and governing boards to govern colleges and universities, and they note that "when it comes to academic matters, a faculty decision should normally be the final decision."

34. The governance and leadership reforms listed in the Demand Letters are a clear infringement on the autonomy of Harvard to manage its personnel in the manner that is most conducive to research and teaching at the university. Capitulation by Harvard to these demands would constitute not shared governance, but governance by unlawful federal fiat.

35. The demands concerning discontinuation of Diversity, Equity, and Inclusion (DEI) programs in the Demand Letters are vague. They will be interpreted, especially among non-tenure-track and other contingent faculty who do not have the protections of tenure, as implying that any kind of teaching and research related to race, ethnicity, racial equity, and identity, whether in a U.S. or global context, is too risky and could lead to career-damaging consequences. This has obvious implications for faculty who work in the field of U.S. history. It has immediate and devastating implications for many faculty in the field of public health because much work in the public

health field relates to equity in some way. This demand signals clearly that the Trump administration will target areas of inquiry that it disfavors.

36. The April 11 Letter demands the "empowering" of, "from among the tenured professoriate and senior leadership, exclusively those most ... committed to the changes indicated in this letter," as well as the "reducing" of "the power held by faculty (whether tenured or untenured) and administrators more committed to activism than scholarship." Though these criteria are vague, they suggest the imposition of a litmus test upon faculty, whereby certain faculty members are to be disempowered or professionally marginalized based on ideological criteria.

37. The April 11 Letter stipulates that "an external party" must "audit the student body, faculty, staff, and leadership for viewpoint diversity, such that each department, field, or teaching unit must be individually viewpoint diverse." It notes that "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." This would constitute an unacceptable infringement upon the ability of scholars to direct the faculty appointments process according to their professional competence and expertise in their respective fields, and would insert inappropriate and extra-academic ideological considerations into the evaluation of candidates for teaching and research positions. It would have an intense chilling effect upon faculty speech.

38. The April 11 Letter explicitly targets "programs, schools, and centers of concern" which "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 New Eastern Languages and Cultures, and the Harvard Law School International Human Rights Clinic." It insinuates that all of these units have "egregious

records of antisemitism or other bias," without offering evidence. Many AAUP Harvard members work in these programs, schools, and centers of concern, and they report fear and anxiety stemming from having been singled out for exceptional scrutiny in the April 11 Letter.

39. More than 800 Harvard faculty signed a letter urging Harvard not to cave into the Trump administration's demands. If the Harvard President and Office of General Counsel comply with any of the demands listed in the Demand Letters to prevent further terminations of federal funding, that will send a powerful and frightening message about the shredding of well-established professional norms around shared governance in higher education. These are shared norms that have been in place for decades about how university decision making happens.

Economic security

40. This third AAUP principle involves advocating for the economic security of all members of a university community so they can do their work under dignified and equitable economic conditions.

41. The termination of roughly $2.7 billion dollars in federal funding and continued threats to terminate all $9 billion of Harvard's federal funding has left and will leave no part of Harvard untouched. These terminations will have and are already having catastrophic implications for the economic security and lives of vast swathes of researchers, from post-graduate researchers to tenured faculty.

42. The Harvard School of Public Health is especially vulnerable—nearly 60% of their operating budget comes from sponsored support, including federal grants. Before the April 14, 2025 freezing of over $2.2 billion in federal funding, the School of Public Health had already begun to shrink admissions pools in their PhD programs. Now, virtually every federal grant at the School of Public Health has been terminated. Multiple colleagues at the School of Public Health have expressed doubt about whether the School of Public Health will be able to continue existing.

The threat to their institution and work is existential and they will not be able to recoup their institution and work if federal funding is not resumed within a short time period. This will also have lasting effects on the pipeline for future scientific research, as NSF grants designed specifically for early-career scientists have been cancelled wholesale.

43. I am also particularly fearful that colleagues who are coming up for tenure will be denied tenure if their research falls under the broad areas for "reform" listed in the Demand Letters. This is both an academic freedom issue and an economic security issue.

44. Harvard implemented a hiring freeze on March 10, 2025, hours before the federal government sent a letter indicating it was monitoring Harvard. It is my understanding that this hiring freeze was implemented in part in anticipation of threats from the Trump administration to cancel Harvard's federal funding. This funding freeze has impacted me directly because it includes a freeze on hiring new research assistants, which slows the pace of faculty research, as well as a freeze on new tenure-track hiring, which means we cannot fill crucial teaching gaps in the history department.

45. There are also a number of term-limited lecturers who are timing out of their contracts. Some are language instructors who are the only person at Harvard teaching their specific language. Due to the hiring freeze, these lecturers will not be replaced and various bodies of knowledge will no longer be taught at the University as a result. If federal funding is not restored soon, the hiring freeze will be prolonged for years even as a generation of older faculty members retires.

46. It is important to understand the way researchers who are funded by federal grants—especially biomedical researchers, of whom we have numerous AAUP members and who have explained to me in detail the implications of these threatened cuts for their work—organize

their careers. Biomedical research funded by federal grants is built upon a complex infrastructure of scientists, data analysts, administrators and trainees. It requires technical expertise that is developed over years of mentoring and is often held in the hands of specific experienced individuals. Human samples are necessary for the work, and such samples are obtained at significant cost and effort—to the researchers as well as to the study participants. This type of research therefore requires planning years in advance. Part of that planning involves always having additional fundable projects lined up to provide continuous resources for long-term research initiatives. So it is not just researchers' current grants that are at risk of cancellation or have been cancelled, it is years' worth of future grants. This can be career ending; it may well unrecoverably disrupt these researchers' life work.

47. I have heard colleagues express concerns that Harvard University may no longer be able to function as a research university due to the collapse of biomedical sciences resulting from withdrawals of federal funding.

48. These threats are not unique to Harvard. Earlier this semester, Cornell and Northwestern had $1 billion and $800 million in federal funds frozen respectively, and Columbia, despite having already agreed to many of the Trump administration's demands, saw all its NIH grants newly frozen. But the scale and retaliatory nature of the attacks at Harvard are thus far without parallel at other institutions.

Specific Impacts on Anonymous AAUP Members

49. As President of the Harvard AAUP chapter, I have heard from dozens of our members about how federal funding cuts are severely disrupting their ability to conduct essential academic research and teaching or whose speech has been chilled as a result of recent Trump administration threats and demands directed at Harvard. Many of them, including the AAUP members discussed below, are afraid to publicly testify about the impacts of these cuts and the chilling of

their speech because they fear retaliation from Harvard University, Harvard affiliates, or the federal government.

50. Members, including those discussed below, have expressed fear that they will be blacklisted from future federal grant funding, denied tenure or academic promotion, and/or face retaliation against other members of their department or the students they advise. Certain members have expressed concern that because they or their family members are noncitizens, their visas or green cards could be revoked in retaliation for their participation in this litigation. This section of the declaration discusses the experiences of AAUP members without providing names because of the reasonable fears of retaliation these members have expressed.

AAUP Member #1

51. An AAUP member in the Faculty of Arts and Sciences changed their teaching plans for next semester because they feared harassment.

52. This professor has been vocal in support of pro-Palestine student protestors and has already experienced public targeting and harassment as a result; however, they have not previously adjusted their public speech or teaching before this latest chilling wave of attacks from the federal government.

53. The course they had planned to teach would have addressed the lead-up to the U.S. Civil War; it would have dealt with topics including settler colonialism, slavery, Indian removal, and the U.S.-Mexico War, all of which could reasonably be assumed to be covered by the federal government's demand that anything related to "DEI" be discontinued.

54. Additionally, the professor feared facing false accusations on Title VI grounds because the course would have explored the subject of white supremacy in American history.

AAUP Member #2

55. Another AAUP member is a member of the faculty at Harvard Medical School.

56. This AAUP member has arranged to spend part of next year working outside the United States because they do not feel comfortable being at Harvard anymore due to their pro-Palestine advocacy and opinions. This member's decision to spend part of next year working outside the United States is intended as a step towards their full transition outside of the United States. This means that the medical school and patients in the Harvard-affiliated hospital system will not receive the benefit of this faculty member's decades of clinical expertise.

AAUP Member #3

57. Another AAUP member is a member of the faculty at Harvard Medical School. They are an internationally recognized scholar in their field.

58. This faculty member attests that the precipitous termination of billions of dollars in federal grants and contracts, as well as the statement by the Secretary of Education that Harvard researchers need not apply for future federal grants, has had a catastrophic effect on the atmosphere and conduct of biomedical research at the Medical School.

59. This faculty member has seen all three of their NIH grants suspended as of May 1, totaling millions of dollars of competitively secured multi-year research support. They have spent their career working in partnership with biomedical researchers abroad, but the federal government's suspension of all grants with foreign subawards imperils the international research collaborations this faculty member has developed over decades. They have had to suspend ongoing clinical trials and they do not know what will happen to the valuable biomedical samples that have already been gathered as part of their ongoing projects. The suspended grants support the work of 5 Boston-area biomedical researchers and many more biomedical researchers based at the faculty member's international research site.

60. This faculty member has seen administrative staff—those who are responsible for tasks such as grants administration and human studies review—be dismissed from their jobs. They note that early career scientists who have completed multiple years of postgraduate training are newly seeking career opportunities outside of basic research and/or outside the United States, thus disrupting the scientific research pipeline in ways that will have generational effects. Scientists with unique and advanced skills are seeking positions outside of academia and/or outside the United States, because of the lack of prospects for continued research funding. Projects that require the recruitment of human study participants have had to suddenly suspend operations because the funds enabling the completion of the associated research projects have been terminated.

61. This faculty member attests that the institution has halted seed grants that are fundamental to initiating new projects and scientific collaborations. Harvard is encouraging faculty to pursue philanthropic funding for their work, yet the type of research this faculty member performs is unlikely to garner private funding. Laboratory facilities and other physical spaces that support laboratory research are now being consolidated and closed. Harvard University and Harvard-affiliated hospitals have offered small amounts of bridge funding but in quantities that are nowhere near what would be necessary to permit the survival of these research programs.

62. This faculty member further attests that foundational scientific work that has taken many years of human effort and institutional investment to reach its current state is being terminated in a manner that will fundamentally preclude the possibility of future research. As a result, this faculty member attests they are actively looking to move their research program away from the United States if possible.

63. This faculty member remains anonymous because absent federal funding, they will need bridge funding from another source to maintain their research program. This funding may

originate from, or be directed by administrators from within, their institution, and they fear that their actions might influence the possibility of receiving such support. Administrators at the Harvard-affiliated hospital where they work have explicitly instructed this faculty member not to voice any public concerns about what is occurring and not to speak to the media.

Impact on Student Speech and Academic Freedom

64. The recent Trump administration demands and threats targeted at Harvard also have had a profound chilling effect on students at Harvard.

65. Graduate students are having to reorganize their research plans because funding sources have been wiped out, and because Harvard's very authorization to enroll international students has been thrown into doubt by the Department of Homeland Security's attempted revocation of its SEVP certification. This makes it very difficult to do academic work in any discipline because serious research requires multiple years of planning.

66. I can also provide numerous examples of the ways in which students have changed their behavior as a result of threats from the Trump administration.

67. In one of my classes, students were talking in April about setting up a Signal group for mutual support because they were terrified about the detention of Rumeysa Ozturk at Tufts University close by. One student, however, said they were too scared to even have the Signal app on their phone because if their devices got searched at the border, they didn't want border agents to think they had something to hide by virtue of having the app. This fear has prevented this student from participating fully in their scholarly community.

68. When the Director and Associate Director of the Center for Middle Eastern Studies were removed from their positions, there was a protest criticizing their removal. One of my noncitizen students told me he was walking through Harvard Yard when the demonstration was ongoing, and when he saw there was a protest with cameras everywhere he pulled his hoodie over his face

and fled in the opposite direction because he was so afraid of being photographed at a protest he was not even involved in. This fear is not unwarranted: the Department of Homeland Security has demanded that Harvard turn over five years' worth of any surveillance video documenting protest activities involving international student participation.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 2, 2025

Signed: 

Kirsten Weld
Professor of History

EXHIBIT 15

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

DECLARATION OF TODD WOLFSON

I, Todd Wolfson, hereby declare as follows:

1. I currently serve as President of the American Association of University Professors ("AAUP"), a plaintiff in this action. I have served in that position since June 2024. I previously held various leadership roles for the Rutgers University chapter of AAUP, including as the chapter's President and Vice President.

2. I am a trained anthropologist and an Associate Professor of Journalism and Media Studies at Rutgers. I received my Ph.D. in Anthropology and Social and Cultural Foundations of Education from the University of Pennsylvania.

3. I have personal knowledge of the facts set forth in this declaration in support of Plaintiff's Motion for Summary Judgment, and if called as a witness in this action, I could and would testify competently to these facts.

4. The AAUP is a membership association and labor union of faculty and academic professionals with chapters at colleges and universities throughout the country.

5. The AAUP is a 501(c)(6) organization headquartered in Washington, D.C.

6. The primary mission of the AAUP is to advance academic freedom and shared governance in higher education, define fundamental professional values and standards for higher education, promote the economic security of academic workers, and ensure higher education's contribution to the common good.

7. The AAUP was founded by John Dewey and other preeminent scholars in 1915 to defend the ability of scholars, researchers, and educators to teach, write, and research without political and economic retaliation based on their viewpoints. Since its founding, the AAUP has helped to shape American higher education by developing the standards and procedures that maintain quality in education and academic freedom in this country's colleges and universities.

Harms to AAUP Members

8. The AAUP has approximately 48,000 members on college and university campuses across the country, including approximately 247 members at Harvard University (the "Harvard-AAUP members"). Many of these members, including members at Harvard, rely on federal grants to support their research, scholarship, and teaching activities.

9. I am aware that the Trump administration has taken a series of actions targeting Harvard University. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and many other universities warning of potential enforcement actions. I am aware that on March 31, 2025 the U.S. Department of Education ("DOE"), U.S. Department of Health and Human Services ("HHS"), and U.S. General Services Administration ("GSA") announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware of the April 3, 2025 letter from officials at the GSA, HHS, and DOE that was made public and demanded that Harvard immediately implement a long list of "non-

exhaustive areas of reform" to "remain a responsible recipient of federal taxpayer dollars" (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[ed] and supersed[ed] the terms of" the April 3 Letter (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). I have read the demands listed in the Demand Letters, which were made public.

10. I am aware that on April 14, 2025 the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds under these grants despite receiving requests from Harvard University to do so.

11. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the DOE, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

12. Harvard-AAUP members will suffer harm to their research, work, reputation, academic freedom, and ability to pursue their careers if federal funding is not restored or if the Harvard administration accedes to the federal government's demands listed in the Demand Letters.

13. I am aware of and can identify Harvard-AAUP members who have lost their federal funding as a result of the Trump administration's series of actions targeting Harvard. The

continued viability of these AAUP members' work is now uncertain, making it difficult for them to continue their research, plan future research, maintain professional relationships, and recruit potential staff to work on their projects. Since the mass termination of NIH and NSF grants, several members have started actively seeking to move their careers and research programs out of the United States.

14. I am aware of and can identify Harvard-AAUP members whose speech and academic freedom has been chilled as a result of the federal government's series of actions targeting Harvard. Some Harvard-AAUP members have started to self-censor their language both inside and outside the classroom following the Trump administration series of actions targeting Harvard. Some Harvard-AAUP members now feel limited in what they can say in and outside the classroom for fear of the loss of additional funding to themselves or the University. Some members are concerned that they will not be able to continue working in their chosen fields, since their work deals with topics, like health equity or climate change, that are disfavored by the Trump administration.

15. I am aware of and can identify Harvard-AAUP members who are concerned about losing their jobs or ability to continue to support their livelihoods, either as a direct result of the Trump administration's termination of over $2.2 billion in federal funds to Harvard University, or because they fear they may be let go by Harvard if they engage in speech the Trump administration disfavors.

16. I am also aware of and can identify AAUP members at other colleges and universities who are similarly concerned about losing their jobs or ability to support their livelihoods, and who now feel limited in what they can say in and outside the classroom for fear of the Trump administration summarily canceling federal funding to their programs, universities, or colleges without following applicable statutory requirements or other law in the same way that the Trump

Administration has canceled funding at Harvard, Columbia, Cornell, and Northwestern, and threatened to cancel federal funding at numerous other universities and colleges.

Harms to AAUP as an Organization

17. The Trump administration's termination of more than $2.2 billion in federal grants and contracts to Harvard University, along with the Trump administration's demands that Harvard make Trump administration-imposed reforms to receive federal financial assistance, has harmed and is continuing to harm AAUP as an organization.

18. As noted above, the primary mission of the AAUP is to advance academic freedom and shared governance in higher education, define fundamental professional values and standards for higher education, promote the economic security of academic workers, and ensure higher education's contribution to the common good. The Trump administration's threats to cancel and cancellation of federal funding at Harvard and other universities and colleges, along with its demands that Harvard implement a long list of "reforms" to receive federal funding, is directly impairing the AAUP's mission.

19. As part of its core activities, the AAUP regularly consults, works with, and represents local chapters and individual members regarding academic freedom, shared governance, and other issues involving the employment relationship between AAUP members and their university employers, including but not limited to collective bargaining.

20. For example, the AAUP maintains a standing committee, known as Committee A on Academic Freedom and Tenure, which "[p]romotes principles of academic freedom, tenure, and due process in higher education through the development of policy documents and reports relating to these subjects and the application of those principles to particular situations that are brought to its attention."

21. The AAUP also conducts investigations of individual complaints of institutions violating academic freedom principles in relationship to AAUP members, issues reports of the results of some of those investigations, and advocates with those institutions to seek to remedy such violations and prevent future violations from occurring. Such investigations are authorized by the AAUP Executive Director, and conducted by a subcommittee appointed by the Executive Director.

22. Through its local chapters, including the Harvard Faculty Chapter, the AAUP also provides for the representation of individual members regarding academic freedom, shared governance, and due process issues in proceedings before their university employers. The AAUP has diverted internal resources of staff time and expenses to assist Harvard members prepare to respond to the demands the Trump administration.

23. I understand that Title VI and its implementing regulations require the government to provide notice and a hearing before terminating federal funding to any program based on a violation of Title VI. I understand that the government did not provide any notice to Harvard before terminating its federal funding. If the government were to provide notice, both the AAUP and individual AAUP members would seek to participate in that hearing to protect the federal funding supporting the work of AAUP members at Harvard and to protect the principles of academic freedom, due process, and shared governance that are at the core of the AAUP's mission.

24. The Trump administration's March 10 letter, March 31 press release, and the Demand Letters, along with other public statements made by government officials, disrupt and frustrate the AAUP's efforts to secure principles of academic freedom, shared governance, and due process at Harvard and elsewhere.

25. The government's actions and statements have made it more difficult and resource-intensive for the AAUP to carry out its representation of chapters and individual members, in

particular on issues of academic freedom. Because of government pressure on Harvard and other universities to abandon their commitment to academic freedom, shared governance, and due process principles, the AAUP must now expend more time and money to ensure that its members' rights in these regards are protected.

26. For example, in response to the significant influx of inquiries from chapter leaders and members regarding the effect of the government's actions on members' academic freedom, shared governance, and due process rights, and to ensure that individual members are adequately represented before their university employers, AAUP staff have had to conduct nationwide calls and virtual meetings with chapter leaders regarding the government's actions and how to represent individual members in the face of such actions.

27. The Trump administration's threats to cancel funding at Harvard and other universities and colleges also make it harder for the AAUP to achieve its goals of promoting academic freedom, shared governance, and due process principles in part because Harvard has taken steps in direct response to the Trump administration's actions to undermine those principles, and Harvard and other higher educational institutions are now less willing to protect those principles in the face of threatened and actual funding cuts from the federal government. The Trump administration has directly impaired the AAUP's mission by pressuring Harvard to curtail speech and academic freedom on campus.

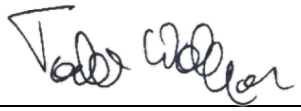
28. The AAUP has committed staff and leadership time to support members of Havard's AAUP chapter regarding how to respond to the government's actions, including the Demand Letters and federal funding terminations.

29. The government's actions and statements have also caused a pervasive sense of fear and intimidation among AAUP members. I am aware that some AAUP members no longer feel

comfortable participating in and supporting the AAUP's activities, or asserting their academic freedom, shared governance, and due process rights, because of the federal government's conduct. As just some examples, in direct response to the government's threats to cut federal funding and actual termination of funding to Harvard and to other universities, some AAUP members at universities across the country have cancelled conferences, pulled papers set for publication, decided not to teach classes or certain topics within those classes that may be perceived as being at odds with the Trump administration's preferred viewpoints, stopped attending talks, refrained from attending lawful protests, and stepped down from their AAUP chapter board.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: 

Todd Wolfson
President of the AAUP

EXHIBIT 16

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

DECLARATION OF JOHN QUACKENBUSH

I, John Quackenbush, hereby declare as follows:

1. I am the Henry Pickering Walcott Professor of Computational Biology and Bioinformatics at the Harvard T.H. Chan School of Public Health. I am also the Chair of the Department of Biostatistics at the School of Public Health. I have been a Professor at the School of Public Health since 2005 and Biostatics Department Chair since August 6, 2018.

2. I hold a PhD in theoretical physics from UCLA which I received in 1990. Following two years as a postdoctoral fellow in physics, in 1992 I applied for and received a prestigious Special Emphasis Research Career Award to work on the Human Genome Project. I have had continuous federal funding to support my research ever since.

3. I am a highly accomplished researcher, with more than 340 scientific papers published and over 101,000 citations. I have been a leader in the open-science movement and among my honors is recognition in 2013 as a White House Open Science Champion of Change. Because

of my contributions to advancing computational and systems biology and using these to better understand disease, I was elected to the National Academy of Medicine in 2022.

4. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

5. I received my first National Institutes of Health ("NIH") research grant in 1992 and my first research grant from the National Cancer Institute ("NCI") in 1997 and have had significant levels of continuous funding from the NIH and NCI ever since. These grants are awarded through a rigorous and competitive process to evaluate the quality, significance, and potential impact of the research proposed and ultimately carried out. My work has emphasized understanding cancer and searching for better ways to treat it and other diseases. My current research involves developing methods that map the processes that control how cells change as they transition from health to disease—basically asking what processes turn a normal cell into a cancer cell. A core component of my work has been studying how these control processes depend on sex and gender as biological variables. Addressing the role that sex plays has been critical as many cancers exhibit strong differences between males and females. For example, males are at a greater risk of developing colon cancer than females, but males respond better to chemotherapy.

6. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

7. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump

administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

8. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

9. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the NIH terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

10. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American

universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

11. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the more than $2 billion in terminated funds. That amount is far from sufficient to replace the terminated federal funds for the School of Public Health, which has the smallest endowment and donor base among the affected schools and departments at Harvard. About 60% of the School of Public Health's budget relies on federal funds, and most of the $250 million promised will likely not go to the School of Public Health. In fact, we have recently been informed that only about $25 million will be available to cover research costs for terminated projects during the coming fiscal year—less that 1/10 of the federal funding the School of Public Health has lost. This promised stopgap funding is also an off ramp to allow researchers to wrap up current research and not a promise of sustained funding should federal funding not be restored.

12. About 50% of my salary and research was funded by a NCI Outstanding Investigator Award through the R35 grant mechanism. The R35 grant mechanism was designed to recognize investigators with a long career of exceptional contributions and provides $600,000 of funding a year for seven years. The overarching theme of my research funded by this award was to develop new methods to map processes involved in cellular regulation, to develop software tools that would allow us and other scientists around the world to map and study these controls, and to study sex as a biological variable in the context if how it affects cancer.

13. The NCI announced a pause in new awards in April but confirmed that the funding of current awardees would continue for the duration of their award. However, I received notice from Harvard on May 15, 2025 that this award had been terminated.

14. Prior to this grant termination, I had already lost another stream of my federal funding—a NIH grant specifically to develop methods that would help us understand sex and gender as biological variables by allowing us to account for the fact that biological females have two X (XX) "sex chromosomes," or "allosomes," while males replace one X with a Y chromosome (XY). That project was funded four years ago and my team had submitted a renewal application in October to continue to develop methods to study how different chromosomal backgrounds result in different risks for disease. After watching the review date for the grant change many times after January 20, 2025, on April 4, I checked the NIH website "eRA Commons" and discovered that the project no longer had a review date assigned. I arranged a conversation with an NIH program officer on April 7, who on that date informed me that the NIH program funding the grant had been cancelled as "it is no longer was consistent with NIH priorities," and that the NIH grant review panel "study section" was permanently disbanded. This project covered a significant part of my remaining scientific effort and salary. Now that the Trump administration has terminated billions in federal grants to Harvard and indicated it will not provide future grants to Harvard, I have no avenues left to secure alternative funding for this research.

15. Losing all of my federal funding means the large repository of more than 20 cutting-edge software tools that my team developed over many years, all of which are freely and publicly available as open-source tools for academic and commercial use, will soon become dysfunctional unless they are transferred to one of my former trainees overseas.

16. The termination of my federal funding has long term implications for my future research. The Trump administration's threat to not provide future grants to Harvard will effectively prevent me from securing federal funding to keep my research going for the foreseeable future. Even if federal funding is later restored, it takes a year or more for new research applications to be

reviewed and funded; researchers such as myself have to line up grants years in advance. And with the proposed decrease in the NIH budget, I will be at a particular disadvantage as I will not have progress to show or recent preliminary analyses to demonstrate the ongoing value of my work. And while some have suggested that I could cover my work through grants from non-governmental foundations, that pool of funding is much smaller than what the NIH had provided and competition for it is likely to be even more fierce.

17. The termination of my federal funding will have long-term impacts on society. My research has advanced the cancer research field in important ways. I published at least 40 papers under my R35 grant, some about methods and some about applications, in which we uncovered important aspects of the terrible ways in which cancers adapt to elude treatment. For example, I published a paper that helps understand why women with colon cancer do not respond as well to chemotherapy and I have looked at similar questions with lung cancer, brain tumors, and responses to immune-oncology drugs. My team built the first system capable of modeling how each of the 25,000 genes in the human genome change over time and demonstrated its application to development of breast cancer. This method was recognized by the NCI as one of the most important advances in cancer research in 2024. Now, I will not be able to move this important work forward.

18. Tenured faculty at the School of Public Health such as myself are expected to fund 90% of our workplace effort, nearly all coming from grant-funded research, and failure to meet that threshold will result in a substantial salary reduction. Trying to re-establish a research program after the rug has been yanked out from under it with little notice puts me in an untenable position. Unless funding is restored by the end of the summer and the federal government agrees to fund new and renewal grant proposals from Harvard researchers, my research will be effectively dead unless I find a position elsewhere—possibly overseas.

19. Even if I am able to secure funding again, years in the future, having a gap in their research record puts a researcher at a disadvantage irrespective of past accomplishments. For example, I have participated in grant reviews where I had to fight to get someone a grant when they had a gap in their research record because of personal or family reasons such as going on maternity leave.

20. Part of my role as a faculty member is to train the next generation, and the federal funding terminations at Harvard will have a devastating impact on graduate students and postdoctoral fellows ("postdocs"). I have an exceptional record of training over 80 postdocs, many of whom are now at leading institutions across the country and around the world. The students I have trained have also done exceptionally well and are leaders in their own right. I currently have three postdocs and one graduate student. One of my postdocs applied for a NIH career development award. That grant was reviewed and received an exceptional score, but the grant never received final approval and because of the Trump administration actions targeting Harvard, it may never be funded. Another postdoc was planning to submit a proposal to study autism; now she is unsure if she should submit that proposal or find someone else to mentor her at a different institution. She is also looking for jobs outside of academia. All three of my current postdocs are also considering positions overseas in Canada and Europe; that loss would be a blow to science in the U.S. My graduate student will likely also leave my research group when she completes her studies and is applying for jobs outside of academia. All four will likely be gone in the near future and with them, promising lines of research will disappear. Even if federal funding is later restored, new postdocs and graduate students would face hurdles restoring the research lines that had been terminated due to a lack of continuity and loss of institutional knowledge.

21. A critical part of my commitment to training is reflected in my involvement with training grants from the NIH. My department currently has four training grants—one in genetics and genomics, a second in HIV/AIDs research, a third in environmental health, and the final one in cancer (now in its 44th year). These training grants support U.S. citizens and permanent residents by providing tuition and a stipend and generally cover those students for their first two years (and sometime longer) after which they join faculty research teams. I began the genetics and genomics training grant and served as its co-principal investigator for years before launching another "big data" training program.

22. All four of my department's training grants were subject to the mass termination notice, meaning that more than forty students in our program are now facing a loss of support to continue their studies and complete their research. The genetics and genomics training grant was reviewed in the fall and was slated for funding this year, but the grant was never rewarded. Because of this and other uncertainties caused by threats from the Trump administration, our incoming PhD class only has four students—far fewer than the twelve to fifteen we normally admit. The damage to the future of research in the U.S. is astounding.

23. I have been co-principal investigator for the cancer training grant for the past four years, which supports ten students and one postdoctoral fellow. I spent most of the last four months preparing a renewal application that would have supported eight students to receive training in cancer research in the following year. That grant application was submitted but now it will likely never be reviewed.

24. The costs of the Trump administration's terminations of federal research funding for Harvard University are devastating. Personally, those of us who have dedicated our lives to doing life-changing research for the public good have seen our careers devastated—I have 33 years

of continuous NIH funded research that has been stopped. The costs to our students and postdocs who train by apprenticing with working researchers is also devastating. If I have no funds, my mentees cannot train. And the cost to the U.S. and its future health and well-being as well as its world leadership in science and scientific innovation are also terrible as the Trump administration decimates an 80 year government-academic research partnership and threatens to wipe out an entire generation of researchers.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 2, 2025

Signed: _____

John Quackenbush, PhD
Professor, Harvard T.H. Chan School of Public Health
Chair, Department of Biostatistics

EXHIBIT 17

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

Declaration of Caroline Light

I, Caroline Light, declare as follows:

1. I am a Senior Lecturer and Director of Undergraduate Studies in Women, Gender, and Sexuality Studies ("WGS"). I have been a member of Harvard University's faculty since 2008.

2. I have a BA in history from Duke University and a PhD from the University of Kentucky in history, with a particular focus on immigration, gender, race, and sexuality in the United States South.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. My research explores the ways race, gender, and region shape collective memory and archival silence. I have studied and written about the experience of southern Jewish assimilation as well as the intersection of armed self-defense and race and gender violence. I teach undergraduate courses on labor history, immigration, and gun violence, and I advise undergraduates pursuing independent research on a variety of topics related to gender, sexuality, race, and power.

5. I am Jewish and have conducted significant research on Jewish history in the U.S.

6. I am a member of the American Association of University Professors ("AAUP") and AAUP – Harvard Faculty Chapter.

7. I am aware that the current administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 31, 2025, the U.S. Department of Education ("DOE"), U.S. Department of Health and Human Services ("HHS"), and U.S. General Services Administration ("GSA") announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that on April 3, 2025, officials from the DOE, HHS, and GSA sent a letter to Harvard and demanded that Harvard immediately take a long list of actions to remain a recipient of federal funding. I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 letter. Both of these letters were made public and I have read the demands listed in them.

8. I am aware that the demands made of Harvard are vaguely defined but include mandates regarding silencing pro-Palestinian political speech or political speech critical of Israel. The demands also target the institution's commitment to Diversity, Equity, and Inclusion ("DEI").

9. I am also aware that the federal government has terminated more than $2 billion in federal grants to Harvard and has threatened to withhold all of Harvard's federal funding if the University does not comply with the administration's demands.

10. I work in a field that is under particular scrutiny and is disfavored by the current administration. Specifically, my research and teaching treat the concepts of gender, sexuality, ethnicity, and race as analytically useful categories for studying history and society. I believe that the Trump administration would consider these topics "woke." I understand that the Trump

administration has not defined the term "woke" but instead uses it to refer to anything that the administration perceives as a threat to the particular kind of exclusionary politics it is trying to instantiate in our universities and in our culture writ large.

11. I am concerned about the future of my research because I worry that Harvard University may feel forced to accede to the Trump administration's pressure. Although Harvard's leadership has made statements to suggest that the institution intends to support academic freedom, I have seen Harvard take actions that suggest the university is actively making concessions to comply with the Trump administration's demands in the face of immense financial pressure. For example, in response to the Department of Education's prohibition of graduation celebrations based on race, Harvard renamed its Office of Equity, Diversity, Inclusion, and Belonging the Office of "Community and Campus Life," and discontinued financial support for all affinity group graduation celebrations. This included the cancellation of "Lavender Graduation" for LGBTQ+ students, graduation ceremonies for First Generation Low Income ("FGLI") students, and celebrations for students of different races and ethnicities.

12. If Harvard continues to capitulate to the Trump administration's demands, I worry about the future security of my teaching and scholarship in gender and sexuality studies and ethnic studies, all of which contribute to Harvard's prominence as a vibrant and diverse intellectual community. If Harvard's leadership decides to make further program cuts, I believe it is likely to target the programs, centers, and departments that the Trump administration would identify as suspect or as "woke." Studies of Women, Gender, and Sexuality could then become a target, with enhanced scrutiny on its curricular offerings and research. The work that WGS does is likely to be viewed as a threat to the exclusionary values the Trump administration seeks to implement nationwide. My position as the Director of Undergraduate Studies in WGS is thus vulnerable.

13. I do not have tenure, which makes me particularly vulnerable to the administration's demands for budget cuts.

14. As the Director of Undergraduate Studies in WGS, I work closely with more junior lecturers and pre-tenure faculty. From my personal conversations with junior colleagues, I can tell that they are fearful of losing their jobs. Lecturers' positions are among the most precarious among our faculty, and they stand to lose the most if Harvard's leadership decides to make concessions to comply with the Trump administration's demands.

15. I have witnessed a chilling effect on scholarly and pedagogical innovation as a direct result of the Trump administration's attacks on higher education. My colleagues teaching on topics related to gender and sexuality – not only in my program, but also in other departments – have been targeted and doxed based on the titles and intellectual foci of their courses. These attacks are harmful to academic freedom and freedom of expression, and they are likely to increase if institutions, like Harvard, feel forced to comply with the administration's demands.

16. I also worry about the mental health of my students. I have many students who are women, first-generation college students, queer, low-income, non-white, non-U.S. citizens, gender nonbinary, and/or transgender. They are socially and politically vulnerable and they feel themselves to be possible targets of the Trump administration's attacks. In this moment, many of my students are demoralized and worried about whether their university will protect them if they are targeted by the Trump administration.

17. The Trump administration's demands have led to a chilling impact on the academic environment at Harvard. I have observed that students are becoming more fearful about sharing their perspectives in public fora. Last semester, the fall of 2024, I taught a general education class about gun violence. I sought to create an environment where students could speak freely about the

impacts of firearm violence in their own lives and share and challenge their own beliefs about these important issues without fear. I worked hard to present a multiplicity of sometimes conflicting perspectives about guns and gun rights and encouraged students to debate the complexities of our nation's historic and contemporary approach to gun violence. I shared my own research on the effects of "stand your ground" laws. Given the current administration's efforts to abolish bipartisan efforts to prevent gun violence and their efforts to undermine and defund empirical research, I am thankful that I am not teaching that class now.

18. I feel the chilling effects of the administration's demand letters around campus. For example, one of my children gave me a keffiyeh as a Hannukah gift. I wear it as a reminder of my obligation as a Jewish person to use my relative privilege to resist injustice and to participate in "tikkun olam," or healing the world. For me, this means caring about and responding to the suffering of others, like people experiencing genocide in Gaza. There is nothing antisemitic in my expression of care for and solidarity with Palestinian people. And yet, I have become more cautious about sharing my thoughts on issues related to Palestine and Israel, in the classroom as well as on campus more generally. I also worry that, when I wear my keffiyeh in public, I may be inviting physical harm or violence. I want my institution to continue to be a space of intellectual innovation and freedom of expression, but the vague and constantly shifting demands from the Trump administration stand as a direct threat to these core values.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 1, 2025

Signed:
Caroline Light
Senior Lecturer and Director of
Undergraduate Studies in Women, Gender,
and Sexuality Studies

EXHIBIT 18

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

DECLARATION OF MOLLY FORREST FRANKE

I, Molly Forrest Franke, hereby declare as follows:

1. I am a Professor in the Department of Global Health and Social Medicine at Harvard Medical School as well as an Associate Professor in the Department of Epidemiology at the Harvard T.H. Chan School of Public Health ("HSPH"). I joined the Harvard University faculty in 2011.

2. I earned an ScD in Epidemiology, Infectious Disease, and Biostatistics from HSPH in 2010 as well as a B.A. in Sociology and Spanish from Colby College in 2001.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. My research focuses on improving health outcomes for individuals affected by tuberculosis and HIV. My HIV-related research focuses on improving treatment outcomes for adolescents and young adults living with HIV through community-based support and youth-friendly modalities. I also apply advanced epidemiologic methods to address critical knowledge gaps

related to conditions that disproportionately affect the poor and socially marginalized, including tuberculosis and cholera.

5. My work has been published in the *American Journal of Respiratory and Critical Care Medicine*, *Clinical Infectious Diseases, AIDS and Behavior*, *Nature Communications*, and other peer-reviewed publications.

6. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

7. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

8. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has

since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

9. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

10. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intends to use its authority to impose numerous demands on Harvard University specifically.

11. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the over $2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds for either Harvard Medical School or the Harvard T.H. Chan School of Public Health.

12. My research is entirely federally funded. I am expected to bring in at least 25% of my salary through grant support, and federal grants allowed me to fulfill this expectation.

13. I received notification from Harvard on May 15, 2025 that all four of my NIH grants had been terminated.

14. The first grant funded research on whether community-engaged social media campaigns and social media influencers could reduce HIV-related stigma and, thereby, improve the health of young people. This grant was about to begin a no-cost extension year when it was terminated, and we planned to use this time to complete analyses and publish our findings. Now, we do not have the funding to complete our work. If funding is not restored soon, we will not be able to publish our analyses.

15. The second grant funded research on emerging regimens to treat multidrug-resistant tuberculosis. This grant was in a no-cost extension year when it was terminated, and I had submitted another grant application to continue the work. That grant application has a competitive score, but I am virtually certain it will not be funded now due to my Harvard affiliation. In early May, shortly before I received my grant termination notices, a NIH employee told me that program officers were instructed to sit on all grant applications from Harvard. If funding is not restored soon, we will not be able to publish outstanding analyses, and we will not have the resources to make the dataset publicly available for other researchers. Without new funding, we expect to lay off staff in Peru and Lesotho, some of whom have more than ten years of specialized training and experience managing these types of data.

16. The third grant funded a project on the efficacy of a community-based support intervention for adolescents and young adults transitioning to adult-centered HIV care. We were completing the third of five years when it was terminated. I provide additional detail about this project in paragraphs 19 through 24 of this declaration.

17. The fourth grant funded research on the role of suboptimal treatment adherence and comorbidities in unsuccessful tuberculosis treatment outcomes. This was a two-year award to study the contributions of daily medication adherence and comorbidities such as HIV and diabetes

to tuberculosis treatment outcomes. As a result of this grant termination, we will not be able to complete our proposed analyses.

18. These grant terminations pose an existential threat to the projects and those involved in them.

19. The termination of the third grant is particularly devastating. This grant supported the evaluation of a community-based support intervention for adolescents and young adults with HIV in Peru. The project is just over halfway complete and involves several parties that have operated in reliance on the expectation of continued federal funding. The termination of this grant will adversely impact those involved in the project and its results. This research cannot simply be picked up at a later date if federal funding is restored; the investments and progress toward meeting the study objectives will be entirely lost.

20. The third project involves a team at Harvard that includes a postdoc, statistician, research coordinator, and programmer and 15-20 individuals in Peru. These teams communicate regularly to ensure successful conduct of research in compliance with US and Peruvian laws and regulations and international research standards. These individuals reasonably presumed that they had job security for the remaining two years of the project, and the loss of federal funding directly undermines that expectation. Without federal funding, we lack alternative sources to support these teams.

21. The termination of federal funding will also have devastating effects for the third project's participants. The project is a randomized trial in which young people ages 14-23 voluntarily enrolled. Most participants (93%) have a recent HIV diagnosis; one-third lack caregiver support, over half have mental health needs, and many live in poverty. We committed to 9-12 months of intervention for enrolled participants as well as follow-up from project staff after the

intervention. Participants are paired with health workers who attend medical visits with them, help them enroll in health insurance, and obtain national IDs, if needed. The trial also includes social support groups, education sessions, and mental health and substance use screening and linkage to care for participants. Trial participants depend on the services the trial committed to them and lack other comparable support. Termination of this trial will greatly disturb the lives and expectations of the participants who chose to participate based on the terms presented to them at the time of enrollment. For these reasons, early termination is unethical and represents an extraordinary breach of trust.

22. A foundational component of the intervention care the participants receive is the provision of consistent support by an adult health worker on whom they can rely. The third project's intervention is intended to gradually taper over time so that adolescent and young adult participants can eventually gain independence in navigating care systems. If the project is unable to continue, all participants will not receive the intended offboarding support and may be unprepared to navigate these systems and to seek alternative sources of care and support.

23. The third project also has a control group. If participants in the control group have any mental health or substance abuse concerns they want assistance with, they are also linked to care. Early termination of the trial also has ethical implications for the control group. When an individual decides to enroll in a controlled trial in which access to an intervention or novel drug is not guaranteed, they may consider potential risks against the benefits, including whether participation is likely to contribute to a "greater good" through the research discoveries. If a trial is terminated early, the initial evaluation of risks and benefits no longer holds.

24. Partnerships established throughout the third project are also gravely threatened by the termination of the grant supporting it. Local implementing partners in Peru enable this work

and include the Peruvian Ministry of Health. If I have to let project staff go because I can no longer pay them or if I do not fulfill my commitment to the participants, who are recruited from Ministry of Health facilities, I will jeopardize my relationships. I will also damage the positive reputation I have built with the Ministry of Health over the years. This will threaten the possibility of future work on HIV service delivery interventions and tuberculosis treatments.

25. My staff at Harvard are also irreplaceable. For example, my research coordinator has been crucial in bridging cultural and linguistic differences. She is bilingual and has built rapport with the team in Peru that not anyone can build. If I lose my staff because of the funding terminations, it will be very difficult to continue my research, given their central roles in the day-to-day operations of the project and the extensive time invested in training them.

26. This third grant as well as the second grant focusing on multidrug-resistant tuberculosis treatment have established and fortified critical infrastructure in Peru, Lesotho, and Kazakhstan for carrying out research aimed at improving outcomes for people with HIV and tuberculosis. Without federal funding, this critical infrastructure cannot be sustained, posing a formidable barrier to future research.

27. I do not know where else to turn for funding for these projects on the short time frame induced by these grant terminations. Harvard Medical School has communicated that some amount of funds will be made available over the short term to support our work in the absence of NIH funds. It is unclear how much and how those funds will be distributed. Disbursement of the funds Harvard provides may not be based on the quantity of research funding lost. Harvard has indicated that we should continue essential work on terminated grants for the time being. I have no guarantee of funding from Harvard in writing, and any funding Harvard can provide will be far from sufficient to replace my federal grants or allow me to bring these projects to completion.

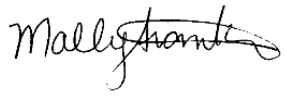
28. The only long-term alternative to federal funding would be to find emergency philanthropic support, which is exceedingly unlikely. If federal funding is not restored, project staff for the third grant will soon have to explain to participants that projects are ending, and I will soon have to let the team in Peru go.

29. Graduate students and postdoctoral fellows ("postdocs") hired to support this research have also had funding cut as a result of my grant terminations and will suffer significantly as a result. Students and postdocs depend on federal funding to support the research that allows them to obtain degrees and advance their academic careers. For example, I have a postdoc working with me who planned to apply for a career development award from the NIH. Because the Trump administration has told Harvard that it will not receive any future federal funds, it is entirely unclear how he can advance his academic career at Harvard. It is difficult to find a new postdoc position at a different institution given the large number of trainees with funding terminations at Harvard and other institutions. Moving internationally is not an option for this postdoc. While he is currently uncertain about what he will do, leaving academia to pursue opportunities in industry is a leading possibility.

30. I know that many of my fellow faculty members and researchers are deeply concerned about the impacts of the recent Trump administration demands and terminations of federal funding on research and academic freedom. For example, I know that many faculty members are removing words like "gender", "equity", and "marginalization" from their research documents in an attempt to avoid the termination of grants going forward. The general feeling, however, is that regardless of what the faculty at Harvard are studying, they will not receive another NIH grant because of their affiliation with Harvard.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: 

Molly Forrest Franke
Professor, Harvard Medical School
Associate Professor, Harvard T.H. Chan School of Public Health

EXHIBIT 19

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al. Defendants.	Case No. 1:25-CV-10910-ADB

Declaration of Meredith Rosenthal

I, Meredith Rosenthal, declare as follows:

1. I am the C. Boyden Gray Professor of Health Economics and Policy in the Department of Health Policy and Management at the Harvard T.H. Chan School of Public Health. As of May 1, 2025, I am also serving as the interim chair of my department. I previously served as the Associate Dean for Diversity and then Senior Associate Dean for Academic Affairs at the Harvard School of Public Health for a total of 5 years, overseeing the Office of Diversity and Inclusion in both of these roles. I joined the Harvard University faculty in 1998.

2. I earned my B.A. in International Relations from Brown University in 1990 and my PhD in Health Policy from Harvard University in 1998.

3. My research focuses on policies to improve affordability, equity, and access to healthcare in the United States. This includes the design and impact of market-based health policy mechanisms, with a particular focus on the use of financial incentives to alter consumer and

provider behavior. I have advised federal and state policymakers in healthcare payment policy and its implementation.

4. My work has been published in the *New England Journal of Medicine*, the *Journal of the American Medical Association*, *Health Affairs*, and numerous other peer-reviewed journals. In 2014, I was elected to the National Academy of Medicine. I also serve on advisory boards for the Peterson Center on Health Care, the Source on Health Care Price and Competition, and the Harvard LGBTQ Health Center of Excellence.

5. I am a member of the American Association of University Professors ("AAUP") and AAUP – Harvard Faculty Chapter.

6. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

7. I am aware that the current administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that a letter was sent by officials from the Trump administration to Harvard on April 3, 2025, including a long list of demands and necessary reforms (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporates and supersedes the terms" of the April 3 Letter and serves "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). The Demand Letters were made public, and I have read the demands listed in the Demand Letters. I am aware that,

on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek grants from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated Harvard's grants. I am aware that on May 9, 2025, the Department of Agriculture terminated Harvard's grants. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development terminated Harvard's grants. I am also aware that the DOJ Task Force to Combat Anti-Semitism expressly cited antisemitism allegations and race discrimination as the reason for the Trump administration's termination of approximately $450 million in grants to Harvard. Letters regarding each of these terminations were made public, and I have read each of them.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of the university and making a variety of threats about ways the federal government intends to use its authority to impose a moving target list of demands on Harvard.

10. I am aware of the cancellation of $400 million in federal grants and contracts to Columbia University and the changes Columbia agreed to implement as a result of these funding cuts and other Trump administration demands. Colleagues in my department and I have been following what has been going on at Columbia and there has been a lot of discussion, fear, and uncertainty. I am also aware that even though Columbia capitulated to the Trump administration's demands, Columbia's federal funding has not been restored.

11. It is my understanding that Harvard preemptively took a series of actions in anticipation of similar threats to cancel its federal funding and in response to threats made by the Trump administration targeted at Harvard beginning in early 2025. Harvard implemented a blanket hiring freeze across campus in anticipation of the administration's actions, which extended into research assistant positions funded by federal grants.

12. After the university received notice that the Trump administration terminated all federal funding on May 14, it pledged $250 million across the university in one-time stopgap funding to replace some of the more than $2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds for the Harvard School of Public Health, which typically receives around $200 million in federal funding annually across its departments, and the cancelled grants included many multi-year commitments.

Research Funding

13. Approximately sixty percent of my salary comes from research grants, including those funded by NIH and the Agency for Healthcare Research and Quality within the Department of Health and Human Services. Harvard pays a portion of my salary for my non-research work, including teaching students and serving as interim department chair, but federal funding has provided critical support for my work over the course of my career.

14. I am, for example, the co-investigator on a research grant from the National Institute on Minority Health and Health Disparities program at NIH with a fellow Harvard colleague. The grant, titled "Evaluating an Intervention to Improve Medication Access and Quality of Care for Underserved Populations with Chronic Conditions," funds research to improve health outcomes and eliminate health disparities. More specifically, we are studying how a tool designed to help physicians offer their patients lower cost medication alternatives can help reduce out-of-

pocket costs and increase medication adherence among people with chronic conditions. One aim of the research is to understand whether the tool differentially benefits patients based on their socioeconomic status and geographic location.

15. The grant provides almost $2.5 million in federal funding over 3.5 years. We had one more year left on our funding term when the grant was cancelled on May 15, 2025. Grant funding provided salary support for four faculty at Harvard (including myself), two research assistants, a PhD student, and collaborators at two other institutions.

16. As discussed above, Harvard has instituted a hiring freeze in anticipation of threats by the Trump administration. The freeze has meant that several staff positions in our department remain unfilled and our administrative staff are stretched thin. Several faculty searches that I was involved with were cancelled just as we were identifying finalists for these positions. Moreover, as department chair I am now working with my colleagues to help them forecast the impact of grant terminations on their ability to cover the salaries of their research teams. Almost surely, my colleagues will be in the terrible position of having to let go members of their research staff whose work was funded by federal grants. It has also become much harder to find funding for our PhD students, many of whose stipends were paid by federal training and research grants.

17. The loss of NIH funding is devastating for our research. Without federal funding, we will have to stop our studies entirely while we look for other resources. It will be almost impossible to raise private, foundation funding to finish all the research previously funded by the federal government because there are so few funding sources for large, data-heavy projects. Consequently, we will fall short of illuminating the questions we have spent many resources trying to answer. For example, one of my junior colleagues has been working to better understand the impact of new Medicare payment models on patients with health and social programs that make them

particularly vulnerable to changes in access to care. The cancellation of his funding leaves him unable to complete this timely research, which is needed to inform Medicare policy. I am particularly fearful that the funding lapse may be career-ending, particularly for our PhD students and my non-tenured junior colleagues. Without federal funding, my colleagues who are coming up for tenure may not be competitive applicants for that crucial promotion. Federal grants impact tenure decisions beyond just the dollars themselves—tenure candidates must demonstrate that they have served as principal investigators on federal research grants and are capable of performing the sort of rigorous research that federal grant study sections (peer reviewers) approve for scarce federal dollars.

18. It feels futile to apply for additional NIH funding while the Trump administration continues to wage a war against academic and research freedom. I understand that the administration has actively discouraged Harvard researchers from submitted grants; few of my colleagues are continuing to apply for federal funding.

19. A loss of federal funds would also make collaboration across institutions much more challenging. Ambitious, federally-funded programs, like many I am involved with, allow multiple faculty members from different disciplines to work closely together and produce more robust research. Those opportunities for academic discourse and innovation would vanish, even if we were able to secure smaller, private funding sources.

20. The funding freeze and subsequent grant cancellation at Harvard is not the only threat to my research collaborations. One of my collaborators is a professor at Northwestern University and I am told their funding is also frozen, so the possibility of obtaining funding through a subcontract with that university is no longer viable. Moreover, this week some of our collaborators at Harvard's teaching hospitals (which are not owned by Harvard) have been advised by their

leadership that they should avoid subcontracting to Harvard affiliates lest their grants be tainted by association.

Impact on Speech and Academic Freedom

21. I firmly believe that equity is an essential value in health policy. I have dedicated my career to improving health and affordability for everyone, both through my research and by overseeing the school's Office of Diversity and Inclusion (from 2013-2018) to improve diversity, equity, and inclusion of those who work in the industry and on our campus. I worry that the Trump administration will label my focus on equitable access to healthcare as an "ideologically captured" DEI program and demand that the school "shutter" the program, particularly because of my former diversity-related administrative role, but because of the vagueness of the Demand Letters, I cannot be sure.

22. As a PhD advisor and senior leader in our doctoral program, I interact with Harvard's health policy doctoral students on a daily basis. I have had heartbreaking conversations with my graduate students about the risks associated with pursuing questions and topics related to topics that the Trump administration may label as "DEI" or contrary to its policy agenda due to fear that it will inhibit their ability to receive federal grants and find an academic job. As noted above, receiving federal grants is not just about the funds themselves—it is a key indication that your peers recognize the rigor and caliber of your work because federal grant applications are always peer-reviewed. This is already having an immediate effect on the questions that Harvard's brightest minds are choosing to examine and discuss and sends a powerful message to our students about the priorities of the administration.

23. I have been anticipating the loss of federal funds and its wide-reaching ramifications, including the potential impact of demands the Trump administration may issue to avoid the

loss of funds, since January. Those fears spiked when the Trump administration began calling out Harvard explicitly, and have only compounded since Harvard received the Demand Letters.

24. That fear was felt across campus. During our most recent admissions cycle, it forced our school to confront painful new realities about our financial capacity for accepting new students. During this recent admissions season, which concluded at the end of March 2025, many of the PhD programs in the Harvard T.H. Chan School of Public Health admitted fewer students, and our Global Health program, which usually accepts 5-6 new students, accepted no new students at all. With the vulnerable state of our federal funding, many programs determined they needed to contract in size in order to meet existing commitments to current PhD students without federal funds.

25. I am scared to submit this testimony and identify myself publicly. However, I feel strongly about both the importance of my work for public health and about protecting academic freedom. As a tenured faculty member and respected academic in my field, I feel a particular responsibility to speak out from my place of relative security in defense of the students and junior professors at Harvard who are unable to speak so publicly for fear of retaliation against themselves or their loved ones.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 2, 2025

Signed: 

Meredith B. Rosenthal, PhD.
C. Boyden Gray Professor of Health Economics and Policy
Chair, Department of Health Policy and Management

EXHIBIT 20

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER, et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE, et al. Defendants.	Case No. 1:25-CV-10910-ADB

DECLARATION OF PAIGE WILLIAMS

I, Paige Williams, hereby declare as follows:

1. I am a Senior Lecturer in the Department of Biostatistics at the Harvard T.H. Chan School of Public Health ("HSPH"). I was previously the Director of Graduate Studies for the Harvard PhD Program in Biostatistics (2015-2021). I joined the Harvard University faculty initially as an Assistant Professor in 1991 and was promoted to Associate Professor in 1996. In 2001, I was appointed as Senior Lecturer on Biostatistics.

2. I earned my B.S., M.S. and PhD in Biostatistics from the University of North Carolina at Chapel Hill in 1983, 1984, and 1990, respectively.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. My research focuses on design and analysis of cohort studies, particularly on those evaluating health outcomes in pregnant women and their children. My HIV-related research

focuses on statistical methods for the evaluation of health outcomes in children born to mothers with HIV and exposed *in utero* to antiretroviral agents, such as adverse birth outcomes, growth, and neurobehavioral functioning. My work in environmental epidemiology complements my HIV-related work, focusing on the reproductive and child health outcomes associated with prenatal exposures to endocrine-disrupting chemicals.

5. My work has been published in the *New England Journal of Medicine*, the *Journal of the American Medical Association*, *Lancet*, *Environmental Health Perspectives, Epidemiology*, *American Journal of Epidemiology*, and numerous other peer-reviewed journals, particularly those addressing HIV-related and environmental research topics.

6. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

7. I am aware that the current administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025, including a long list of demands and insisting on particular reforms (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the

April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public. I have read the demands listed in the Demand Letters.

8. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard University. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

9. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard, although I did not receive the notice of termination of my own grants until May 15, 2025. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read all of the letters.

10. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands specifically on Harvard University.

11. I am aware that the Trump administration threatened to cancel $400 million in federal grants and contracts to Columbia University. Despite Columbia University promptly agreeing to implement many changes after these announced funding cuts and their capitulation to the Trump administration's demands, the Trump administration has not restored Columbia's federal funding.

This action has created an environment of fear and uncertainty among myself and my colleagues at Harvard University.

12. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the over $2.2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds for HSPH, which alone typically receives around $200 million in federal funding annually.

Research Funding

13. Approximately ninety percent of my salary comes from research grants, all of which are funded by NIH. Harvard pays the remainder of my salary for my non-research work, including teaching and advising students, and serving on departmental, HSPH, and university-wide committees. Federal funding, particularly from NIH, has provided critical support for my work over the 34 years that I have been a faculty member at Harvard.

14. Until the NIH terminated them on May 6, I was one of the Principal Investigators ("PI") for two NIH grants based at Harvard. I am also a co-investigator on 4 additional NIH research grants, of which 3 were terminated as well.

15. I am the primary PI for the Pediatric HIV/AIDS Cohort Study ("PHACS"), a 20-year U.S.-based multisite network conducting multiple studies evaluating the effects of antiretroviral treatment for mothers with HIV and their children, many of whom are now young adults. Until the grant was terminated on May 6, PHACS was funded by multiple rounds of five-year grants from the National Institute of Child Health and Human Development ("NICHD"), a part of the NIH. Over the last 5-year grant cycle (2020-2025), this would have provided a total of over $88 million dollars in federal funding.

16. Funding disbursement for this grant ceased following the Trump administration's notice of its suspension of federal government research funding to Harvard on April 14, and I understand this grant has now been terminated pursuant to the May 6 Letter from NIH. Grant funding provided salary support for 7 faculty (including myself), 6 senior research scientists, and over 20 additional staff at Harvard. In addition, the grant supported 24 clinical research sites conducting five different research studies involving about 150 total staff, along with collaborators at other institutions. The collaborators at other institutions include Protocol Chairs and members of our Scientific Leadership Committee, along with several early-stage investigators who were awarded PHACS funding for their research.

17. In addition to outright termination, Defendants' suspension of funding to Harvard prevented the pre-termination release of carry-over funds to PHACS. Before it was terminated, this grant was in the fifth year of its fourth cycle of funding. The last year of 20-year grant like this one typically involves crucial study closure activities like data and specimen submission, document archiving, and regulatory compliance for human research activities at the clinical sites, which require more funding to complete than the routine study participation activities that take place in the first four years. To prepare for that higher level of spending in year five, we intentionally left funds from years one through four of this grant unspent. These funds were committed to our project by NICHD and held there in reserve because we planned to use them in the last year of the five-year grant to ensure the appropriate closure of the studies. Reserving funds in this way for use in later years is common practice for researchers who recognize that research expenditures often are not equally distributed across all years of the grant. For this grant, accessing those unspent funds in later years requires sponsor approval of a carry-over request. In my experience, these carry-over requests are generally approved as a matter of course and our previous requests have never been

denied. Even before NIH sent its May 6 Letter to Harvard terminating this and hundreds of other grants, NICHD had not agreed to release these carry-over funds.

18. As the contact PI of PHACS, responsible for communications with all members involved in the study, I was in charge of facilitating a smooth closeout process for the clinical research sites. As part of that process, we were set to host a spring network meeting, which is a gathering of all the clinical sites, researchers, advisory boards, and other members of our community. Because this was the final year of a 20-year study, it was a very important event. As a result of the PHACS grant termination, we were not able to host our final meeting, our early-stage investigators were not able to present their research findings, and we were unable to express our gratitude for the contributions of our community over the last 20 years. I am frustrated by my inability to finish this important work and by the impact that this has on the entire PHACS community and our research participants.

19. I was also the PI of the Health Outcomes around Pregnancy and Exposure to HIV/ARV, or "HOPE" study, an NICHD-funded multisite cohort study on women with HIV at 13 clinical research sites around the country. This grant would have provided about $14.5 million in federal funding over 5 years and entered its final year of funding in March 2025. Grant funding provided salary support for 4 PIs and the equivalent of 6 additional full-time staff members. In addition, the grant supported 13 clinical research sites and their staff at other institutions which enrolled women into HOPE and conducted study visits, along with members of a Community Advisory Board who provided input to the study based on their lived experiences.

20. NICHD never issued funding for the fifth year, so we instructed our clinical sites that they would not be able to submit invoices for any additional expenses. Because of funding shortages, we have had to lay off one HOPE staff member and furlough 3 additional HOPE staff

members. In addition, none of our 13 clinical sites were able to perform any close out activities after Defendants terminated the HOPE grant, and we were unable to provide them with funding required for human subjects research. As a result, we stand to lose a significant amount of data gathered in the last four years of the study and were unable to provide our voluntary study participants and our Community Advisory Board members the dignified closeout proceedings they deserve. I feel particularly responsible for ensuring compliance with federal regulations as the contact PI of PHACS and am frustrated that we cannot facilitate proper closeout for our research partners.

21. The loss of funding to both PHACS and HOPE has already been devastating for our research program evaluating antiretroviral treatment effects on health outcomes in women, children, and young adults with HIV and with HIV exposure during gestation. In particular, the Trump administration's failure to disperse funding for both grants in their last year will result in a loss of public access to valuable data collected on our voluntary study participants. The loss of funding also hurts the studies and career prospects of our graduate and PhD students, with whom I work closely across both grants: they lose the opportunity to conduct high-impact collaborative research without federal funding and I, as a researcher, lose the opportunity to collaborate with, to educate, and ultimately to learn from them and benefit from the contributions they will make to our field. Given the broad scope of our research and the need to fund many clinical research sites across the United States, securing sufficient private funding will be virtually impossible.

22. The cessation of HOPE study funding and required discontinuation of its study activities have also had an enormous impact on our study participants, who are women living with HIV. There remains an unfortunate stigma attached to HIV. As HIV researchers, we rely on the willingness of our study participants to share openly some of the most vulnerable and challenging aspects of their lives. Our work thus depends on a foundation of trust between us and the

participants we work with, and many of our participants have expressed that they feel we betrayed the commitment we made to better understand their health conditions when we abruptly ceased study activities. I believe the Trump administration's funding terminations will impede my ability to recruit participants into all types of research in the future even if funding were restored because I and many other researchers have had to abruptly terminate so many studies in the United States with little to no explanation to participants.

23. At a larger scale, I believe that the sudden termination of longtime clinical research sites will create negative downstream effects on clinical research in the future. Future studies enrolling voluntary participants, particularly those who study chronic and stigmatized health conditions, are not as likely to want to participate in similar longitudinal studies due to feelings of betrayal and frustration with the sudden termination and lack of closure of a twenty-year relationship. Losing the data arising from such studies would be devastating for the entire scientific community and for the many Americans whose lives would be forever improved by scientific breakthroughs.

24. Because PHACS was in the last year of its current grant, I recently submitted a competitive application to NICHD for new funding involving issues of health disparities in people with HIV for the next PHACS grant cycle. However, I believe it is nearly impossible for us to receive funding because Defendants have clearly stated that they will not provide Harvard any federal grants and because the Trump administration has deemed research involving health disparities inconsistent with its priorities. Thus, I am very nervous about NICHD accepting my new application and funding my research and the impact that failing to receive funding would also have on the team of researchers included as collaborators, both at Harvard and many other institutions. Even if this funding is secured, the broken relationships between us and our voluntary study

participants will be nearly impossible to mend, and we would need to expend significant resources to re-engage with the clinical research sites after their abrupt closeouts.

25. My own faculty position at Harvard is no longer secure: I am not a tenured professor, and the PHACS and HOPE grants together cover about 70 percent of my salary. My employment contract with Harvard provides that the university would "ordinarily" cover my salary for 12 months if I lost funding, but I am concerned the university will no longer honor that agreement because Defendants terminated all federal grants to Harvard. In any event, I would not be able to keep my position beyond that one-year extension without federal funding.

26. I worry also about the impact of our grant termination on more junior and non-tenured colleagues: the cessation of funding and loss of their positions will be even more devastating given their career stage and family responsibilities.

27. We have already lost 4 PHACS staff members to other jobs because of the job insecurity created by the Trump administration's termination of funding to Harvard. I also serve as an advisor to our 7 senior research scientists, who are non-tenured academic appointments. Many of these research scientists have worked at Harvard for over a decade and have dedicated their careers to the university. Due to the funding termination, their positions at Harvard are not guaranteed past July 2025 and two of them will be forced into early retirement.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 2, 2025 Signed: Paige L. Williams

Paige L. Williams, PhD
Senior Lecturer on Biostatistics
Harvard T.H. Chan School of Public Health

EXHIBIT 21

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

Declaration of Shoba Ramanadhan

I, Shoba Ramanadhan, hereby declare as follows:

1. I am an Associate Professor of Social and Behavior Sciences at the Harvard T.H. Chan School of Public Health ("HSPH").

2. I hold a ScD from HSPH and an MPH in Health Management from the Yale School of Public Health.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. My research focuses on strengthening systems in underserved communities to leverage the best available evidence for cancer prevention and control. I also research issues at the intersection of climate change and the health of marginalized populations. Much of my work is conducted in partnership with community-based organizations and coalitions.

5. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and

Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

10. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the more than $2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds for HSPH.

Research Funding

11. I conduct research under five major projects that are fully funded with federal funding. Four out of five of my federal grants have been terminated or otherwise ended early. My four terminated grants were funded by the NIH. Work on the projects that were funded by these grants is expected to stop soon and my department is already helping to plan layoffs for staff on these grants.

12. The first terminated grant funded research about the impact of climate change-related heat stress on people across the globe. The information we collect for this project is intended to support the local communities where the research is taking place, but also support other areas with limited resources to protect communities against heat stress. The work is designed to support scale-up of successful findings, including dissemination of results to country-level policymakers.

13. The second terminated grant funded training of researchers to expand the impact of their work on local communities and public health systems. The project focuses on social

determinants of health, e.g., education and housing, to develop sustainable, high-impact solutions to cancer inequities. The project is conducted in partnership with local community members.

14. The third terminated grant funded cancer-focused outreach to immigrant, refugee, and racial/ethnic minority communities. This project also trains students from under-represented minority backgrounds to support them in pursuing research careers focused on cancer and other health inequities. The main grant is held by the Dana Farber Cancer Institute and HSPH has a subaward. The workforce development programs funded by this grant bring minorities into the public health field. Losing this grant will impact who ultimately goes on to work in the field. Discouraging minorities from entering this space will negatively impact quality of care in marginalized communities.

15. The fourth terminated grant supported academics across Harvard-affiliated hospitals, HSPH, and Harvard Medical School to translate their research into programs, practices, and policies that can be implemented widely. The component of the project I support engages community leaders from underserved communities to help design and execute research projects that are likely to be high impact in their communities.

16. The termination of four of my federal grants is devastating for my research. I work closely with communities that have been subject to discrimination in the United States, such as racial and ethnic minorities and LGBTQ+ groups. Given historical and current abuses of power, these communities are understandably skeptical of scientists and academic researchers. It can take us anywhere from 5 to 15 years to build the requisite trust and relationships with a community and partner on research. In my work, the relationships we have cultivated with leaders and community members in these marginalized communities are the result of 15 years of federal investment in the projects.

17. A long term loss of federal funding will irreparably harm our research and force us to start again at zero. We will not be able to honor our existing commitments to the communities we serve. If people in these communities believe that we are walking away from our agreements to support them, we will lose much of the trust that we have spent the last 15 years building.

18. I will not be able to obtain private foundation funding to replace my terminated federal funding. Foundation grants are narrower and for smaller amounts than federal grants. Many researchers are turning to private funding given the current state of federal funding for the sciences, making the environment for private foundation grants even more competitive than it has been in the past. Colleagues working in community-based organizations have also highlighted the concern that academic researchers will now be competing for funds typically reserved for local organizations, which has the potential to increase inequities further.

19. My team supports local organizations to use evidence-based interventions for cancer prevention and control. If we cannot complete our projects, people in the communities we serve will not be supported to engage in cancer prevention activities, such as breast cancer screening or vaccination against HPV. That is a real physical harm. Without my team's work, misinformation and disinformation may fill the void, further harming affected communities.

20. The loss of federal funding for my research and at the School of Public Health generally is also devastating for students. My colleagues and I have had to rescind offers of employment for students at the Masters and Doctoral levels, due to the abrupt termination of funding. This has negative consequences for their livelihood and for their long-term career prospects.

21. Terminating the grants that fund my research impacts three generations of scientists at Harvard. There are graduate students at Harvard on these terminated grants, who have lost out on valuable training opportunities, from conducting research to publishing papers and presenting

findings at scientific conferences. Losing our grants also means we lose the ability to support post-doctoral fellows because we rely on federal grants to cover their stipends and tuition.

22. Finally, for faculty who are working towards tenure (as I am), the loss of federal funding for public health research restricts the ability to create the type of broad, high-impact program of research required for tenure. As noted above, private funding is a limited alternative, and given the large number of researchers suddenly turning towards the same, limited pool of resources, it is likely that many academics will have to leave the field. This is particularly true for individuals working in areas disfavored by this administration, e.g., LGBTQ+ health. An entire cohort could lose the opportunity to become tenured because of these cuts, which puts the future of public health training and leadership at risk and risks skewing the field away from topics related to equity and diversity.

Impacts on Speech and Academic Freedom

23. Health equity is central to the classes I teach on implementation science and qualitative analysis. There is no accurate language that I can use in my courses that does not use terms disfavored by the Trump administration, such as LGBTQ, discrimination, minority and more. I cannot change the language that I use in my work to comply with the Trump administration's priorities. If I am not able to use terminology disfavored by the Trump administration, I will not be able to teach or conduct research effectively.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 2, 2025

Signed: 

Shoba Ramanadhan
Associate Professor of Social and Behavior Sciences
Harvard T.H. Chan School of Public Health

EXHIBIT 22

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

DECLARATION OF SCOTT DELANEY

I, Scott Delaney, hereby declare as follows:

1. I am offering this Declaration in my individual capacity and not on behalf of my employer. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

2. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

3. I am an epidemiologist at the Harvard T.H. Chan School of Public Health (HSPH). My research investigates how environmental, social, and legal forces affect neurodegenerative diseases in older Americans and neurodevelopmental health in American children. The singular focus and driving motivation of my career is to improve the lives of Americans battling neurological disorders.

4. I have conducted epidemiologic research at HSPH in various capacities—first as a student, then as a postdoctoral research fellow, and finally as a Research Scientist—for 11 years.

I hold a Doctor of Science from HSPH (ScD, 2020); a Master of Public Health from the Johns Hopkins Bloomberg School of Public Health (MPH, 2015); a Juris Doctor from the University of Illinois College of Law (JD, 2004); and a Bachelor of Science from the University of Illinois College of Business (BS, Finance, 2000). Prior to my career in epidemiology, I practiced law in several capacities.

5. At HSPH, I formally hold the title of "Research Scientist" in the Department of Environmental Health. I currently have a three-year employment agreement with HSPH as a Research Scientist that began in May 2024.

6. The title and role of a "Research Scientist" can entail somewhat different privileges and responsibilities at different universities, and even at different schools within universities. At HSPH, Research Scientists are appointed by the faculty, and we have full privileges to conduct independent research. This means we can apply for and receive NIH grant funding as Principal Investigators (PIs), and we can conduct research independently and build our own teams. We can also conduct research on teams led by—and funded by the grants of—other PIs (including both Research Scientists and faculty members). At HSPH, some Research Scientists have secured their own grants as PIs, while others have developed productive careers conducting research in support of grants led exclusively by other PIs.

7. The Research Scientist career "track" at HSPH, which entails three tiers of scientists (Research Scientist, Senior Research Scientist, Principal Research Scientist) at increasing levels of seniority, entails many benefits. Specifically, Research Scientists of all levels have considerable latitude to define and develop their research portfolios. And unlike tenure-track faculty members, Research Scientists are not required to teach courses or mentor students. Research

Scientists are also generally free from requirements imposed on tenure-track faculty members to serve on departmental or school committees.

8. However, the benefits of the Research Scientist track (i.e., flexibility, minimal non-research obligations) are tempered by a reduced institutional commitment to our positions and salaries. We have no tenure protections and are not eligible for them. In general, HSPH pays us to conduct research, not to teach, mentor, or perform other duties. We are professional researchers. As a result, we must ensure our salaries are fully funded by research grants. There are many sources of research grants, including governments, private foundations, philanthropic organizations, and even the university itself. However, for many Research Scientists at HSPH, grants from the National Institutes of Health (NIH) provide most funding for our research and salaries.

9. Throughout my career in epidemiology, I have applied for and, in some cases, received multiple types of grants from NIH either individually or as part of teams. These include training grants (T90 and T32 as a student trainee), a fellowship grant (F31 as a student PI), multiple loan repayment awards ("L" grants as a PI), and multiple research "R" grants (as a Co-Investigator). My current research activities—and my entire salary—were wholly supported by a single NIH R01 research grant, for which two of my colleagues (both of whom are Principal Research Scientists) are the Principal Investigators.

10. The core of my current research activities focuses on the health effects of various environmental exposures, including fine particle air pollution and extreme temperature events, on brain health. In particular, I study the effects of these exposures on Americans with neurodegenerative diseases, including Alzheimer's Disease, and Parkinson's Disease. My team also plans to expand our research to include Americans with Lewy Body Dementia, a devastating yet understudied syndrome that shares some symptoms in common with both Alzheimer's and Parkinson's

Diseases. In the past, I have also studied how environmental exposures affect neurodevelopmental outcomes in American children. An important facet of my research is to explore reasons why some population groups are more susceptible to the effects of air pollution or extreme temperatures than others.

11. My research has generated nearly 50 scientific manuscripts. My work has been published in several high-impact journals, including, among others, the *New England Journal of Medicine, Science, Nature Communications, JAMA Internal Medicine, JAMA Psychiatry, Annals of Internal Medicine,* the *Journal of the American Heart Association*, and *Developmental Cognitive Neuroscience*. These manuscripts have received press coverage in over 250 publications, including *The New York Times* and *CNN*.

12. Given my role as a researcher and employee at Harvard—and as an American invested in and proud of the leading role American universities play in health science research—I have followed the Trump administration's actions toward Harvard over the past three months closely. These actions began in early 2025, when I read news reports of public statements made by the Trump administration attacking the work of university researchers like me. The Trump administration also attacked the integrity of American universities and made a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

13. In early March, these attacks increased. I am aware that on March 10, 2025, the federal government sent a letter to Harvard warning of potential enforcement actions, and that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am also aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025, demanding that Harvard immediately take

a list of exceedingly burdensome actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware the Trump administration sent yet another letter on April 11, 2025, with more detailed and intrusive demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public by the press and / or Harvard University officials, and I have read the demands listed in the Demand Letters.

14. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism "froze" over $2.2 billion in federal grants to Harvard. While the exact meaning of this freeze was not clear at the time, I learned later in April that the federal government simply began refusing to disburse funds obligated to NIH (and potentially other) grants, despite receiving requests from Harvard University to do so. Effectively, this meant that HSPH could not draw down NIH grant funds to support my research activities or salary.

15. I am further aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS (sic) from the federal government, since none will be provided." Secretary McMahon's letter was followed by a series of other letters from various government agencies and departments formally terminating a wide array of grants with Harvard.

16. These included letters from NIH (received by Harvard on May 6, 2025), the Department of Agriculture (May 9, 2025), and the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development (all on

May 12, 2025). Letters communicating each of these terminations were made public, and I have read each of those letters.

17. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the over $2 billion in terminated funds. HSPH will receive only a portion of those funds, which will be used primarily to support tenured and tenure-track faculty and students. That amount is far from sufficient to replace the terminated research funds for HSPH.

18. Until NIH's mass grant terminations at Harvard, my salary was entirely funded by a single NIH grant. The Principal Investigators of this grant are leading researchers in environmental epidemiology and biostatistics, with over 40 combined years of experience conducting groundbreaking research. It is an extraordinary privilege to work alongside them on their team. My research under this grant investigated how exposures to different environmental factors, including air pollution and extreme heat, impact symptoms of Americans living with Parkinson's disease. This Trump administration froze this grant in April 2025, and Harvard notified the PIs of the grant (who subsequently notified me) that it was terminated on or about May 15, 2025.

19. This was a five-year grant meant to support research from September 2022 until July 2027. Each year, HSPH receives a new Notice of Award (NOA) that formally obligates the funds for each year, and I understand that HSPH draws on these funds approximately once per month.

20. Before NIH issues a new NOA each year, it requires PIs to submit progress reports demonstrating their ongoing productivity toward the aims of the grant. Provided that expert staff at NIH are satisfied with the grantee team's progress, NIH issues a new NOA, and NIH obligates additional funding for the year ahead. While this review process is key to oversight and the responsible stewardship of federal funds—and while researchers are required to demonstrate their

productivity and maintain rigorous standards—I am not aware of any instances in which a research grant was not renewed after this yearly review process. My team fully expected the grant that supports my salary to be renewed for an additional year in August 2025.

21. Prior to the termination of my federal funding, I received a conditional layoff notice from HSPH that said if I do not obtain grants to support my salary within six months, I will be laid off on October 14, 2025. Given that grants for academic research typically take many months or more to apply for and receive, I will not be able to obtain private funding to replace my federal funding, and I fully expect to be laid off in October.

22. However, if my research group's federal grant is restored within a few months, my position will continue to exist and my job will no longer be in peril.

23. The termination of federal funding will have catastrophic effects on the larger research group within which I carry out my work. My research group at HSPH is made up of 4 research scientists (including myself), a masters-level biostatistician, and 5-6 students and post-doctoral fellows. Everyone is now at risk of losing their jobs. In collaboration with a broader team at HSPH, our group has contributed to the compilation of one of the largest datasets of Medicare claims data available. We have 21 years' worth of data of every fee-for-service Medicare hospitalization claim in the entire country. It has taken years to train our staff and researchers to work with this massive dataset, and we have had to invest significantly in their training. Even if we were able to hire different researchers at a later date, years of productivity and resources would be required to train these individuals. There is a very steep learning curve for anyone working with our data.

24. The collective knowledge of the staff and researchers in my research group is also irreplaceable. The value of experience and institutional memory within the research group will be

lost if individuals are forced to turn to other institutions that are able to fund their work. Projects that have been years in the making, with extensively trained and specialized staff, will be compromised if our team members are forced to find jobs elsewhere. We—and by extension the scientific community and American public—will lose research meant to benefit the lives of people living with neurodegenerative diseases. This is the impending reality if funding is not restored within the next few months.

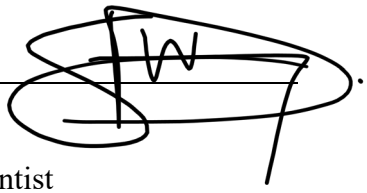
25. Students and postdoctoral researchers hired to work in my research group may also lose their jobs if funding is not restored. I have already begun using my network to try to get younger staff hired into jobs elsewhere that are able to fund their research and salaries and support their careers.

26. While some particularly senior faculty have discretionary funds from Harvard, Research Scientists like me generally have no access to non-grant funding. There is no way for my larger research team to be sheltered from the termination of these grants. And even if some of the senior faculty were to attempt to use discretionary funding to continue paying some salaries, these discretionary funds would be far from sufficient to maintain the larger research group.

27. The morale of students, staff, and faculty at HSPH are at an all-time low. NIH grants comprise a larger proportion of HSPH's budget than of any other school within Harvard. The grant terminations across HSPH have had a huge impact on the psyche of everyone within the school. While our resolve to carry on our work to advance America's health in the face of these unprecedented attacks is strong, none of us knows where to turn for continued funding to save our research. Our careers are in grave danger. But more far importantly, the sustained progress and innovation that we have worked so hard to achieve on behalf of the American people is under direct threat by the Trump administration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 1, 2025

Signed:  .

Scott Delaney
Research Scientist

EXHIBIT 23

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

Declaration of Walter Willett

I, Walter Willett, hereby declare as follows:

1. I am a Professor of Epidemiology and Nutrition at the Harvard T.H. Chan School of Public Health ("HSPH"). I am also the director of the Thich Nhat Hanh Center for Mindfulness in Public Health. I previously served as the Chair of the Department of Nutrition at HSPH (1991-2017).

2. I hold a Masters and Doctorate of Public Health from HSPH. I also hold an M.D. from the University of Michigan Medical School.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. My research focuses on the risk factors for heart disease, cancer, and other conditions. For more than 40 years, I have studied the effects of diet on the occurrence of major diseases. I have published more than 2,000 original academic research papers and reviews. I am the most cited nutritionist internationally and am one of the most widely cited clinical scientists in the world.

I have written a textbook on nutritional epidemiology and several books for the general public, including the bestselling *Eat, Drink, and Be Healthy*.

5. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none

will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

10. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the more than $2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds for HSPH.

Research Funding

11. My work is funded by two major federal grants from the National Cancer Institute at the NIH. Both grants are to conduct large follow up studies and were supplied through the NIH's UO1 mechanism. The NIH terminated both grants on May 6, 2025.

12. The first grant funds a study that began in 1989. This study follows a cohort of 116,000 women and seeks to understand how diets and lifestyle relate to the risk of developing cancer. The primary data for this study comes from questionnaires that the study participants fill out every two years. My research team has also collected biological samples from many study participants, including fecal and urine samples. The samples must be kept frozen in repositories.

13. A parallel study started in 1986 has been tracking the diets of 52,000 adult men from all states in America who get cancer. This study collects data about heart attacks, cancer, and other conditions that share risk factors with heart disease, such as dementia and Parkinson's disease. Dozens of other grants studying many diseases have used the dataset collected by this study. Since its inception, this study has collected biological samples from approximately 30,000 participants that are also stored at low temperatures.

14. More than 90% of the funding for both studies comes from federal grants. This money cannot practically be replaced with private funding. Even if previous donors doubled or tripled their contributions, we still will not have enough money to continue our operations. Harvard has also informed me that they will not be able to provide funding to supplement what we are losing in federal funds.

15. Without the NIH grants, we will only be able to keep the biological samples frozen for a few weeks. These samples will spoil if they are allowed to thaw. No other institution in the world has this data, making our samples irreplaceable.

16. Our studies follow up with participants every two years to collect information on their physical and cognitive functions. We need to conduct the next follow-up within the next year. Otherwise, some study participants may die before we are able to follow up with them. The termination of my grants thus jeopardizes our chance to collect data from the living study participants who have voluntarily contributed personal information over the last four decades. This would deprive all Americans from the benefits of knowledge about diet, other aspects of lifestyle, and use of medications that enhance their possibilities of living longer and healthier lives.

17. I will have to lay off highly experienced researchers soon if my grants are not restored. I am currently in the process of identifying staff to layoff. This will be a huge blow to our

research—these team members have worked with us for many years and have accumulated vast knowledge about how the studies work. If we let these researchers go, many of them will have to find other jobs, and I am very concerned about our ability to rehire them even if federal funding is restored later.

18. The situation across HSPH is dire. HSPH relies on federal funding for about 60% of its operating budget.

19. Additionally, much of the research at Harvard and elsewhere that uses my data resources is conducted by international graduate students and scholars who have visas that are being revoked by the government. This attack has created major uncertainty and fear that is distracting them from their research.

Impacts on Speech and Academic Freedom

20. I worry that our students, when selecting project subject matter, may choose or change their topics based on fear that certain topics will be at risk due to the Trump administration's actions. This would include research on dietary quality in vulnerable groups such as refugees and low-income groups.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: Walter Willett

Walter Willett, MD, DrPH
Professor of Epidemiology and Nutrition
Harvard T.H. Chan School of Public Health

EXHIBIT 24

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

DECLARATION OF SARAH FORTUNE

I, Sarah Fortune, hereby declare as follows:

1. I am the John LaPorte Given Professor of Immunology and Infectious Diseases at the Harvard T.H. Chan School of Public Health ("HSPH") and the Chair of the Department of Immunology and Infectious Diseases at HSPH. I was previously a Postdoctoral Fellow at HSPH.

2. I hold an M.D. from Columbia University's College of Physicians and Surgeons as well as a B.S. in Biology from Yale University. I completed my residency in Internal Medicine at Brigham and Women's Hospital and a clinical fellowship in Infectious Diseases in the combined program of the Brigham and Women's and Massachusetts General Hospitals.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. My research focuses on the biology of tuberculosis infection. It seeks to identify bacterial and immune factors that shape tuberculosis infection outcomes. My research has identified novel forms of drug resistance in *Mycobacterium tuberculosis* and defined the differences

between an immune response that protects against disease and one that promotes disease. My laboratory collaborates with experts around the world including at MIT, the University of Massachusetts Medical School, Cornell, the University of Pittsburgh, Case Western University, the University of Washington and the University of Cape Town. I lead the HI-IMPAcTB program, one of three initiatives that form the largest investment that the NIH has ever made in the area of tuberculosis, to identify the immune basis of protection from tuberculosis disease. My work informs strategies for tuberculosis diagnosis, vaccine design, targeting TB treatment and tracking previously unrecognized modes of TB transmission.

5. My work has been published in *Science, Cell, Nature Medicine, Nature Microbiology, Immunity, the Journal of Experimental Medicine*, *Lancet Microbiology, Plos Pathogens*, *Science Advances*, and other peer-reviewed publications.

6. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

7. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter, and which the Trump administration proposed would serve "as the basis for an agreement in principle

that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

8. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

9. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

10. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

11. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the more than $2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds for HSPH.

12. Work in my lab has shut down as the result of these federal funding terminations. I received a Stop Work Order for the HI-IMPAcTB contract dated April 14, 2025 and received on April 15. This was a multi-site research contract to identify the immune basis of protection against tuberculosis infection and disease. Our program was starting its 5th of 7 years of funding and received roughly $8 million per year to support 21 research groups over 11 institutions (Harvard; MIT; UMass Medical School; Massachusetts General Hospital; Case Western University; the Universities of Pittsburgh, Washington, Colorado and Cape Town; Stellenbosch University; and the African Health Research Institute). Many of the sites that are party to this contract lack the financial resources to buffer any of the harm that has resulted from the termination of federal funding.

13. The termination of federal funding has already had devastating effects on my lab's work. The flow of samples from other sites, the flow of operations, the flow of data and the day-to-day immune profiling at my lab have all ceased. My lab has stopped receiving shipments from our collaborators, stopped performing experiments, and has been forced to develop a layoff plan. Importantly, we are laying off some of the researchers who generated the data and have been working to analyze and distill the data. Because much of the work is not yet completed or published, we are losing whole bodies of work because we are laying off the scientists who carry the knowledge from the past 5 years of research. Thus, we are losing not only the future funding but many of the discoveries from the past investments.

14. My lab and our collaborators have been forced to scramble to coordinate our responses to the grant and contract terminations. It is unclear how we will be able to weather this situation in the long term. We are leveraging any available savings but my discretionary reserves are only about 10% of my lab's annual federal budget and thus I have now begun the process of cutting scientists and support staff through a process of lay-offs and non-renewals.

15. The ambiguity about the reasons for the termination of federal funding has created enormous financial liabilities. Our lab as well as our collaborators are unsure what steps need to be taken in order to preserve the key aspects of our work moving forward.

16. In addition to our own personnel cuts, several of our collaborators have begun to cut their staff, particularly at the University of Massachusetts and the University of Washington. These staff cuts directly affect the work in my lab, as our labs are interconnected. Our work has been deeply disrupted by these staff cuts, and more cuts are sure to come.

17. The HI-IMPAcTB program supported tuberculosis studies in nonhuman primates at the University of Pittsburgh and in mice at the University of Massachusetts Medical School. To comply with regulations regarding the humane treatment of animals, these institutions assumed the cost of animal care when the Stop Work Order was issued. Animal care and use policies prohibit the careless use of animals -- such as initiation of an animal study that is not completed, wasting animal lives. The University of Massachusetts Medical School therefore completed the mouse studies underway at the time of the stop work order. Completion of the nonhuman primate study (testing a novel tuberculosis vaccine developed at The Children's Hospital of Boston) was expected to be very expensive (~$500,000) and we were uncertain whether those studies could be continued at risk or whether the Pittsburgh team would have to euthanize the animals. After the stop work order became public, a donor provided philanthropic funds to the University of Pittsburgh for the completion of the basic parts of this study, although many aspects of the original study including the immune analyses are not funded and this opportunity, once lost, will never come back.

18. Our lab and research will be irreparably harmed if we are forced to lay off more of the investigators and staff we employ. Tenured faculty members such as myself rely on federal

funding to train valuable researchers and support staff over the long term and to staff our labs with the staff needed to conduct effective scientific inquiry. My research consortium is incredibly effective and made up of experts in our field. We train our staff using an apprenticeship model that would be extremely difficult and time-intensive to replicate. Our shared, institutional knowledge will be scattered to the wind if we are forced to let go of more individuals in the lab. It would be impossible to later reproduce the accumulated expertise of our current staff if federal funding is later restored.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: 

Sarah Fortune, M.D.
John LaPorte Given Professor of
Immunology and Infectious Diseases
Harvard T.H. Chan School of Public Health

EXHIBIT 25

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-cv-10910-ADB

DECLARATION OF DONALD INGBER

I, Donald Ingber, hereby declare as follows:

1. I am the Founding Director of the Wyss Institute for Biologically Inspired Engineering at Harvard University, the Judah Folkman Professor of Vascular Biology at Harvard Medical School and the Vascular Biology Program at Boston Children's Hospital, and the Hansjörg Wyss Professor of Biologically Inspired Engineering at the Harvard John A. Paulson School of Engineering and Applied Sciences.

2. I have held an appointment at Harvard University since 1984 and been a member of the faculty of Harvard University since 1988.

3. I received my B.A., M.A., M.Phil., M.D. and Ph.D. from Yale University.

4. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. My research focuses on biomimetic microsystems. These systems use methods of miniaturization originally developed in the computer industry for manufacturing microchips to build devices with functional circuits that use living cells as their components. Using these techniques, we are developing human organ-on-a-chip ("Organ Chip") technology—tiny, complex, three-dimensional models with hollow channels lined by different types of cells and tissues that recapitulate the structure and function of human organs.

7. Through my work I have authored over 600 publications and almost 200 patents, and I have founded 8 companies. I have presented more than 625 plenary presentations and been invited to lectures across the world.

8. I am a member of the National Academy of Engineering, the National Academy of Medicine, the National Academy of Inventors, the American Institute for Medical and Biological Engineering, and the American Academy of Arts and Sciences.

9. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter, and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11

Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

10. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

11. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

12. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

13. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the more than $2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds for my work specifically or the Wyss Institute more broadly.

Research Funding

14. Until April 14, I was actively working on two federally funded projects utilizing my human Organ Chip work.

15. The first project uses Organ Chip technology to study how the human lung, intestine, bone marrow, and lymph node respond to radiation and to identify drugs that can mitigate the effects of that radiation. Funding for this project came from the Center for the Biomedical Advanced Research and Development Authority ("BARDA") and supports 21 positions in my lab, including 3 graduate students, 1 intern, 2 postdoctoral fellows, 5 technicians, and 10 technical staff members. This work will contribute to improved public safety by developing additional radiation countermeasure drugs as the country ramps up nuclear power production to support the energy-intensive artificial intelligence industry. These countermeasures also would be available in the case of a nuclear attack and to alleviate toxic side effects in cancer patients who receive radiation therapy.

16. The second project uses Organ Chip technology to study the effects of microgravity and radiation on astronauts during spaceflight. Funding for this project came from BARDA with support from the National Aeronautics and Space Administration ("NASA") and supports 5 positions in my lab, including 5 technical staff members. This project was developing specialized bone marrow chips incorporating cells from individual astronauts to study the effects of this microgravity and radiation on their bone marrow. These specialized chips were scheduled to fly aboard the Artemis II mission to the moon alongside the astronauts who donated the cells. This work is critical to our ultimate ability to explore Mars, because protecting astronauts from radiation toxicity remains a major barrier to the long-distance space travel necessary to explore the solar system.

17. On April 14, I received 2 notices from the federal government directing me to stop work on both these projects.

18. I immediately stopped incurring expenses on those projects pursuant to the terms of these stop work orders and have not resumed doing so. As a result, no work is currently happening in my lab on either project. I have been forced to halt experiments midstream; these experiments cannot simply be restarted when or if funding resumes, and so I have lost the value of the effort expended on each such experiment to date. Similarly, the progress of my students and post-doctoral fellows working on papers or theses projects based on these projects has been lost. I can no longer support the staff for these projects and have been forced to make difficult decisions about shifting employees to other areas of work with intact funding or allocating internal funds to protect their positions. If this funding is not restored soon, I will have to terminate many of these positions.

19. Even these steps have not allowed us to maintain all our staff. For example, a European post-doctoral scientist who had accepted a position with the Wyss Institute recently withdrew his acceptance. And another European scientist who had been working at the Wyss Institute for roughly six months recently asked me to support her application for a new position in a laboratory in The Netherlands given the uncertainty around our funding situation, and I did so. I understand many other scientists and employees in the Wyss Institute are terrified of potentially losing their jobs as a result of the funding situation at Harvard.

20. Shortly after receiving the stop work order, my team was unable to participate in an important meeting related to the upcoming use of our chips on the Artemis II space mission, jeopardizing our ability to meet the deadlines associated with that project. In an attempt to salvage this important project, meet the deadlines necessary to participate in the Artemis II mission, and protect the livelihood of the staff members who rely on me for jobs, I have been forced to explore

shifting work associated with this project and many of the associated staff positions out of the Wyss Institute to a private company. Doing so will cost me and the Wyss Institute the prestige associated with our work, the ability to participate in a groundbreaking space mission, and, ultimately, the benefit of the positive-feedback loop associated with such high-profile scientific accomplishments. These sort of reputational benefits—which I will now lose—were invaluable for me in the past as I developed my career as an academic, inventor, and entrepreneur.

21. I currently have multiple funding proposals submitted to government agencies, including the Advanced Research Project Agency for Health ("ARPA-H") and Defense Threat Reduction Agency ("DTRA"), which I am concerned will not receive funding given the government's position.

22. Since receiving the stop-work order on April 14, I have spent roughly ninety percent of my time managing this crisis.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed:

Donald Ingber, M.D., Ph.D.
Founding Director
Wyss Institute for Biologically Inspired Engineering at Harvard University

EXHIBIT 26

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., Plaintiffs, v. UNITED STATES DEPARTMENT OF JUSTICE et al., Defendants.	Case No. 1:25-CV-10910-ADB

DECLARATION OF BENCE ÖLVECZKY

I, Bence Ölveczky, hereby declare as follows:

1. I am a Professor of Organismic and Evolutionary Biology at Harvard University. I have held this position since 2016. Prior to this I was an Assistant (2007) and Associate Professor (2012), also at Harvard.

2. I hold a joint PhD degree from Harvard University and MIT's Division of Heath Sciences and Technology in Medical Engineering and Medical Physics and from Harvard University's Program in Neuroscience. I also hold MS degrees from Imperial College, London, and the Technical University of Budapest, in Biomedical Engineering and Mechanical Engineering respectively.

3. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

4. My research focuses on how the brain learns new motor skills and how it generates complex behaviors more generally. I study how different parts of the brain work in concert to

support these learning and control processes. A main focus of my lab's work is to address the function of the basal ganglia, which goes awry in people diagnosed with Parkinson's and Huntington's disease.

5. I am a member of the American Association of University Professors ("AAUP") and AAUP–Harvard Faculty Chapter.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2.2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intends to use its authority to impose numerous demands on Harvard University specifically.

10. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the more than $2 billion in terminated funds. That amount is far from sufficient to replace the terminated funds across the university. Although this may limit the immediate fallout for the work in my lab, the termination of federal funds will be crippling if federal funds are not restored within a few months.

11. I had three federal grants. Two of my grants from the NIH were terminated on May 15, 2025. I run a lab of 10-12 people and my lab was largely funded by these grants. My federal funding covered salaries for postdocs and technicians, reagents, animal care costs, instruments, and publication costs. My research uses rats as animal subjects.

12. One of my terminated NIH grants funded research understanding sensorimotor control through neuro-biomechanical simulation. I was leading a research collaboration with other

Institutions, including University of Washington, Stanford, and the Salk Institute, to establish a research platform to simulate the neural control of movement in environments subject to real-world physics. In effect, we were creating a virtual animal with a realistic biomechanical musculoskeletal system controlled by an artificial neural network. The virtual agent could be trained to mimic the behavior of real animals. The grant had the potential to transform how we study the brain by allowing high throughput hypothesis testing in realistic agent in-silico and then comparing these simulations to experiments in real animals. Research done as part of this grant also had the potential to improve AI algorithms required for sophisticated robotic control.

13. My second terminated NIH grant funded research aimed at understanding the neural circuits underlying the acquisition and control of motor skills. Here we were studying how subcortical circuits, including the thalamus and the basal ganglia, function to produce sophisticated learned behaviors, work that not only informs our understanding of how healthy brains work, but also the neural mechanism affected in disease. The work had the potential to improve the design of rehabilitations strategies, including after a stroke.

14. I have one research project which is funded by the Simons Foundation for Autism Research. This private funding covers work on a narrow set of questions related to autism research. By contract I can only use this private funding to advance autism research that matches the goals of the Foundation. This grant will end this year, and I was planning on applying for grants, including from the NIH, to continue this promising research and extend its scope. The research involves studying rats with genetic modifications that mirror some forms of autism to better understand how autism affects brain function and behavior, specifically social behaviors.

15. A long-term loss of federal funding would be devastating to my research. My experiments are complicated and run for a couple of years. If our work gets cut short, that means we

will not be able to finish our experiments, analyze our data, and write publications. The funds previously spent will have been for nothing, much of the work will be lost, and the public won't get the benefit of our completed research. Furthermore, when the research comes to fruition, my lab will be credited for the insights our line of research yields. This is the currency in academia—you publish and get credit for advancing the field. If our research gets cut short, my lab may have little to show for 3-5 years' worth of work. This would be a tragedy for all my staff.

16. Some of my experiments that were funded by federal grants involve training animal subjects—rats—for months. If we had to terminate or pause those experiments, I would later have to retrain new rats from scratch, which would be onerous and a waste of valuable research time.

17. If federal funding is not restored soon, I may be faced with letting critical staff members go. My staff run the experiments, analyze the data, write reports to grant agencies, write journal articles, maintain the animal colonies, and keep my research projects going. My staff have invested years in this research, and if I had to let them go, it would derail and destroy their careers.

18. I recently had to renew the contract of one of my very good technicians. They were on a nongovernmental grant, but it was still very difficult to renew their contract through Harvard. The renewal was only authorized for 6 months, whereas I had asked for 18 months. I cannot hire any new staff because of the hiring freeze Harvard implemented partly in anticipation of Trump administration threats to its federal funding. Thus, if I have to let staff go, I may not be able to replace them.

19. Even if I could later hire new staff when federal funding is restored, I could not replace my current staff who have spent 3-4 years in my lab and understand our data and how to conduct our experiments. My laid off staff would have to try to get other jobs, and it would be very difficult to find people with similar expertise to suddenly pick my research back up.

20. In each lab, including mine, there are technicians and/or researchers with institutional memories. It would be devasting to let go of a staff member who knows every little detail about what has happened with past research and understands the ins and outs of how all our research procedures work. My staff, especially my technicians, are invaluable to our research.

21. If I brought in new staff in a few years after federal funding resumes, I may have to train them for 2-3 years to be able to run similar experiments. This would create a lot of delays in my research. My research cannot be paused and then restarted from where I left off.

22. Furthermore, in academia, postdocs come up with their own research ideas and execute on those ideas. Someone new coming in would not want to do exactly the same type of research my current postdocs are engaged in. Their research would be entirely lost.

23. The termination of federal funding at Harvard and other American universities will be devastating to this country. I came to the United States to conduct my research because of the scientific infrastructure here and because partnerships between the federal government and universities like Harvard allowed scientists to conduct research that otherwise would not have been possible. By terminating federal funding to Harvard and other universities, the federal government is dismantling and destroying work that fuels the innovations that fuel the economy. Scientists like myself are trained in other countries but our best work has been done in this country and we generate intellectual property in this country. Countries in Europe and around the world are now luring researchers based in the United States away. This will have devastating long-term impacts for society.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 29, 2025

Signed: _____

Bence Ölveczky
Professor of Organismic and Evolutionary Biology

EXHIBIT 27

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF VICTORIA JENKINS

I, Victoria Jenkins, declare as follows:

1. I am a Genome Database Coordinator, a staff scientist position in the Department of Molecular and Cellular Biology at Harvard University. I have been employed in this position since 2018.

2. I hold a PhD in Cell & Molecular Biology from Boston University.

3. I work at FlyBase—a free database of Drosophila (fruit fly) genetics research that scientists around the world rely on for their work. I extract, interpret, and archive data from a variety of sources to standardize the data and make it accessible to the public and other researchers.

4. I am a member of Harvard Academic Workers, one of the two collective bargaining units of Harvard's chapter of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("HAW–UAW").

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard in recent months. In particular, I am aware that on March 10, 2025 the federal government sent a letter to Harvard and many other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH")

terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation ("NSF"), and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

10. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the terminated funds. There are many departments that have been affected and my department will only get a fraction of that money. This amount is far from the roughly $2.7 billion in terminated funds and not sufficient or sustainable to cover the terminated funds countless researchers at Harvard relied on.

11. FlyBase is the only database dedicated to the Drosophila (fruit fly) genome and is essential to the daily work of anyone who works with Drosophila around the world.

12. FlyBase received grant funding from the NIH and NSF. On May 19, 2025, I learned that the grant funding, which was previously frozen, had been terminated.

13. The termination of funding will imminently affect my work. Without funding, the FlyBase website will be frozen later this summer and need to stop updating. This means that newly discovered genes, data, and other discoveries on Drosophila will not be integrated in the FlyBase database and shared with the world.

14. The termination of grant funding harms society and will have ripple effects across the globe, as Drosophila scientists worldwide rely on FlyBase to conduct vital research that contributes to human medical research and fundamental understandings of biology.

15. I am also very concerned about my job security and anticipate layoffs due to the termination of funding. Years of experience and essential, historical knowledge on the FlyBase database will be lost.

16. I do not believe there is a viable alternate source of funding that would realistically replace federal funding for FlyBase. In over twenty-five years of FlyBase's existence, there has been no viable outside funding source.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: */s/ Victoria Jenkins*

Victoria Jenkins
Genome Database Coordinator

EXHIBIT 28

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF JENNIFER CHEN

I, Jennifer Chen, hereby declare as follows:

1. I am a Harvard Data Science and NIH K99/R00 MOSAIC Postdoctoral Fellow.

2. I hold a PhD in Bioinformatics and Integrative Genomics from the Massachusetts Institute of Technology. I also hold a Master of Science in Biomedical Informatics and a Bachelor of Science in Biomedical Computation from Stanford University.

3. My research focuses on evolutionary patterns of innate animal behaviors combined with comparative genomics, single cell transcriptomics, and other large-scale sequencing approaches to investigate how genes govern behavior.

4. I am a member of Harvard Academic Workers, one of the two collective bargaining units of Harvard's chapter of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("HAW–UAW").

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and

Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters. The government has now canceled about $2.7 billion in federal grants to Harvard.

9. I am also aware of a variety of "stop work" orders that have been issued by federal funding agencies to grants held by researchers working at Harvard beginning in February 2025. I am aware that on April 4, 2025, the Boston Globe reported on a federal government memorandum issued March 31 that specified grants for specific research projects the current administration is targeting. I know that some of these grants belong to UAW members.

10. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

11. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the roughly $2.7 billion in terminated funds. That amount is far from sufficient to replace the terminated funds at Harvard's School of Arts and Sciences.

12. I received an email on April 2, 2025 notifying me that my grant program (NIH K99/R00) has been terminated and that any funds beyond the active award (which ends June 30, 2025) will not be funded.

13. The K99/R00 I received was funding a research program investigating how genes specify population sizes of different neuronal populations that are important to innate behaviors as well as disorders including autism spectrum disorder.

14. Both at present and at the time I received the grant termination notice, I have been on maternity leave. Because the funds will expire before I return from my leave, I have had to

work unpaid hours during my leave in order to attempt to use the remaining funds before the money is lost.

15. I was planning to apply for faculty positions at Harvard this fall, but I am a less competitive candidate as a result of my grant termination because that grant would have covered my salary and funded a portion of the lab as a faculty member.

16. Applying for non-governmental sources of funding to replace the frozen funds will inevitably delay my timeline for finishing my post-doctoral research and applying to faculty jobs.

17. I have no reason to believe that Harvard will provide alternative funding to support my work.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 29, 2025 Signed: */s/ Jennifer Chen*

Jennifer Chen
Postdoctoral Fellow

EXHIBIT 29

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF BEAU SCHAEFFER

I, Beau Schaeffer, declare as follows:

1. I am a PhD student in Population Health Sciences and teaching fellow at Harvard T.H. Chan School of Public Health.

2. I started my PhD program in 2022. I hold a Master of Science in Epidemiology from Harvard T.H. Chan School of Public Health and a Bachelor's Degree in Microbiology from The University of Alabama.

3. I teach courses on Epidemiology at Harvard T.H. Chan School of Public Health. My doctoral thesis focuses on the development of observational research methods for vaccine safety and efficacy and applying these methods to real world data.

4. I am a member of the Harvard Graduate Students Union, one of the two collective bargaining units of Harvard's chapter of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("HGSU–UAW").

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard in recent months. In particular, I am aware that on March 10, 2025 the federal government sent a letter to Harvard and many other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH")

terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

10. My PhD dissertation chapter on vaccine safety and efficacy is only possible through a NIH-funded external collaboration with a large industry partner (a health system) and the data they manage. My research group and the industry partner were awarded separate grants under the SeroNet program, a coordinated effort by the NIH to expand the nation's capacity for SARS-CoV-2 serologic testing and advance research on the immune response to SARS-CoV-2 infection and COVID-19 vaccination among diverse and vulnerable populations.

11. The termination of my NIH funding will imminently affect my vaccine study design work. The scope of my work will be reduced moving forward as the loss of NIH funding will require the industry partner to limit the labor dedicated to its collaboration with Harvard. The termination of funding will also have broader impacts on vaccine research made possible through the collaboration with the industry partner. Without the federal funding source, it is unclear whether additional, critical research projects with the industry partner would be able to continue.

12. I am uncertain whether and for how long I might receive some stopgap funding from Harvard University. I am aware that the university has pledged $250 million in one-time

stopgap funding. That amount is far from sufficient or sustainable to replace the roughly $2.7 billion in terminated funds across Harvard University, including terminated funds at the Harvard T.H. Chan School of Public Health.

13. The loss of NIH funding for my research will also harm society and lead to gaps in the vaccine study design literature. Improving observational research methods for vaccines is critical given the increased interest surrounding the safety and efficacy of vaccines. The termination of federal funding leaves uncertain the ability to continue vaccine research with the industry partner. This collaboration is critical to my dissertation and developing rigorous observational research to address questions around new and existing vaccines that are not feasible to assess through other means.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: */s/ Beau Schaeffer*

Beau Schaeffer
PhD Student

EXHIBIT 30

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF ADAM SYCHLA

I, Adam Sychla, hereby declare as follows:

1. I am a postdoctoral research fellow at Harvard Medical School.

2. I hold a Ph.D. in Biochemistry, Molecular Biology, and Biophysics from the University of Minnesota. I also hold a B.S. in Molecular Genetics and Physics from the Ohio State University.

3. My research focuses on using RNA secondary structure analysis to generate next-generation gene therapies.

4. I am a member of the Harvard Academic Workers, one of the two collective bargaining units of Harvard's chapter of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("HAW–UAW"). I am also a member of the bargaining committee of this chapter.

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and

Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters. The government has now canceled about $2.7 billion in federal grants to Harvard.

9. I am also aware of a variety of "stop work" orders that have been issued by federal funding agencies to grants held by researchers working at Harvard beginning in February 2025. I am aware that on April 4, 2025, the Boston Globe reported on a federal government memorandum issued March 31 that specified grants for specific research projects the current administration is targeting. I know that some of these grants belong to UAW members.

10. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

11. I am aware that Harvard University has pledged $250 million in one-time stopgap funding to replace some of the roughly $2.7 billion in terminated funds. That amount is far from sufficient to replace the terminated funds at Harvard Medical School.

Research Funding

12. My salary is covered by an NIH virology training grant. The salaries of three of my co-workers are also covered by the National Science Foundation Graduate Research Fellowship Program, and I have been told all of these have been terminated.

13. The salary covered by the NIH virology training grant enabled me to study how the family that includes coronaviruses and the family that includes polioviruses control their gene expression. This allows me to learn how we can target new medicines to treat these viruses. I can

also use this same information to inform new designs of gene therapies so they have more specific effects.

14. At most, any backup funding source would only cover one of the two of us working on the picornavirus project and would limit funding for supplies. As a result, I have had to reallocate my time from my research to more grant writing to cover the gaps in funding for projects we had already secured funding for.

15. This grant writing time allocation is in addition to the lab management tasks I now share with the other postdoctoral fellow in my lab, as our lab manager was laid off in anticipation of these funding cuts. This includes administrative tasks like ordering supplies and hazardous waste removal.

16. The termination of funding would result in the halting of ongoing experiments, which could cost hundreds to thousands of dollars in immediate losses.

17. While I have been reassured by my direct supervisor that Harvard will provide salary support for at least one year, I have received no formal or official confirmation.

18. If I am unable to find funding to cover my salary (which used to be covered by the NIH grant), my entire project will stop, as the more junior researcher on the project is unable to execute the full scope of the project without my oversight and direction. This would cause approximately $250,000 to $300,000 in losses.

19. Even if I am able to find immediate partial funding for my salary or research from private sources, I do not expect this funding to continue beyond the end of this year.

20. As the Trump administration halted new grant funding for Harvard, the number of institutions that could provide grants for this project is severely limited.

Impacts on Speech and Academic Freedom

21. The threats to and terminations of Harvard's federal funding and related demands by the Trump administration that Harvard make changes to retain its funding have also had a chilling effect on my actions and the actions of those around me.

22. Because of these attacks, for the first time, I have started considering career options outside of the field I have been studying for more than a decade now. And I have specifically been applying to less virology projects due to the Trump administration's attacks on virology.

23. People, including myself, have been avoiding certain terms in grant applications, for example avoiding "diversity" when describing bio-diversity.

24. Individuals in my department are actively seeking jobs in other countries because of the Trump administration's disinformation around virology, fear for their safety as non-citizen workers, and among residents, fear that career opportunities in the United States will be gone.

25. I am aware of individuals altering their fields of study or fearing the pursuit of certain fields of study due to concerns that participating in those fields may result in targeting of them and their work.

26. As an individual from a low socioeconomic background, a first-generation citizen, and the first person in my immediate family to attend college, the attacks have impacted me both personally and professionally, as I fear that I will be targeted for identity- or diversity-related reasons in addition to my field of study.

27. I am publicly active in student and worker advocacy initiatives at Harvard, and I expect further targeting of individuals who choose to do so. While I have continued this work publicly, I am aware of others who have ceased doing so, to the detriment of our collective

advocacy. People have actively stated they are worried that even signing a petition for a fair contract could lead them to being deported.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: */s/ Adam Sychla*

Adam Sychla
Postdoctoral Research Fellow

EXHIBIT 31

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF KELSEY TYSSOWSKI

I, Kelsey Tyssowski, declare as follows:

1. I am a Postdoctoral Research Associate in the Departments of Organismic & Evolutionary Biology and Molecular & Cellular Biology at Harvard University.

2. I hold a PhD in Biological and Biomedical Sciences from Harvard University and a Bachelor's Degree in Molecular Biology and Neuroscience from Wesleyan University.

3. I am a member of Harvard Academic Workers, one of the two collective bargaining units of Harvard's chapter of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("HAW–UAW").

4. My research focuses on comparing different subspecies of deer mice with innate behavioral differences to understand how the nervous system enables skilled movement.

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard in recent months. In particular, I am aware that on March 10, 2025 the federal government sent a letter to Harvard and many other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy,

Department of Defense, the National Science Foundation ("NSF"), and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

10. I received a K99/R00 grant from the NIH that was supposed to cover my salary through March 2026, covering most of the end of my postdoctoral research and was supposed to cover the first three years of research in my own lab.

11. My understanding is that after June 30, 2025, any stopgap funding from Harvard University will not cover grants awarded to non-tenure-track researchers. It will be at the discretion of researchers' tenured/tenure-track faculty supervisor as to whether non-tenure track researchers whose federal funding has been terminated will be provided some amount of funding. At this time, I have not been guaranteed funding to support my salary and research through the summer of 2026. If I do not receive this stopgap funding, I may be forced to leave academic science entirely.

12. The loss of federal funding will imminently affect my work and my career prospects. The loss of my NIH funding will hinder my ability to travel, especially for an extended period as I had hoped, to visit a skilled movement research lab in North Carolina that I have been collaborating with as lead scientist for the past five years. This will negatively impact the research I am doing as part of this collaboration.

13. The loss of the R00 grant, which would have funded the first few years of research in my own lab, will negatively impact my chances of getting a tenure-track faculty job and

continuing my research program. If I am unable to secure a tenure-track faculty job this year, which has been made even more challenging due to the loss of my R00 grant, I may be forced to leave academic science entirely.

14. My research has developed a new system using deer mouse lines to study skilled movement. With the termination of my R00 grant and its impact on my ability to continue my research and obtain a faculty job, the world might never benefit from the discoveries that could be made with this system, as it depends on mouse lines that don't exist anywhere else in the world and expertise that I have developed since beginning my postdoctoral research in August 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: */s/ Kelsey Tyssowski*

Kelsey Tyssowski
Postdoctoral Research Associate

EXHIBIT 32

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF TRUDY MERRITT

I, Trudy Merritt, declare as follows:

1. I am a PhD student in Virology at Harvard Medical School.

2. I started my PhD program in 2023. I hold a Bachelor of Science in Cell/Cellular and Molecular Biology from Missouri State University.

3. I am a member of Harvard Graduate Students Union, one of the two collective bargaining units of Harvard's chapter of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("HGSU–UAW").

4. My research focuses on viral-host interactions and specifically how viruses interact with cell signaling pathways driving inflammation and cell death. I explore how viruses have evolved mechanisms to evade innate immune response.

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard in recent months. In particular, I am aware that on March 10, 2025 the federal government sent a letter to Harvard and many other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy,

Department of Defense, the National Science Foundation ("NSF"), and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

9. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

Research Funding

10. My PhD is entirely funded by the T32 grant program, which provides funding to train PhD researchers in specific research areas with a documented shortage of highly qualified scientists.

11. The loss of my T32 federal funding imminently affects my work and ability to continue in my PhD program. It impacts my ability to attend conferences to further my career and find collaborators for my research project, as I will not have the funding to attend them.

12. The termination of funding threatens the loss of my paycheck and without a paycheck, I would not be able to continue in my PhD program. As a full-time graduate student, I am not able to hold a full-time job that would financially support me. Without the T32 training grant, I am concerned I will have to halt all progress towards my degree to find employment elsewhere to afford essential living expenses. Since the termination of NIH funding, including all T32 training grants, I have received no specific information on how my PhD will continue to be funded. While Harvard has promised $250 million to support research on campus, it remains unclear how this money will be dispersed and how individual programs might supplement the remaining billions of research funding that has been cut to date. The continued uncertainty caused

by the termination of NIH funding for my PhD has also had a detrimental impact on my research progress by increasing anxiety and impacting my ability to focus.

Impacts on Academic Freedom

13. The threats to and terminations of Harvard's federal funding and related demands by the Trump administration that Harvard make changes to retain its funding have also had a chilling effect on my actions.

14. After the termination of my funding, I rewrote grant proposals and applications for federal funding to minimize my research's contribution to understanding viral infection and spread. My research and the work done by other virologists is necessary to better understand the biology of viruses and has a direct impact on public health. But I made these changes due to concerns that the applications would be rejected outright because of the Trump administration's views on the field of virology.

15. At this time, I have not submitted the funding applications due to additional actions taken by the Trump administration. Regardless of affiliation with entities outside of Harvard University (i.e. lab specific hospital affiliation), all Harvard graduate students must submit grants through Harvard. As was made clear in the contents of the administration's May 5th letter, as a Harvard graduate student, I have no current means of securing federal funding to continue my research.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 30, 2025

Signed: */s/ Trudy Merritt*

Trudy Merritt
PhD Student

EXHIBIT 33

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF JULES RIEGEL

I, Jules Riegel, hereby declare as follows:

1. I am a Lecturer on History and Literature at Harvard University.

2. I hold a PhD in Modern European History and a Master of History from Indiana University Bloomington.

3. My research and teaching focuses on the Holocaust, World War II, and global transgender history.

4. I am a member of the Harvard Academic Workers, one of the two collective bargaining units of Harvard's chapter of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("HAW–UAW").

5. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

6. I am aware that the Trump administration has taken a series of actions targeting Harvard. In particular, I am aware that on March 10, 2025, the federal government sent a letter to

Harvard and other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

7. I am aware that, on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

8. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these

terminations were made public, and I have read each of those letters. The government has now canceled about $2.7 billion in federal grants to Harvard.

9. I am also aware of a variety of "stop work" orders that have been issued by federal funding agencies to grants held by researchers working at Harvard beginning in February 2025. I am aware that on April 4, 2025, the Boston Globe reported on a federal government memorandum issued March 31 that specified grants for specific research projects the current administration is targeting. I know that some of these grants belong to UAW members.

10. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

11. The terminations of Harvard's federal funding and related demands by the Trump administration that Harvard make changes to retain its funding have had a chilling effect on my actions and the actions of those around me.

12. Because of these actions, I have had to reevaluate how I can safely teach courses on topics including global transgender history, World War II, and the Holocaust. For example, I decided not to teach a course on global transgender history in the upcoming fall semester due to fear of content-based retaliation, fear for my students' safety, and fear for myself as an openly transgender individual.

13. While I plan to teach courses on World War II and the Holocaust next year, since the April 11 Letter, I have been increasingly worried about how the administration's demands for "viewpoint diversity" and attacks on diversity, equity, and inclusion may affect these courses, including both curricular and pedagogical changes.

14. Additionally, the vagueness of the administration's attacks, using language like "ideological capture" in the April 11 Letter has created an environment of uncertainty around what is safe to teach or discuss in a classroom setting.

15. I am specifically concerned about the administration's goal of "reducing the power held by students and untenured faculty" and by those "more committed to activism than scholarship," as announced in the April 11 Letter. As a non-tenure-track faculty member who is also engaged in activism in addition to my scholarship, I am concerned that these attacks may result in me having even less control around my curriculum, such as hindering my ability to determine my own course content, or being forced to teach content with which I disagree.

16. There is broad concern within my department about how these policies may affect faculty, staff, and students.

17. I am fearful for the safety of my students, especially international students or students with immigrant backgrounds, including their ability to engage with critical scholarship around the Holocaust and transgender history.

18. Because of the administration's actions, I could not in good conscience recommend that doctoral applicants attend Harvard right now.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 31, 2025

Signed: */s/ Jules Riegel*

Jules Riegel
Lecturer on History and Literature

EXHIBIT 34

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE et al.,

Defendants.

Case No. 1:25-cv-10910

DECLARATION OF NEAL SWEENEY ON BEHALF OF UAW

I, Neal Sweeney, declare as follows:

1. My name is Neal Sweeney. My job title is Organizer, UAW Higher Education Department. My job duties include working closely with UAW local unions and UAW regions to develop strategic organizing goals and bargaining priorities to build power within the higher education sector; increasing membership engagement and mobilization through democratic, worker-led programs; supporting broad, diverse leadership development; and identifying and developing political and community action plans.

2. I am over the age of 18 and competent to testify as to the matters set forth in this affidavit based on my own personal knowledge.

3. The International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) is one of the largest and most diverse unions in North America, with members in the United States, Canada, and Puerto Rico and in virtually every sector of the economy including approximately 120,000 workers in higher education—graduate students,

postdoctoral scholars, researchers, university staff, and faculty—at institutions across the country. From UAW's earliest days, it has been a leader in the struggle to secure economic and social justice for all people. UAW has a strong history of supporting and bargaining for contract provisions that ensure diversity, equity and inclusion in the higher education sector and in all workplaces. UAW has been actively involved in every workers' rights and civil rights legislative battle since the 1930s, including the campaigns to pass the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Fair Housing Act, the Civil Rights Restoration Act of 1988, and legislation to prohibit discrimination against women, the elderly, and people with disabilities. In addition, UAW has long advocated for increased federal funding for scientific research, recognizing its importance for innovation, economic growth, and public health.

4. The UAW International Executive Board (which includes the President, Secretary-Treasurer, three Vice Presidents and nine Regional Directors) is responsible for carrying out the programs and policies approved by the Constitutional Convention delegates and running the day-to-day operations of the International Union. The UAW President's Office includes a number of departments that support UAW members, including the Higher Education Department. UAW members belong to more than 600 local unions across the U.S., Canada, and Puerto Rico. Local unions get support in organizing new members, bargaining contracts, handling problems with employers, member education, political action, community activities and more from both the national UAW offices and centers and each of the nine regional offices.

5. I am aware that the Trump administration has taken a series of actions targeting Harvard in recent months. In particular, I am aware that on March 10, 2025 the federal government sent a letter to Harvard and many other universities warning of potential enforcement actions. I am aware that on March 31, 2025, the federal government announced a comprehensive review of federal

contracts and grants at Harvard University and its affiliates. I am aware that officials from the Trump administration sent a letter to Harvard on April 3, 2025 demanding that Harvard immediately take a long list of actions to remain a recipient of federal funding (the "April 3 Letter"). I am aware that this was followed by a subsequent letter from Trump administration officials on April 11, 2025 with more detailed demands that "incorporate[d] and supersede[d] the terms" of the April 3 Letter and which the Trump administration proposed would serve "as the basis for an agreement in principle that will maintain Harvard's financial relationship with the federal government" (the "April 11 Letter," and together with the April 3 Letter, the "Demand Letters"). Both of the Demand Letters were made public and I have read the demands listed in the Demand Letters.

6. I am aware that on April 14, 2025, the DOJ Task Force to Combat Anti-Semitism froze over $2 billion in federal grants to Harvard. I understand that the federal government has since refused to disburse funds obligated to these grants despite receiving requests from Harvard University to do so.

7. I am aware that on May 5, 2025, Secretary of Education Linda McMahon announced that "Harvard should no longer seek GRANTS from the federal government, since none will be provided." I am aware that on May 6, 2025, the National Institutes of Health ("NIH") terminated its grants to Harvard. I am aware that on May 9, 2025, the Department of Agriculture terminated its grants to Harvard. I am aware that on May 12, 2025, the Department of Energy, Department of Defense, the National Science Foundation, and the Department of Housing and Urban Development each terminated their grants to Harvard. Letters communicating each of these terminations were made public, and I have read each of those letters.

8. I am also aware of public statements made by the Trump administration beginning in early 2025 attacking the work of university researchers and the integrity of American universities and making a range of threats about how the federal government intended to use its authority to impose numerous demands on Harvard University specifically.

9. At Havard University, the UAW represents two bargaining units that include union members directly impacted by the termination of federal funding: the Harvard Graduate Students Union ("HGSU-UAW Local 5118") and Harvard Academic Workers ("HAW-UAW"). HGSU-UAW Local 5118 was recognized in 2018 and is currently negotiating their third collective bargaining agreement. HGSU-UAW Local 5118 represents approximately 5,400 academic workers across Harvard University, including teaching fellows, course assistants, and graduate student research assistants. HAW-UAW was recognized in April 2024 and is currently negotiating their first collective bargaining agreement, representing more than 3,300 non-student academic workers, including postdoctoral researchers, lecturers, teaching assistants, research scientists, and others who do similar work at The Faculty of Arts and Sciences, Harvard Medical School, and the Harvard Divinity School.

10. At Harvard, UAW represents thousands of academic workers and non-student academic workers who receive federal funding, including research grants from the National Science Foundation and NIH.

11. Since April 2025, UAW has witnessed the extensive termination of federal funding at Harvard University. These funding terminations have directly impacted UAW's central activities. UAW has been forced to spend significant time and resources responding to the repercussions of the administration's actions on its members. UAW has counseled members who have lost funding, anticipate losing their jobs, and been unable to complete their experiments or thesis research

impacting their academic process and putting them at risk of leaving academic science entirely, and connected these members with outside resources. The expenditure of time and diversion of resources to respond to the fallout of the administration's actions has affected UAW's ability to do the representational, organizing, and advocacy work that is its core mission.

12. The threats to and termination of Harvard's federal funding and related demands by the Trump administration that Harvard make changes to retain its funding have also had a chilling effect on UAW member's actions and impacted UAW.

13. The administration's actions have created a pervasive sense of fear and intimidation among UAW members. Defendants' actions have led some members to no longer feel comfortable asserting their academic freedom and First Amendment rights.

14. UAW members are at the front lines of American research, including scientific research on critical public health issues. Yet their careers are being destabilized by unexplained political interference. I have seen or heard about more than 100 grant cancellation notices directly impacting UAW members at Harvard.

15. Due to the administration's actions and the termination of over $2 billion in federal funding, UAW has had to divert staff and financial resources to respond to the significant influx of inquiries from local union leaders and members regarding the effect of the administration's actions on their research funding, job stability, academic freedom, and due process rights.

16. UAW seeks to protect UAW-represented workers' terms & conditions of employment insofar as federal funds directly support UAW member jobs and the threatened and then actual termination of funding jeopardizes UAW members' jobs and chills their academic freedom. In addition, UAW has a long-standing history of supporting increased federal funding for scientific research, recognizing its importance for innovation, economic growth, and public health.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 1, 2025

Signed: */s/ Neal Sweeney*
Neal Sweeney

Case No. 25-2231

In the United States Court of Appeals
For the First Circuit

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS - HARVARD FACULTY CHAPTER; AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS; INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF JUSTICE; LEO TERRELL, in the 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; CRAIG TRAINOR, in the official capacity as Acting Assistant Secretary for the Office for Civil Rights, U.S. Department of Education; ELIZABETH MERRILL BROWN, in the official capacity as General Counsel of the U.S. Department of Education; ROBERT F. KENNEDY, JR., in the official capacity as the U.S. Secretary of Health and Human Services; MICHAEL B. STUART, in the official capacity as General Counsel of the U.S. Department of Health and Human Services; JAYANTA BHATTACHARYA, in the official capacity as the Director of the National Institutes of Health; EDWARD FORST, in the official capacity as Administrator of the U.S. General Services Administration; JOSH GRUENBAUM, in the official capacity as Commissioner of the Federal Acquisition Service;

(*caption continued on following page*)

Defendants-Appellants.

On Appeal from the United States District Court for the District of Massachusetts; Judge Allison Burroughs, Case No. 1:25-cv-10910-ABD

JOINT APPENDIX
(VOLUME 2: JA300-JA463)

(Counsel on following page)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER, et al. *Plaintiffs*, v. UNITED STATES DEPARTMENT OF JUSTICE, et al., *Defendants*.	Case No. 1:25-CV-10910-ADB

DEFENDANTS' LOCAL RULE 56.1 RESPONSE TO PLAINTIFFS' LOCAL RULE 56.1 STATEMENT OF UNDISPUTED MATERIAL FACTS AND IN SUPPORT OF DEFENDANTS' CROSS MOTION FOR SUMMARY JUDGMENT

Pursuant to Local Rule 56.1, Plaintiffs state the following material facts as to which there is no genuine dispute in support of their Motion for Summary Judgment:

I. After his inauguration, President Trump and his administration moved quickly to punish American universities that did not bend to his demands.

1. On January 29, 2025, President Trump signed Executive Order 14188, titled "Additional Measures to Combat Anti-Semitism." *See* HHSHarv_00000001.[1]

Response: Defendants admit or have no basis to dispute.

2. Executive Order 14188 requires the heads of all executive agencies or departments to submit reports identifying all civil and criminal authorities or actions within their jurisdictions "that might be used to curb or combat anti-Semitism, and containing an inventory and analysis of all pending administrative complaints, as of the date of the report, against or involving institutions

[1] Citations to Bates stamped documents are those produced by Defendants in the administrative record. The parties have agreed to file a joint excerpt of all cited portions of the administrative record at the close of briefing.

of higher education alleging civil-rights violations related to or arising from post-October 7, 2023, campus anti-Semitism." *Id.*

Response: Defendants admit or have no basis to dispute.

3. Executive Order 14188 explicitly reaffirmed Executive Order 13899, which President Trump issued on December 11, 2019, during his first term. Executive Order 13899 specifically invokes Title VI enforcement as the means for agencies to combat antisemitism on university campuses. *Id.*

Response: Defendants admit or have no basis to dispute.

4. On February 3, 2025, DOJ[2] announced the creation of a multi-agency "Task Force to Combat Anti-Semitism," led by Defendant Leo Terrell, to carry out the mandate of Executive Order 14188. Ex. 1. The DOJ Task Force includes representatives from GSA, DOJ, ED, and HHS.

Response: Defendants admit or have no basis to dispute.

5. On March 3, 2025, HHS, ED, and GSA announced a "comprehensive review of Columbia University's federal contracts and grants in light of ongoing investigations for potential violations of Title VI of the Civil Rights Act." Ex. 2 at 2. The announcement did not point to any specific allegations of "antisemitic harassment." *Id.*

Response: Disputed. Material cited cannot be presented in a form that would be admissible in evidence. Cited material contains allegations of "relentless harassment of Jewish students" and that "Jewish students have been assaulted and harassed."

6. On March 4, 2025, President Trump posted on Truth Social:

> All Federal Funding will STOP for any College, School, or University that allows illegal protests. Agitators will be imprisoned/or permanently sent back to the country from which they came. American

[2] Capitalized terms not defined herein have the meaning assigned in Plaintiffs' Second Amended Complaint, Dkt. 64.

> students will be permanently expelled or, depending on the crime, arrested. NO MASKS! Thank you for your attention to this matter.

Ex. 3.

Response: Defendants admit or have no basis to dispute.

7. On March 7, 2025 DOJ, HHS, ED, and GSA announced the "immediate cancellation of approximately $400 million in federal grants and contracts to Columbia University due to the school's continued inaction in the face of persistent harassment of Jewish students." Ex. 4 at 3. The announcement stated that these cuts "represent the first round of action and additional cancellations are expected to follow." *Id.*

Response: Defendants admit or have no basis to dispute.

8. The press release announcing the action stated, "decisive action by the DOJ, HHS, ED, and GSA to cancel Columbia's grants and contracts serves as a notice to every school and university that receives federal dollars that this Administration will use all the tools at its disposal to protect Jewish students and end anti-Semitism on college campuses." *Id*. at 4.

Response: Defendants admit or have no basis to dispute.

9. On or about March 9, 2025, Defendant Terrell stated: "We are going to bankrupt these universities. We are going to take away every single federal dollar. That is why we are targeting these universities." Ex. 5 at 1:41. He further stated, "The academic system in this country has been hijacked by the left, has been hijacked by the Marxists. They have controlled the mindset of our young people … and we have to put an end to it," *id.* at 2:41, and that "If these universities do not play ball, lawyer up, because the federal government is coming after you," *id.* at 4:17. He concluded, "President Trump is going after [the universities] in every aspect … this taskforce is every agency … Homeland Security is involved, the FBI is involved, HHS, the [Education]

department, and the Treasury department because we are going to go after their 501(c)(3) status …. This is my number one commitment." *Id.* at 6:35.

Response: Defendants admit or have no basis to dispute.

10. On March 10, Defendant ED issued a press release stating that it had sent letters to Harvard and fifty-nine other universities "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." Ex. 6 at 1.

Response: Defendants admit or have no basis to dispute.

11. In a March 19, 2025 interview, Defendant Terrell was asked if it was his "intention" to "get a consent decree where Columbia gets a new law school dean, they get a new president, a new board, a new department of history, a new set of reasonable time, place, and manner regulations for a [sic] speech on campus that ban masks." Ex. 7 at 9:31–9:43. Terrell answered, "Yes, yes, and yes." *Id.* at 9:59.

Response: Defendants admit or have no basis to dispute.

12. In the same interview Defendant Terrell stated, "what we did was we basically gave them noticed [sic], and we stopped providing the funding. And I've got news for you. To Harvard, to NYU, to Michigan, same thing's happening to them. It's going to happen, because we're going to look at the numbers of federal dollars, and … it totals in the hundreds of millions of dollars. And we're going after them." *Id.* at 4:12–4:34.

Response: Defendants admit or have no basis to dispute.

13. The interviewer later asked, "Who's the next target? I want it to be Harvard, and I want it to be Michigan, and I want it to be UCLA, but I don't get to pick the targets .... Who's the next target?" Defendant Terrell answered, "It's one of those three schools. I can't disclose it right

now, because I'll get in trouble. But one of those three schools. I just gave you some breaking news." *Id.* at 11:34–11:53.

Response: Defendants admit or have no basis to dispute.

II. Defendants freeze and ultimately terminate federal funding to Harvard on the basis of alleged civil rights violations despite undertaking no related investigative activities.

14. On March 31, Defendants HHS, ED, and GSA announced that they were "reviewing" Harvard's federal funding for failures to address antisemitism. GSAHarv_00000001–002.

Response: Defendants admit or have no basis to dispute.

15. This March 31 announcement included the following statements from Defendants Linda McMahon, Sean Keveney, and Josh Gruenbaum:

> "Harvard has served as a symbol of the American Dream for generations—the pinnacle aspiration for students all over the world to work hard and earn admission to the storied institution," said Secretary of Education Linda McMahon. "Harvard's failure to protect students on campus from anti-Semitic discrimination—all while promoting divisive ideologies over free inquiry—has put its reputation in serious jeopardy. Harvard can right these wrongs and restore itself to a campus dedicated to academic excellence and truth-seeking, where all students feel safe on its campus."
>
> ...
>
> "The Task Force will continue its efforts to root out anti-Semitism and to refocus our institutions of higher learning on the core values that undergird a liberal education," said HHS Acting General Counsel and Task Force member, Sean Keveney. "We are pleased that Harvard is willing to engage with us on these goals."
>
> ...
>
> "Hate in any form goes against the foundational principles of America. While Harvard's recent actions to curb institutionalized anti-Semitism—though long overdue—are welcome, there is much more that the university must do to retain the privilege of receiving federal taxpayer's hard earned dollars," said FAS Commissioner and Task Force Member, Josh Gruenbaum. "This administration has proven that we will take swift action to hold institutions accountable if they

> allow anti-Semitism to fester. We will not hesitate to act if Harvard fails to do so."

GSAHarv_00000001–002.

Response: Defendants admit or have no basis to dispute.

16. The same day, Defendant Gruenbaum sent a memorandum to the president of Harvard, Alan Garber, stating the following:

> 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, consisting of the Departments of Justice, Education, Health and Human Services, and the General Services Administration. GSA is leading a Task Force comprehensive review of 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 Harvard University.
>
> 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 $255.6 million of contract ceiling value. In addition, we are requiring you to send a list of all other contracts between the Federal Government and Harvard 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 $8.7 billion of multi-year grant commitments between Harvard 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.

GSAHarv_00000003.

Response: Defendants admit or have no basis to dispute.

17. On April 2, Defendant Keveney sent counsel for Harvard a document. Under the heading "Already Done by Harvard" this document listed the following bullets (restated here verbatim):

- Did not renew MOU with Birzeit University in West Bank.
- Faculty/Programs
  - Center for Middle Eastern Studies leadership dismissed.
  - Leadership of Religion and Public Life program at the Harvard Divinity School "departed suddenly" earlier this year.
  - Suspended Religion, Conflict, and Peace Initiative at HDS to "to rethink its focus and reimagine its future."
- Antisemitism lawsuit settlement implementation
  - Appoint an employee at its Office for Community Conduct to supervise and consult on antisemitism complaints.
  - Annual public report of Title VI violations and its response to those violations
  - IHRA definition + antisemitism trainings. Clarifying that Jewish and Israeli students are covered by existing policy.
  - Establish additional partnerships in Israel.
  - Investing additional resources
- Strengthened time, place, manner restrictions and enforcement.
  - Library demonstrations and classroom disruptions have been met with immediate consequences, including for involved faculty.
  - Librarian who removed photos of 10/7 hostages was immediately put on admin. leave and fired 2 days later.
  - Increased campus police patrols.
- Intellectual diversity.
  - FAS Dean Hoekstra told directors of FAS centers they would be required to meet with their divisional deans to explain how their programs are complying with recent guidance on intellectual diversity.
- Admissions
  - Promoting viewpoint diversity by requiring an admissions essay where applicants describe when they had a strong disagreement and how they resolved it in a tolerant manner.
  - Will return to requiring standardized test scores for admissions.
- Discipline
  - Overhauled fact-finding procedures for university disciplinary proceedings.
  - Faculty is voting this week on changes to disciplinary proceedings: only faculty trained to serve will be on disciplinary boards. There will be no appeals of disciplinary decisions short of expulsion.

HHSHarv_00005232.

Response: Defendants admit or have no basis to dispute.

18. Under the heading "Menu" this document listed the following bullets (restated here verbatim):

- Empower task forces/ensure reports are released. Should probably not be an ask, but we do want to have more info on why there hasn't been public movement since preliminary reports back in June '24.
- **Disciplinary reform and retrospective**.
  - Retrospective/review of discipline since 10/7. Address failures in holding rule violators accountable. Public reporting or reporting to TF.
  - Centralize discipline instead of many ad boards and faculty councils across the institution. Massively narrow scope.
  - Primacy of the presidency – appeals all end in the president's office.
  - Allow interim suspensions pending discipline or criminal proceedings when warranted.
  - Centralize complaint handling (fact finding procedures are already being standardized but not centralized).
  - Proactive enforcement, allow admin to initiate without requiring students to submit report first.
  - Zero tolerance for learning disruptions. Better enforcement of non-discrimination and anti-bullying policies.
  - More clarity on new rules – including IHRA (ensuring students understand the difference between criticism of Israel and antisemitism, and where that line may be crossed)
    - Where is it posted?
- **Student group accountability**.
  - Augmented Columbia accountability ask. Unrecognized groups must be held accountable, and recognized "cutout" groups must be treated the same as suspended/unrecognized organizations.
  - Protect the Harvard trademark. Unregistered groups like HOOP should not be using school trademarks.
- **Masking.**
  - No masking for the purpose of concealing identity or intimidation. Masked students must wear ID at all times.
- **Governance reforms**.
  - Harvard Corporation/Board of Overseers.
    - End gatekeeping of Overseer candidates by Harvard Alumni Association
    - Promote viewpoint diversity (next slate should demonstrate this commitment).
  - Resolution/Exec Committee – subset of Corporation to negotiate, ensure implementation, and report on progress.
  - * Further governance reforms/slim down *
  - Faculty Council reforms or * abolition. *

    - Transparency
  - A university-wide faculty senate does not currently exist but is something being planned and debated. Planning body held first meeting in December, very slow progress. Thoughts?

- **"Senior vice provost" oversight/review (install new leadership in problematic depts, same goals as CU) – CHOICE btwn this and receivership**
  - Center for Middle East Studies
  - **FXB (François-Xavier Bagnoud Center for Health and Human Rights)**. FXB is undergoing an internal review/investigation.
    - As a result of the internal review, Harvard did not renew its MOU with Birzeit University this year, but Harvard should end that relationship in its entirety. Commit to never renew.
    - FXB continues to operate the Palestine Program for Health and Human Rights.
      - Its "Palestine Social Medicine Course" will not take place at Birzeit this year, but will likely take place in Jordan again.
  - FAS Department of Near Eastern Languages and Civilizations
  - FAS Ethnicity, Migration, Rights Program
  - FAS Jewish Studies
  - HDS Religion and Public Life Program *
    - End relationship with Dar al-Kalima University ("Decolonizing Power").
  - Carr Center for Human Rights

- **Reporting/collaborate with Feds on foreign funding, assets, etc.**
  - S117 FULL DISCLOSURE – formal, profs receiving foreign $, take appropriate action
  - DHS – report ALL students and faculty
  - Clery Act

- **Collaboration and cooperation with Boston/Cambridge PD.**

- **Elimination of all DEI**
  - Harvard Foundation for intercultural and race relations

- **Merit-based admissions reform – TOTAL compliance with SFFA**
  - **Comprehensive reforms.**
  - Provide clearer guidelines.
  - Commit to admissions study similar to Columbia, with public report.
    - Title VI admissions investigation and report (contract w/ outside org. Peter*NC)
  - End prioritization of "activists" and DEI criteria.

- **Faculty and merit-based hiring reform**
  - **Accountability for faculty and staff involved in rule-breaking and promoting antisemitic encampments, etc.**
  - Tenure reform.

- New hires (including tenure track) to promote viewpoint diversity and free exchange of ideas.
  - Commit to cluster hiring across the University (not just in one program/school).
- Public change of stance on hiring priorities.
- Adopt UChicago Shils report on hiring.
- Clear guidelines on criteria for faculty hiring and tenure, with emphasis on intellectual diversity.
- End prioritization of "activists" and DEI criteria.

- **"Legacy of antisemitism initiative"**
- **(Third-party) Monitoring and Financial Accountability**
  - ***Senior secured 1st Lien on all Harvard assets which will serve as collateral to pay back government from Harvard in event of non-compliance in the future***
- Minimum 15 years of acceptable leadership experience to become President / head of the university

HHSHarv_00005233–5235.

Response: Defendants admit or have no basis to dispute.

19. On April 3, Defendants HHS, ED, and GSA sent a joint letter (the "April 3 Letter") outlining "immediate next steps that [Defendants] regard as necessary for Harvard University's continued financial relationship with the United States government" and listing nine demands "that the government views as necessary for Harvard to implement to remain a responsible recipient of federal taxpayer dollars." GSAHarv_00000005.

Response: Defendants admit or have no basis to dispute the quoted materials. Defendants dispute the characterizations of the material as "demands."

20. The April 3 Letter imposed the following demands (restated here verbatim):

> **Oversight and accountability for biased programs that fuel antisemitism.** Programs and departments that fuel antisemitic harassment must be reviewed and necessary changes made to address bias, improve viewpoint diversity, and end ideological capture.
>
> **Disciplinary reform and consistent accountability.** Harvard has an obligation to consistently and proactively enforce its existing disciplinary policies, ensuring that senior administrative leaders are

responsible for final decisions. Reforms must include a comprehensive mask ban (with medical and religious exemptions, given identification is always displayed) and a clarified time, place, and manner policy. Harvard must review and report on disciplinary actions for antisemitic rule violations since October 7, 2023.

Student group accountability. Recognized and unrecognized student groups, and their leadership, must be held accountable for violations of Harvard policy.

Governance and leadership reforms. Harvard must make meaningful governance reforms to improve its organizational structure to foster clear lines of authority and accountability, and to empower faculty and administrative leaders who are committed to implementing the changes indicated in this letter.

Merit-based admissions reform. Harvard must adopt and implement merit-based admissions policies; cease all preferences based on race, color, or national origin in admissions throughout its undergraduate, graduate, and other programs; and demonstrate through structural and personnel action that these changes are durable.

Merit-based hiring reform. Harvard must adopt and implement merit-based hiring policies; cease all preferences based on race, color, religion, sex, or national origin in hiring throughout its teaching and research faculty, staff, and leadership; and demonstrate through structural and personnel action that these changes are durable.

Diversity, Equity, and Inclusion (DEI) programs. DEI programs teach students, faculty, staff, and leadership to make snap judgments about each other based on crude race and identity stereotypes, which fuels division and hatred based on race, color, national origin, and other protected identity characteristics. All efforts should be made to shutter such programs.

Cooperation with law enforcement. Harvard must cooperate with law enforcement to ensure student safety.

Transparency and reporting to ED, DHS, and other federal regulators. Harvard must comply fully with existing statutory reporting requirements under Section 117 of the Higher Education Act, commit to full cooperation with DHS and other federal regulators, and make organizational changes as necessary to enable full compliance.

GSAHarv00000005–06.

Response: Defendants admit or have no basis to dispute the quoted materials. Defendants dispute the characterizations of the material as "demands."

21. The April 3 Letter stated that "Harvard University ... has fundamentally failed to protect American students and faculty from antisemitic violence and harassment in addition to other alleged violations of Title VI and Title VII of the Civil Rights Act of 1964." GSAHarv_00000005. It concluded: "We expect your immediate cooperation in implementing these critical reforms that will enable Harvard to return to its original mission of providing a high-quality education in a safe environment for *all* students through a focus on truth-seeking, innovative research, and academic excellence." GSAHarv_00000006.

Response: Defendants admit or have no basis to dispute.

22. The April 3 Letter did not point to any specific allegations of antisemitic violence or harassment and made no findings relating to any such allegations. *Id.*

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the April 3 Letter, which is itself a part of the Administrative Record in this case.

23. Eight days later, on April 11, Defendants HHS, ED, and GSA again sent a joint letter (the "April 11 Letter" and, together with the April 3 Letter, the "Demand Letters"). GSAHarv_00000007–011. The April 11 Letter stated that "Harvard has in recent years failed to live up to both the intellectual and civil rights conditions that justify federal investment." *Id.* It also stated that the United State's investment in Harvard "depends on Harvard upholding federal civil rights laws."

Response: Defendants admit or have no basis to dispute.

24. The April 11 Letter elaborated on the demands of the April 3 Letter and attempted to impose further—and even more extreme—"reforms" on "Harvard University's operations" as preconditions to "maintain[ing] Harvard's financial relationship with the federal government." *Id.*

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the April 11 Letter, which is itself a part of the Administrative Record in this case.

25. The April 11 Letter imposed the following demands (restated here verbatim):

> **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 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.

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.

GSAHarv_00000007–011.

Response: Defendants admit or have no basis to dispute the quoted materials. Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the April 11 Letter, which is itself a part of the Administrative Record in this case.

26. The April 11 Letter concluded by demanding "immediate cooperation in implementing these critical reforms." *Id.*

Response: Defendants admit or have no basis to dispute the quoted materials. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the April 11 Letter, which is itself a part of the Administrative Record in this case.

27. On April 14 at 4:46 pm, Harvard University responded to the April 11 Letter through counsel. HHSHarv_00000103–105. Harvard's April 14 Response stated:

> 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 than 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 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.

HHSHarv_00000104–105.

Response: Defendants admit or have no basis to dispute.

28. At 7:25 pm on April 14, Defendant Gruenbaum asked for one of Harvard's lawyers to "call [him] within the next 5 min." HHSHarv_00000107.

Response: Defendants admit or have no basis to dispute.

29. At 7:33 pm, Robert Hur, one of Havard's lawyers, responded that he would "call [Gruenbaum] shortly." HHSHarv_00000106.

Response: Defendants admit or have no basis to dispute.

30. Defendant Gruenbaum responded to Hur's email with a link to an April 14 press release posted on the GSA website. *Id.*

Response: Defendants admit or have no basis to dispute.

31. In that press release, the Funding Freeze, Defendants HHS, ED, and GSA stated:

> 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.

GSAHarv_00000012–13.

Response: Defendants admit or have no basis to dispute.

32. On May 5, Defendant McMahon, the Secretary of Education, sent President Garber a letter ("the Ineligibility Decision") in which Defendant McMahon stated that the Administration "remains committed to" the demands in the Demand Letters and "inform[ing] [President Garber] that Harvard should no longer seek GRANTS from the federal government, since none will be provided." EDHarvAR_0000008–09.

Response: Defendants admit or have no basis to dispute the quoted materials. Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the May 5 Letter, which is itself a part of the Administrative Record in this case.

33. Defendant McMahon's letter stated, in full:

> The Federal Government has a sacred responsibility to be a wise and important steward of American taxpayer dollars. Harvard University, despite amassing a largely tax-free $53.2 billion dollar [sic]

endowment (larger than the GDP of 100 countries), received billions of dollars of taxpayer largess each year. Receiving such taxpayer funds is a privilege, not a right. Yet instead of using these funds to advance the education of its students, Harvard is engaging in a systemic pattern of violating federal law. Where do many of these "students" come from, who are they, how do they get into Harvard, or even into our country—and why is there so much HATE? These are questions that must be answered, among many more, but the biggest question of all is, why will Harvard not give straightforward answers to the American public?

Harvard University has made a mockery of this country's higher education system. It has invited foreign students, who engage in violent behavior and show contempt for the United States of America, to its campus. In every way, Harvard has failed to abide by its legal obligations, its ethical and fiduciary duties, its transparency responsibilities, and any semblance of academic rigor. It has scrapped standardized testing requirements and a normalized grading system. This year Harvard was forced to adopt an embarrassing "remedial math" program for undergraduates. Why is it, we ask, that Harvard has to teach simple and basic mathematics, when it is supposedly so hard to get into this "acclaimed university"? Who is getting in under such a low standard when others, with fabulous grades and a great understanding of the highest levels of mathematics, are being rejected?

Harvard has even been embroiled in humiliating plagiarism scandals, exposed clearly and plainly in the media, with respect to your then University President, who has an embarrassment to our Nation. Much of Harvard's hateful discrimination was revealed last year, by the great work of Congresswoman Elise Stefanik, and her Committee. As if it were trying to embarrass itself even further, Harvard hired failed Mayors Bill De Blasio and Lori Lightfoot, perhaps the worst mayors ever to preside over major cities in our country's history, to supposedly teach "leadership" at their School of Public Health. This is like hiring the captain of the Titanic to teach navigation to future captains of the sea.

This incomprehensible failure becomes more understandable after reviewing Harvard's management. The Harvard Corporation, which is supposed to competently and professionally manage Harvard's vast academic, financial, and physical resources, is run by strongly left-leaning Obama political appointee Penny Pritzker, a Democratic operative, who is catastrophic and running the institution in a totally chaotic way. Harvard alumnus and highly successful hedge fund manager Bill Ackman noted that, under her leadership, Harvard has become "a political advocacy organization for one party."

Ackman has called for the resignation of Pritzker, concluding that "[t]he mismanagement here is Penny Pritzker" and noting that any serious corporation would have removed her after a litany of recent failures and the fact that, incredibly, "Harvard is not in a good financial position." According to Ackman, one of the world's foremost financial experts, Harvard's so-called $53 billion endowment is "massively overstated as far as what it's really worth," and Harvard has irresponsibly taken out $8 billion in debt.

If this is true, it is concerning evidence of Harvard's disastrous mismanagement, indicating an urgent need for massive reform—not continued taxpayer investment. If Harvard prefers not to change, then Harvard should have no problem using its overflowing endowment to fund its bloated bureaucracy.

At its best, a university should fulfill the highest ideals of our Nation, and enlighten the thousands of hopeful students who walk through its magnificent gates. But Harvard has betrayed this ideal.

Perhaps most alarmingly, Harvard has failed to abide by the United States Supreme Court's ruling demanding that it end its racial preferencing, and continues to engage in ugly racism in its undergraduate and graduate schools, and even within the Harvard Law Review itself. Our universities should be bastions of merit that reward and celebrate excellence and achievement. They should not be incubators of discrimination that encourage resentment and instill grievance and racism into our wonderful young Americans.

The above concerns are only a fraction of the long list of Harvard's consistent violations of its own legal duties. Given these and other concerning allegations, this letter is to inform you that Harvard should no longer seek GRANTS from the federal government, since none will be provided. Harvard will cease to be a publicly funded institution, and can instead operate as a privately-funded institution, drawing on its colossal endowment, and raising money from its large base of wealthy alumni. You have an approximately $53 Billion head start, much of which was made possible by the fact that you are living withing the walls of, and benefitting from, the prosperity secured by the United States of American and its free-market system you teach your students to despise.

The Administration had previously been willing to maintain federal funding to Harvard, so long as Harvard committed to complying with long-settled Federal Law, including to protect and promote student welfare and the landmark decision of our Supreme Court against racial preferencing. The proposed common-sense reforms—which the administration remains committed to—include a return to

> merit-based admissions and hiring, an end to unlawful programs that promote crude identity stereotypes, disciplinary reform and consistent accountability, including for student groups, cooperation with Law Enforcement, and reporting compliance with the Department of Education, Department of Homeland Security, and other Federal Agencies. The Administration's priorities have not changes and today's letter marks the end of new grants for the University.
>
> These requests will advance the best interests of Harvard University, so it can reclaim its status as a respected educational institution for the future leaders of America. Thank you for your attention to this matter!

EDHarvAR_0000008–010.

Response: Defendants admit or have no basis to dispute.

A. Defendant GSA

34. Beginning as early as April 30, representatives of Defendant GSA contacted members of the individual defendant agencies "to collect a few data points" on grants. GSAHarv_00000019; *see also* USDA-HARV-AR-00001; NASA-AR03692.

Response: Defendants admit or have no basis to dispute.

35. Defendant Gruenbaum and GSA employee Brandon Bartel then coordinated Harvard grant and contract terminations from each defendant agency. GSAHarv_00000038; May 19, 2025, Declaration of Josh Gruenbaum ("Gruenbaum Decl.") ¶10.[3]

Response: Disputed. Mischaracterizes the cited materials.

36. On May 8, Gruenbaum directed Bartel to "send [a] group" consisting of representatives from each Defendant agency a spreadsheet containing detailed information on a list of 1056 federal grants to Harvard with a total face value of over $2.8 billion. GSAHarv_00000038–39.

Response: Defendants admit or have no basis to dispute.

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[3] The Gruenbaum Decl. was produced by Defendants as part of the administrative record from Defendant GSA.

37. Bartel did so. GSAHarv_00000040–118.

Response: Defendants admit or have no basis to dispute.

38. GSA then identified a set of grants at each agency that they "asked [the Defendant agencies] to prepare … for … termination awaiting final greenlight from the White House." USDA-HARV-AR-00001.

Response: Defendants admit or have no basis to dispute.

39. Gruenbaum and GSA drafted a template letter which GSA directed agencies to use when canceling grants pursuant to this GSA directive. Gruenbaum Decl. ¶10.

Response: Disputed. Mischaracterizes the cited materials.

40. Gruenbaum reviewed and approved the letters the Defendant agencies drafted to effect the terminations. *See, e.g.*, GSAHarv_00000119.

Response: Disputed. Mischaracterizes the cited materials.

41. The Defendant agencies did in fact await the green light from GSA before sending their termination letters. *See, e.g.*, GSAHarv_00000125. And Gruenbaum, acting on behalf of GSA, coordinated with White House staff to ensure that the President and members of his "Domestic Policy Council" could monitor and direct these developments in real time. GSAHarv_00000126 (email from Gruenbaum to May Mailman, Deputy Assistant to the President and Senior Policy Strategist, and Joshua Hoyt of the Executive Office of the President stating "[s]o that WH [White House] is tracking, NASA is saying they will proceed"); GSAHarv_00000133.

Response: Disputed. Mischaracterizes the cited materials.

B. Defendant DOD

42. On May 12, Defendant Secretary of Defense Pete Hegseth sent President Garber a letter stating that "the projects in the enclosed spreadsheet will be terminated pursuant to 2 C.F.R.

§ 200.340(a)(4)" because they "no longer effectuate[d] the program goals or agency priorities." DoDHarv_00000039.

Response: Defendants admit or have no basis to dispute.

43. Defendant Hegseth's May 12 letter cited the same bases as the Demand Letters, stating that "[w]e understand that Harvard continues to engage in race discrimination, including in its admissions process, and in other areas of student life," that "recent events at Harvard University involving antisemitic action … suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students," and that Harvard had exhibited a pattern of "ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students." *Id*.

Response: Defendants admit or have no basis to dispute.

44. The letter concluded that "[s]upporting research in such an environment is plainly inconsistent with DoD's priorities." *Id*.

Response: Defendants admit or have no basis to dispute.

45. Neither Defendant Hegseth's May 12 letter nor any other part of the administrative record produced by DOD includes any specific allegations or findings relating to race discrimination, antisemitism, or any other civil rights violation. *Id*.

Response: Disputed.

46. Defendant Hegseth's May 12 letter did not provide any explanation for how the terminated projects no longer effectuated program goals or agency priorities other than Harvard's alleged civil rights violations, nor did it provide any explanation specific to the research supported by any of the individual projects. *Id*.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the May 12 Letter, which is itself a part of the Administrative Record in this case.

47. The letter attached a spreadsheet listing 56 awards with a total award amount of $105,372,130. DoDHarv_00000042–046.

Response: Defendants admit or have no basis to dispute.

48. On May 13, James Hickey informed over twenty DOD staff members that "SecDef has directed termination of the attached grants to Harvard University. Please issue [Stop Work Orders]+termination notice by EOD today, 5/13, for the grants in your respective portfolios." DoDHARV_00000048. These staffers complied with the SecDef directive. DoDHARV_00000001–032.

Response: Defendants admit or have no basis to dispute.

C. Defendant DOE

49. On May 12, Defendant the Department of Energy sent President Garber letters stating that "the projects in the attached spreadsheet [are] hereby terminated ... pursuant to 2 C.F.R. § 200.340(a)(4)" because they "no longer effectuate[] the program goals or agency priorities." ENERGY AR3940; ENERGY AR3944.

Response: Defendants admit or have no basis to dispute.

50. These letters cited the same bases as the Demand Letters, stating that DOE "understands that Harvard University (Harvard) continues to engage in race discrimination, including in its admissions process, and in other areas of student life," that "recent events at Harvard involving antisemitic action … suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students," and that Harvard had exhibited a pattern of "ongoing inaction in

the face of repeated and severe harassment and targeting of Jewish students." ENERGY AR3929–946.

Response: Defendants admit or have no basis to dispute.

51. The letters concluded that "[s]upporting research in such an environment is plainly inconsistent with DOE's priorities." ENERGY AR3929–946.

Response: Defendants admit or have no basis to dispute.

52. Neither the DOE May 12 letters nor any part of the administrative record produced by the DOE includes allegations or findings relating to race discrimination, antisemitism, or any civil rights violation.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the May 12 Letter, which is itself a part of the Administrative Record in this case.

53. The DOE's letters did not provide any explanation for how the terminated projects no longer effectuated program goals or agency priorities other than Harvard's alleged civil rights violations, nor did it provide any explanation specific to the research supported by any of the individual projects.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the May 12 Letter, which is itself a part of the Administrative Record in this case.

54. The letters attached spreadsheets listing 18 awards with a total award amount of $72,083,094.00. ENERGY AR3921–925.

Response: Defendants admit or have no basis to dispute.

D. Defendant DOJ

55. The administrative record produced by DOJ comprises declarations stating that DOJ has canceled no grants or contracts awarded to Harvard. It includes no other documents. May 16, 2025, Declaration of Maureen A. Henneberg; May 19, 2025, Declaration of Tara Jamison; May 6, 2025, Declaration of Erin M. Lorah.

Response: Defendants admit or have no basis to dispute.

56. The administrative record produced by DOJ includes no record of any investigation or findings as to any civil rights violations, including allegations of antisemitism.

Response: Defendants admit or have no basis to dispute.

E. Defendant ED

57. On May 12, Murray Bessette of the ED Office of Planning, Evaluation, and Policy Development sent a letter to a professor in the Harvard Graduate School of Design terminating that professor's award and citing "2 C.F.R. § 200.340-43." EDHarvAR_0000011–012. This termination letter states that ED "understands that Harvard continues to engage in race discrimination, including in its admissions process, and in other areas of student life" that "recent events at Harvard involving antisemitic action ... suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students," and that Harvard had exhibited a pattern of "ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students." EDHarvAR_000011. This award had a face value of $821,415. EDHarvAR_0000013.

Response: Defendants admit or have no basis to dispute.

58. Neither Bessette's letter nor Defendant McMahon's May 5 Ineligibility Decision nor any other part of the administrative record produced by ED includes any specific allegations or findings relating to race discrimination, antisemitism, or any other civil rights violation.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of Besette's Letter and the May 5 Ineligibility Decision, which are themselves a part of the Administrative Record in this case.

59. Defendant McMahon and Murray Bessette's letters did not provide any explanation for how the terminated projects no longer effectuated program goals or agency priorities other than Harvard's alleged civil rights violations, nor did it provide any explanation specific to the research supported by any of the individual projects.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of Besette's Letter and the May 5 Ineligibility Decision, which are themselves a part of the Administrative Record in this case.

60. These letters invoke allegations of civil rights violations including antisemitism as the basis for these actions but the administrative record produced by ED includes no record of any investigation or findings as to any such violations.

Response: Defendants admit or have no basis to dispute.

F. Defendant HHS

61. On April 14, Robert Foster, Deputy General Counsel for HHS, announced to HHS colleagues that HHS "has taken action to pause payments on NIH grants to Harvard University ... These payments are to remain paused until further notice. This will impact $2.172B in total grant funding ... across 658 individual grants." HHSHarv_00000110.

Response: Defendants admit or have no basis to dispute.

62. On May 6, Michelle G. Bulls, Director of the HHS Office of Policy for Extramural Research Administration, sent President Garber a letter stating "that funding for the attached

spreadsheet will be terminated ... pursuant to ... 2 C.F.R. § 200.340(a)(4)" because the "awards no longer effectuate agency priorities." HHSHarv_00000473. The letter stated that "NIH understands that Harvard continues to engage in race discrimination including in its admissions process, and in other areas of student life," that "recent events at Harvard University involving antisemitic action ... suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students," and that Harvard had exhibited a pattern of "ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students." HHSHarv_00000474. The letter states that "upon being made aware of systematic institutional failures to address deeply rooted antisemitism and racial discrimination, the University has refused to take appropriate action." *Id.*

Response: Defendants admit or have no basis to dispute.

63. The letter concludes that "[s]upporting research in such an environment is plainly inconsistent with NIH's priorities." *Id.*

Response: Defendants admit or have no basis to dispute.

64. Neither communication nor any other part of the administrative record produced by HHS includes any specific allegations or findings relating to race discrimination, antisemitism, or any other civil rights violation.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of Besette's Letter and the May 5 Ineligibility Decision, which are themselves a part of the Administrative Record in this case.

65. Neither Foster's email nor Bull's letter provided any explanation for how the terminated projects no longer effectuated program goals or agency priorities other than Harvard's

alleged civil rights violations, nor did it provide any explanation specific to the research supported by any of the individual projects.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of Besette's Letter and the May 5 Ineligibility Decision, which are themselves a part of the Administrative Record in this case.

66. Bull's letter attached spreadsheets listing 658 awards with a total award amount of $2,256,278,773.00. HHSHarv_00000476.

Response: Defendants admit or have no basis to dispute.

67. Defendant HHS also included in its administrative record the following documents:

a. The Demand Letters.

b. A copy of the December 18, 2024, U.S. House of Representatives Staff Report on Antisemitism. HHSHarv_00000013–055. The House Report's "findings" included: "Harvard Administrators Deliberately Chose Not to Condemn Hamas in Their Widely Criticized October 9th Statement"; "Harvard's Then-President Gay and Then-Provost Garber Asked Harvard Corporation Senior Fellow … Not to Call the Slogan 'From The River To The Sea' … antisemitic hate speech"; "Harvard failed to suspend any students for conduct violations" and "Harvard College's disciplinary board downgraded many sanctions": and Harvard's "then-President Gay disparaged Representative Elise Stefanik in an official Board of Overseers meeting[.]" *Id.*

c. An April 1, 2025 letter from Katherine V. Roe, Ph.D., from the organization People for the Ethical Treatment of Animals "request[ing] that ... you consider canceling Harvard's National Institutes of Health (NIH) funding for cruel and ineffective visual deprivation experiments on infant rhesus macaques." HHSHarv_00000056–060.

d. An April 4, 2025 email from Jonathan Bari to Defendants Keveney, Wheeler, and Gruenbaum attaching a January 2024 email chain between Bari and President Alan Garber discussing legacy admissions. HHSHarv_00000064.

e. An April 5, 2025 email from John Hoffman to Defendants Keveney, Thomas Wheeler, and Gruenbaum stating "I salute your efforts, and that of

the administration to eradicate antisemitism, while insisting that colleges receiving governments grants adopt merit based admissions policies" and that "legacy admissions" policies "stand[] in direct opposition to any merit based admissions policy" and so "eliminating legacy practices must be included in such reform [at Harvard] before reactivating federal grant monies flowing Harvard's way." HHSHarv_00000075–078.

f. An April 10, 2025 email chain between Defendants Keveney, Wheeler, and Gruenbaum (among others) and counsel for Harvard University discussing the resignation of Bashar Masri from the Harvard Kennedy School's Dean's Council in which Gruenbaum writes "So I presume he resigned once the complaint was officially filed …?" HHSHarv_00000079–082.

g. A fourteen-page memorandum document titled "Addressing Antisemitism and Anti-Americanism at Harvard University." The document is undated and does not identify its author. The document concludes that, in the unidentified author's view, antisemitism was occurring at Harvard as of whatever date the document was written. The document then identifies many steps that the unidentified author recommends. The author encourages the government to force Harvard to eliminate any program that is at all affiliated with Palestinian studies, human rights, "ethnic studies," or "DEI." HHSHarv_00000083–097.

h. An April 21 email chain between Defendants Gruenbaum and Keveney plus Robert Charrow of HHS circulating a screenshot of an Instagram post from the account "@oxact4pal" marking April 17 as "Palestinian Prisoner's Day." The post discusses a scheduled day of remembrance for "Palestinians who have been wrongfully imprisoned or unlawfully detained." The email chain includes a second screenshot identifying collaborators on the post that appear to be associated with student groups at Oxford University, Cambridge University, and Harvard. HHSHarv_00000159–161.

i. A copy of the final report, dated April 29, 2025, from Harvard's Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias. HHSHarv_00000162–472.

Response: Defendants admit or have no basis to dispute.

G. Defendant HUD

68. On May 12, Defendant HUD sent several letters to President Garber stating that certain federal funding commitments to Harvard had been terminated "pursuant to [HUD's] authority under 2 C.F.R. § 200.340(a)(4)". HUDHarvAR_00000062–067.

Response: Defendants admit or have no basis to dispute.

69. Each of these letters stated that "HUD has determined that this award no longer effectuates agency priorities" but provided no explanation of the agency priorities at issue or why the program itself no longer effectuated them, nor does any other aspect of the administrative record produced by Defendant HUD. *Id.*

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the May 12 letter, which is itself a part of the Administrative Record in this case..

70. These letters identify 3 awards with a total award amount of $2,058,062. HUDHarvAR_00000062–067; GSAHarv_00000038.

Response: Defendants admit or have no basis to dispute.

H. Defendant NASA

71. On May 9, Defendant NASA sent a letter addressed to the President and Fellows of Harvard College stating that five NASA grants to Harvard University had been terminated. NASA-AR03749. These grants had a total award amount of $12,420,262.00. NASA-AR03703.

Response: Defendants admit or have no basis to dispute.

72. This letter stated that the grants were terminated because they "no longer effectuate[] the program goals or agency priorities" but provided no explanation of the agency priorities at issue or why the program itself no longer effectuated them other than that they were not "mission essential," nor does any other aspect of the administrative record produced by Defendant NASA. *Id.*

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the May 9 Letter, which is itself a part of the Administrative Record in this case.

I. Defendant NSF

73. On April 18 and April 25, Jamie French of Defendant NSF sent emails to Vice Provost for Research John Shaw stating that NSF had terminated certain awards to Harvard University. NSF_Harvard000002; NSF_Havard000010. These emails canceled six awards with a face value of $3,287,474. NSF_Harvard000002–037.

Response: Defendants admit or have no basis to dispute.

74. These emails stated that the grants were terminated because they are "not in alignment with current NSF priorities" but provided no explanation of the agency priorities at issue or why the programs themselves no longer effectuated them, nor does any other aspect of the administrative record produced by Defendant NSF. NSF_Harvard000002; NSF_Harvard000010.

Response: Disputed.

75. On May 12, French sent a letter to President Garber stating that "the attached awards are terminated." NSF_Harvard000039.

Response: Defendants admit or have no basis to dispute.

76. This May 12 letter stated that "NSF understands that Harvard continues to engage in race discrimination including in its admissions process, and in other areas of student life, as well as failing to promote a research environment free of antisemitism and bias." *Id.*

Response: Defendants admit or have no basis to dispute.

77. None of these communications nor any other part of the administrative record produced by NSF includes any specific allegations or findings relating to race discrimination, antisemitism, or any other civil rights violation. *Id.*

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the April 18 and April 25

emails, and the May 12 Letter, which is themselves a part of the Administrative Record in this case.

78. None of these communications cited 2 C.F.R. § 200.340.

Response: Defendants admit or have no basis to dispute.

79. Neither French's emails nor French's letter provided any explanation for how the terminated projects no longer effectuated program goals or agency priorities other than Harvard's alleged civil rights violations, nor do they provide any explanation specific to the research supported by any of the individual projects.

Response: Defendants do not dispute. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the April 18 and April 25 emails, and the May 12 Letter, which is themselves a part of the Administrative Record in this case.

80. French's letter attached a spreadsheet listing 193 awards. NSF_Harvard000041–044. These 193 awards have a face value of $192,135,950.00. NSF_Harvard000045–1037.

Response: Defendants admit or have no basis to dispute.

J. Defendant USDA

81. In a May 8 spreadsheet setting grants for cancellation, the rows setting forth the four grants associated with Defendant USDA contain a note stating, "To the extent we're thinking of these as potential termination candidates, note these are not grants and do not have unilateral termination options per 2 CFR part 200." USDA-HARV-AR-00084–086; Harvard Grants – Line Item.xlsx at rows 344; 376; 551; 819 (document produced as native).

Response: Defendants admit the existence of the quoted material. However, the facts stated herein are not material to Plaintiff's claims as they are a characterization of

the "Harvard Grants – Line Item.xlsx" spreadsheet, which is itself a part of the Administrative Record in this case.

82. On May 9, Defendant USDA sent a letter to President Garber stating that "funding for the projects in the attached spreadsheet will be terminated." USDA-HARV-AR-00008–009.

Response: Defendants admit or have no basis to dispute.

83. This termination letter states that "recent events at Harvard involving antisemitic action ... suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students" and that Harvard had exhibited a pattern of "ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students." *Id.*

Response: Defendants admit or have no basis to dispute.

84. This termination letter concludes that "[s]upporting research in such an environment is plainly inconsistent with Forest Service priorities." *Id.*

Response: Defendants admit or have no basis to dispute.

85. This termination letter did not cite 2 C.F.R. § 200.340 or any other source of regulatory authority.

86. Neither the USDA's May 9 letter nor any other part of the administrative record produced by USDA includes any specific allegations or findings relating to race discrimination, antisemitism, or any other civil rights violation.

Response: Defendants dispute. Moreover, the facts stated herein are not material to Plaintiff's claims as they are a characterizations of the May 9 Letter and the Administrative Record of USDA, which themselves a part of the Administrative Record in this case.

87. The letter did not provide any explanation for how the terminated projects no longer effectuated program goals or agency priorities other than Harvard's alleged civil rights violations, nor did it provide any explanation specific to the research supported by any of the individual projects.

Response: Defendants dispute. Moreover, the facts stated herein are not material to Plaintiff's claims as they are a characterization of the May 9 Letter, which is itself a part of the Administrative Record in this case.

88. This letter attached a spreadsheet listing 4 awards. Harvard Agreements Spreadsheet.xlsx (document produced as native). These awards had a face value of $729,471. *See* Harvard Grants – Line Item.xlsx (document produced as native).

Response: Defendants admit or have no basis to dispute.

III. Defendants continue to punish Harvard for its refusal to meet their demands.

89. On April 15, the day after Defendants initially announced their freeze of $2.2 billion in federal funds to Harvard, President Trump posted on Truth Social: "Perhaps Harvard should lose its Tax Exempt Status and be Taxed as a Political Entity if it keeps pushing political, ideological, and terrorist inspired/supporting 'Sickness?' Remember, Tax Exempt Status is totally contingent on acting in the PUBLIC INTEREST!" Ex. 8.

Response: Defendants admit or have no basis to dispute.

90. On April 16, President Trump posted on Truth Social:

> 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 "bird-brains" 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 [sic] 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!

Ex. 9.

Response: Defendants admit or have no basis to dispute.

91. On April 24, President Trump again posted about Harvard on Truth Social:

> 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 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." 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!

Ex. 10.

Response: Defendants admit or have no basis to dispute.

92. On May 2, President Trump reiterated his tax status threat, stating that "We are going to be taking away Harvard's Tax Exempt Status" because "[i]t's what they deserve!"

Ex. 11.

Response: Defendants admit or have no basis to dispute.

93. On May 7, Defendant McMahon stated:

> Part of their lawsuit is about First Amendment, and I said, this is absolutely not about the First Amendment, we want First Amendment rights, this is about civil rights. This is about safety on campuses, it is making all of the students there feel that their civil rights

> are intact, that they weren't being prohibited from attending class. That they weren't afraid to be on campus. Harvard had a lot of encampments, their antisemitism that they did not address you know for years. But we also wanted to make sure some of the other things that we talked about was are they vetting students who are coming in from outside of the country to make sure they're not activists, are they vetting professors that they're hiring to make sure that they're not teaching ideologies but that they're teaching subject matter?
>
> ...
>
> In the interim, on the side, they're doing some of the things [we asked for] ... [so] we're thinking we're having an impact as well.
>
> ...
>
> When you see things like, they have to offer remedial math or beginning algebra, what are their acceptance standards? Have they lowered them?
>
> ...
>
> If federal dollars, which means taxpayer dollars, your dollars, my dollars, taxpayer dollars are going to an institution that is not in compliance with the law, I mean the Supreme Court case that was recently you know against Harvard said, you know, "you must comply with your admissions policies," and they're not doing it. We've seen some results that they're not doing it, so we want them to comply with the law.

Ex. 12 at 0:35–1:22; 1:43–2:04; 2:40–2:49; 3:54–4:20.

Response: Defendants admit or have no basis to dispute.

94. On May 13, Defendants HHS, ED, and GSA released a joint statement declaring that

> Harvard's campus, once a symbol of academic prestige, has become a breeding ground for virtue signaling and discrimination. This is not leadership; it is cowardice. And it's not academic freedom; it's institutional disenfranchisement. There is a dark problem on Harvard's campus, and by prioritizing appeasement over accountability, institutional leaders have forfeited the school's claim to taxpayer support. As a result, eight federal agencies across the government are announcing the termination of approximately $450 million in grants to Harvard, which is in addition to the $2.2 billion that was

> terminated last week. [Defendants HHS, ED, and GSA] fully support the Trump Administration's multi-agency move to cut funding to Harvard, demonstrating the entire Administrations commitment to eradicating discrimination on Harvard's campus. As we have made clear time and again, this Task Force will not waver in its mission to root out discrimination, hate and bigotry at institutions entrusted with public funds. Harvard, and its leadership group who are tainted by egregious infractions under its watch, faces a steep uphill battle to reclaim its legacy as a lawful institution and center of academic excellence.

GSAHarv_00000015.

Response: Defendants admit or have no basis to dispute.

95. On May 28 Defendant McMahon stated that

> When we looked at different aspects of what Harvard was doing relative to anti-Semitism on its campuses they were not enforcing Title VI the way it should be. And we had conversations with President Garber and I expected that we would have more, but Harvard's answer was a lawsuit so that's where we find ourselves ... I think the President is looking at this as, OK, how, how can we really make our point, and what are the things that Harvard and other universities are doing that we, that we have to call attention to?

Ex. 13 at 1:43–2:19.

Response: Defendants admit or have no basis to dispute.

IV. Defendants' actions harm Plaintiffs and Plaintiffs' members.

A. Harms to Plaintiffs

1. Plaintiff AAUP

96. The "primary mission" of Plaintiff AAUP "is to advance academic freedom and shared governance in higher education, define fundamental professional values and standards for higher education, promote the economic security of academic workers, and ensure higher education's contribution to the common good." Ex. 15 ¶6. AAUP has three guiding principles: academic freedom, governance, and economic security. Ex. 14 ¶22.

Response: Defendants admit or have no basis to dispute.

97. Plaintiff AAUP "regularly consults, works with, and represents local chapters and individual members regarding academic freedom, faculty governance, and other issues involving the employment relationship between AAUP members and their employers, including but not limited to collective bargaining." Ex. 15 ¶19. Through its local chapters, AAUP "provides for the representation of individual members regarding academic freedom, shared governance, and due process issues in proceedings before their university employers." *Id.* ¶22. AAUP maintains a standing committee, known as Committee A on Academic Freedom and Tenure, which "[p]romotes principles of academic freedom, tenure, and due process in higher education through the development of policy documents and reports relating to these subjects and the application of those principles to particular situations that are brought to its attention." *Id.* ¶20.

Response: Defendants admit or have no basis to dispute.

98. AAUP joint governance guidelines "detail the joint responsibility of faculty, administrations, and governing boards to govern colleges and universities" and note that "when it comes to academic matters, a faculty decision should normally be the final decision." Ex. 14 ¶33.

Response: Defendants admit or have no basis to dispute.

99. Defendants' actions have "directly impaired the AAUP's mission by pressuring Harvard to curtail speech and academic freedom on campus." Ex. 15 ¶27.

Response: Defendants dispute. Defendants make argumentative legal conclusions. Moreover, Plaintiffs have failed to show legally cognizable harm.

100. Plaintiff AAUP "must now expend more time and money to ensure that its members' rights in these regards are protected." *Id.* ¶25.

Response: Defendants dispute. Defendants make argumentative legal conclusions. Moreover, Plaintiffs have failed to show legally cognizable harm.

101. Plaintiff AAUP has "diverted internal resources of staff time and expenses to assist Harvard members prepare to respond to the demands of the Trump administration." *Id.* ¶22. In response to a "significant influx of inquiries from chapter leaders and members regarding the effect of [Defendants'] actions on members' academic freedom, shared governance, and due process rights … AAUP staff have had to conduct nationwide calls and virtual meetings with chapter leaders regarding [Defendants'] actions and how to represent individual members in the face of such actions." *Id.* ¶26.

Response: Defendants have no basis to dispute.

102. Defendants' actions have also "caused a pervasive sense of fear and intimidation among AAUP members." *Id.* ¶29. Because of Defendants' actions, "some AAUP members no longer feel comfortable participating in and supporting the AAUP's activities, or asserting their academic freedom, shared governance, and due process rights." *Id.*

Response: Defendants dispute. Defendants make argumentative legal conclusions. Moreover, Plaintiffs have failed to show legally cognizable harm.

2. Plaintiff AAUP-Harvard Faculty Chapter

103. Plaintiff AAUP-Harvard "advocates for policies at Harvard that promote AAUP's mission of advancing academic freedom and shared government, defining professional values and standards for higher education, ensuring higher education's contribution to the common good, and safeguarding the economic security of faculty, academic professionals, graduate students, post-doctoral fellows, and others engaged in teaching and research in higher education." Ex. 14 ¶5. As part of this mission, AAUP-Harvard "provides support to AAUP members on Harvard's campus." *Id.*

Response: Defendants admit or have no basis to dispute.

104. Plaintiff AAUP-Harvard now "has to spend time dealing with crises and putting people in touch with needed resources instead of doing the internal governance work that the AAUP usually does within the university." *Id.* ¶20. AAUP-Harvard now "holds twice as many meetings with [its] members as [it] did before" the actions described herein to "address the significant obstacles" the Demand Letters and funding freezes and terminations "pose to the academic freedom and economic security of [AAUP-Harvard's] members." *Id.* ¶21. AAUP-Harvard uses these meetings to "discuss[] how and whether AAUP-Harvard members can maintain their academic freedom in the wake of these attacks." *Id.* AAUP-Harvard has also "sponsored a training on digital surveillance and information security for [its] members, and [is] in the process of planning a Know Your Rights workshop aimed specifically at faculty." *Id.* ¶20.

Response: Defendants admit or have no basis to dispute.

3. Plaintiff UAW

105. Plaintiff UAW "is one of the largest and most diverse unions in North America, with members in the United States, Canada, and Puerto Rico and in virtually every sector of the economy including approximately 120,000 workers in higher education"—graduate students, postdoctoral scholars ("postdocs"), researchers, university staff, and faculty—at institutions across the country, including at Harvard. Ex. 34 ¶3. UAW members are part of over 600 local unions across the U.S., Canada and Puerto Rico. *Id.* ¶4Local unions receive support "in organizing new members, bargaining contracts, handling problems with employers, member education, political action, community activities and more from both the national UAW offices and centers and each of the nine regional offices." *Id.*

Response: Defendants admit or have no basis to dispute.

106. Plaintiff UAW represents two bargaining units that include union members directly impacted by the termination of federal funding at Harvard University: the Harvard Graduate

Students Union ("HGSU-UAW Local 5118") and Harvard Academic Workers ("HAW-UAW"). *Id.* ¶9. HGSU-UAW Local 5118 "represents approximately 5,400 academic workers across the Harvard University, including teaching fellows, course assistants, and graduate student research assistants." *Id*. HAW-UAW "represent[s] more than 3,300 non-student academic workers, including postdoctoral researchers, lecturers, teaching assistants, research scientists, and others who do similar work at The Faculty of Arts and Sciences, Harvard Medical School, and the Harvard Divinity School." *Id.*

Response: Defendants admit or have no basis to dispute.

107. Plaintiff UAW represents "thousands of academic workers and non-student academic workers who receive federal funding" at Harvard. *Id.* ¶10. The federal funding terminations have "directly impacted UAW's central activities" as it has been "forced to spend significant time and resources responding to the repercussions of the administration's actions on its members" and connecting them with outside resources, including counseling members who have: lost funding, anticipate losing their jobs, and not been able to complete their experiments or thesis research affecting their academic progress and putting them at risk of having to leave academic science entirely. *Id.* ¶11. For Plaintiff UAW, the "expenditure of time and diversion of resources to respond to the fallout of the administration's actions has affected [its] ability to do the representational, organizing, and advocacy work that is its core mission." *Id.*

Response: Defendants admit or have no basis to dispute.

B. Harms to Plaintiffs' Members

1. Harms to Plaintiffs AAUP's and Harvard-AAUP's members

108. Plaintiffs are aware of at least twenty AAUP-Harvard members who have lost their federal funding as a result of Defendants' actions. Ex. 14 ¶13.

Response: Defendants dispute that Plaintiffs have any claim to federal funding to a third party.

109. These members are now unable to continue their research, plan future research, maintain professional relationships, and retain or recruit staff to work on their projects. Ex. 15 ¶13.

Response: Defendants admit or have no basis to dispute.

110. AAUP-Harvard's members are concerned about losing their jobs and ability to continue to support their livelihoods as a result of Defendants' actions. *Id.* ¶15. Defendants' actions may "unrecoverably disrupt" researchers' life work and be "career ending." Ex. 14 ¶46.

Response: Defendants admit or have no basis to dispute.

111. Scientific research "is built upon a complex infrastructure of scientists, data analysts, administrators and trainees" and "requires technical expertise that is developed over years of mentoring and is often held in the hands of specific experienced individuals." *Id.* Researchers must plan years in advance and have fundable projects lined up to provide continuous resources for long-term projects. *Id.*

Response: Defendants admit or have no basis to dispute.

112. Nearly 60% of the operating budget of the Harvard T.H. Chan School of Public Health ("HSPH") comes from federal grants. *Id.* ¶42. Virtually every grant at HSPH has been terminated and some faculty have expressed doubt about whether HSPH will be able to continue existing. *Id.* HSPH "will not be able to recoup their institution and work if federal funding is not resumed within a short time period." *Id.* Faculty at HSPH were recently informed that Harvard will only make about $25 million available to cover research costs for terminated projects during the coming fiscal year. Ex. 16 ¶11.

Response: Defendants admit or have no basis to dispute.

113. Harvard has implemented a hiring freeze in response to Defendants' actions. Ex. 14 ¶44. Plaintiffs' members cannot hire new research assistants and there is a freeze on tenure-track hiring, which means faculty cannot fill teaching gaps in departments. *Id.* Some term-limited lecturers are timing out of their contracts and, due to the hiring freeze, these lecturers will not be replaced and bodies of knowledge will no longer be taught at Harvard as a result. *Id.* ¶45.

Response: Defendants have no basis to dispute.

114. According to the AAUP-Harvard President, Defendants' demands listed in the Demand Letters will have the following effects on AAUP members' academic freedom:

a. The demands concerning DEI programs "will be interpreted, especially among non-tenure-track and other contingent faculty who do not have the protections of tenure, as implying that any kind of teaching and research related to race, ethnicity, racial equity, and identity, whether in a U.S. or global context, is too risky and could lead to career-damaging consequences." *Id.* ¶35.

b. The demands about empowering certain faculty and senior leadership and reducing the power held by faculty and administrators "more committed to activism than scholarship" suggest a "litmus test upon faculty, whereby certain faculty members are to be disempowered or professionally marginalized based on ideological criteria." *Id.* ¶36.

c. The demand that "an external party ... audit the student body, faculty, staff, and leadership for viewpoint diversity" and that every department or field "found to lack viewpoint diversity" be reformed would infringe the ability of scholars "to direct the faculty appointments process according to their professional competence and expertise in their respective fields, and would insert … extra-academic ideological considerations into the evaluation of candidates for teaching and research positions." *Id.* ¶37.

Response: Defendants admit or have no basis to dispute Plaintiffs' interpretation of what Plaintiffs characterize as "Demand Letters". Defendants dispute that Defendants caused any legally cognizable harm to AAUP members.

115. Harvard-AAUP members who work in the programs, schools, and centers targeted in the April 11 Letter "report fear and anxiety stemming from having been singled out for exceptional scrutiny." *Id.* ¶38.

Response: Defendants admit or have no basis to dispute.

116. Harvard has "taken actions in anticipation of the Trump administration investigating the university." *Id.* ¶24. On March 26, 2025 the Director and Associate Director of the Center for Middle Eastern Studies were removed from their directorship positions. *Id.*

Response: Defendants admit or have no basis to dispute Harvard's actions. Defendant disputes that any actions taken by Harvard were caused by Defendants.

117. Harvard declined to renew a partnership between the Harvard School of Public Health's François-Xavier Bagnoud (FXB) Center for Health and Human Rights and Birzeit University in the West Bank and declined to renew the annual contract of the Associate Director for the Religion, Conflict, and Peace Initiative at Harvard Divinity School, the only Palestinian-American at the Divinity School. *Id.* ¶¶24–25.

Response: Defendants admit or have no basis to dispute Harvard's actions. Defendant disputes that any actions taken by Harvard were caused by Defendants.

118. The AAUP-Chapter President believes "it is reasonable to interpret all these actions as having been taken in anticipation of a Trump administration investigation." *Id.* ¶26. "The fact that these programs were all shut down around the same time raised grave concerns that legitimate inquiry regarding Israel and Palestine was being shut down by Harvard as a result of threats made by the Trump administration to investigate the university." *Id.*

Response: Defendants admit or have no basis to dispute the AAUP-Chapter President's beliefs. Defendant disputes that any actions taken by Harvard were caused by Defendants.

119. In response to one of the demands in the April 11 Letter, Harvard changed its disciplinary procedures for students accused of committing infractions of the student code of conduct. *Id.* ¶26. Harvard has also recently "renamed its Office for Equity, Diversity, Inclusion, and Belonging as the Office of Community and Campus Life." *Id.* ¶28.

Response: Defendants admit or have no basis to dispute Harvard's actions. Defendant disputes that any actions taken by Harvard were caused by Defendants.

120. Some of Plaintiffs' members "have started to self-censor their language both inside and outside the classroom" as a result of Defendants' actions and some "now feel limited in what they can say in and outside the classroom" for fear of losing additional federal funding. Ex. 15 ¶14.

Response: Defendants admit or have no basis to dispute the actions or feelings of a third party. Defendants dispute that actions taken by third parties were caused by Defendants.

a. AAUP-Harvard member Molly Forrest Franke

121. Franke is a Professor in the Department of Global Health and Social Medicine at Harvard Medical School and an Associate Professor in the Department of Epidemiology at HSPH. Ex. 18 ¶1. Her research focuses on improving health outcomes for individuals affected by tuberculosis and HIV. *Id.* ¶4. Her work also addresses "critical knowledge gaps related to conditions that disproportionately affect the poor and socially marginalized." *Id.*

Response: Defendants admit or have no basis to dispute.

122. Franke's research was entirely federally funded. *Id.* ¶12. She received notice from Harvard on May 15, 2025 that all four of her NIH grants had been terminated. *Id.* ¶13.

Response: Defendants admit or have no basis to dispute.

123. One of Franke's NIH grants funded research on "whether community-engaged social media campaigns and social media influencers could reduce HIV-related stigma and, thereby, improve the health of young people." *Id.* ¶14. This grant was about to enter a no-cost extension year, during which Franke's research team would have completed their analyses and published their findings. *Id.* Now, they do not have funding to complete their work and "if funding is not restored soon" Franke's research team "will not be able to publish [their] analyses." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

124. Franke's second terminated NIH grant funded research on treatment of multi-drug resistant tuberculosis. *Id.* ¶15. This grant was also in a no-cost extension year and Franke had submitted another NIH grant application to continue the work. *Id.* In early May, she was told by an NIH employee that NIH program officers were instructed to sit on grant applications from Harvard, and she is "virtually certain" the grant application to continue the work will not be funded. *Id.* If funding for this research "is not restored soon," Franke "will not be able to publish outstanding analyses." *Id.* Without new funding, Franke expects to lay off staff in Peru and Lesotho, "some of whom have more than ten years of specialized training and experience managing these types of data." *Id.*

Response Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

125. Franke's third terminated NIH grant funded "the evaluation of a community-based support intervention" for adolescents and young adults with HIV in Peru transitioning to adult-centered HIV care. *Id.* ¶¶16, 19. Her research team was completing the third of five funded years when the grant was terminated. *Id.* ¶16. This grant funded a team at Harvard including a postdoc, statistician, research coordinator, and programmer and 15 to 20 individuals in Peru, all of whom "reasonably presumed that they had job security for the remaining two years of the project." *Id.* ¶20. Franke's research coordinator is bilingual, "has been crucial in bridging cultural and linguistic differences," and "has built rapport with the team in Peru that not anyone can build." *Id.* ¶25.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

126. Franke's third NIH grant involves a trial of young people ages 14 to 23, 93% of whom have a recent HIV diagnosis, one-third of whom lack caregiver support, over half of whom have mental health needs, and many of whom live in poverty. *Id.* ¶21. Franke's research team committed 9 to 12 months of intervention for enrolled participants, as well as follow-up from project staff. *Id.* The intervention includes pairing participants with adult health workers who attend medical visits with them and help them enroll in health insurance and obtain national IDs. *Id.* ¶¶21–22. "The trial also includes social support groups, education sessions, and mental health and substance use screening and linkage to care for participants." *Id.* ¶21. Trial participants depend on these services, lack comparable support, and voluntarily chose to enroll in the trial based on the terms presented to them at the time of enrollment. *Id.* The project's intervention is intended to gradually taper over time so that participants can eventually gain independence navigating care systems, and if the project cannot continue, all participants will not receive intended offboarding

support. *Id.* ¶22. "[E]arly termination is unethical and represents an extraordinary breach of trust." *Id.* ¶21.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

127. Partnerships Franke has established throughout this project "are also gravely threatened by the termination of the grant supporting it." *Id.* ¶24. Local implementing partners in Peru, including the Peruvian Ministry of Health, enable Franke's work. *Id.* Franke believes termination will "jeopardize [her] relationships" and "damage the positive reputation" she has built with the Ministry of Health over many years. *Id.*

Response: Defendants admit or have no basis to dispute.

128. If federal funding is not restored, project staff for this project "will soon have to explain to participants that projects are ending, and [Franke] will soon have to let the team in Peru go." *Id.* ¶28.

Response: Defendants admit or have no basis to dispute.

129. Franke's fourth terminated NIH grant funded research about unsuccessful tuberculosis treatment outcomes. *Id.* ¶17. This was a two-year award and as a result of this grant termination, Franke will not be able to complete proposed analyses about "the contributions of daily medication adherence and comorbidities such as HIV and diabetes to tuberculosis treatment outcomes." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

130. Franke's terminated grants have "established and fortified critical infrastructure in Peru, Lesotho, and Kazakhstan for carrying out research aimed at improving outcomes for people

with HIV and tuberculosis." *Id.* ¶26. "Without federal funding, this critical infrastructure cannot be sustained, posing a formidable barrier to future research." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

131. Graduate students and postdocs hired to support Franke's research will also suffer as a result of her grant terminations. *Id.* ¶29. For example, Franke has a postdoc who planned to apply for a NIH career development award, but because of Defendants' actions, it is unclear how he can advance his academic career at Harvard. *Id.* It is difficult for postdocs to find a new postdoc position at a different institution given the large number of postdocs whose funding has been terminated at Harvard and other institutions. *Id.* As a result, he is considering leaving the academy to pursue opportunities in industry. *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

b. AAUP-Harvard member Meredith Rosenthal

132. Rosenthal is a Professor of Health Economics and Policy in the Department of Health Policy and Management at the Harvard T.H. Chan School of Public Health and the interim chair of the department. Ex. 19 ¶1. Her research focuses on "policies to improve affordability, equity, and access to healthcare" and examines the structure and impact of health policy mechanisms on patient behavior. *Id.* ¶3.

Response: Defendants admit or have no basis to dispute.

133. Sixty percent of Rosenthal's salary comes from research grants, including those funded by the NIH and the Agency for Healthcare Research and Quality, an agency within HHS. *Id.* ¶13.

Response: Defendants admit or have no basis to dispute.

134. Rosenthal's NIH grant funded research into reducing health disparities by examining whether a tool that helps identify lower cost medication alternatives increases medication adherence for patients with chronic health conditions. *Id.* ¶14. One of the goals of the research was to assess whether that tool benefits patients differently based on socioeconomic class or geographic location. *Id.* ¶14. The grant provided $2.5 million in federal funding over 3.5 years, and had one year left on its funding term when it was terminated on May 15, 2025. *Id.* ¶15.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

135. The grant funded the salaries of four Harvard faculty, two Harvard research assistants, one Harvard PhD student, and collaborators at two other universities. *Id.*

Response: Defendants admit or have no basis to dispute.

136. Rosenthal's colleagues in the Department of Health Policy and Management will have to terminate research staff positions funded by federal grants and will face hurdles securing funding for their PhD students. *Id.* ¶16. It may be career ending for early-career tenure candidates, who may not be competitive candidates for promotion to full professorship without the opportunity to lead rigorous, peer-reviewed research that only federal funding can support. *Id.* ¶17.

Response: Defendants admit or have no basis to dispute.

137. Moreover, Rosenthal has been advising Harvard's health policy doctoral students to weigh the potential consequences of pursuing questions and topics that the Trump administration may label as "DEI" or contrary to its policy agenda on their ability to receive federal funding and secure an academic position. *Id.* ¶22.

Response: Defendants admit or have no basis to dispute.

c. AAUP-Harvard member Paige Williams

138. Williams is a non-tenured Senior Lecturer in the Department of Biostatistics at the Harvard T.H. Chan School of Public Health. Ex. 20 ¶1. Her research focuses on cohort studies evaluating health outcomes in pregnant women with HIV and their children. *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

139. Ninety percent of Williams's salary comes from NIH-funded research grants. *Id.* ¶13. She was a principal investigator ("PI") on two longitudinal NIH studies and co-investigator on 3 additional NIH grants, all of which were terminated on May 6, 2025. *Id.* ¶14.

Response: Defendants admit or have no basis to dispute.

140. Williams's first terminated NIH grant funded the Pediatric HIV/AIDS Cohort Study ("PHACS"), a 20-year United States-based multisite network conducting multiple studies on the effects of antiretroviral treatment for mothers with HIV and their children. *Id.* ¶15.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

141. The grant, which provided over $88 million dollars over its last 5-year grant cycle, supported 7 Harvard faculty, 6 Harvard senior research scientists, and over 20 additional Harvard staff as well as 24 clinical research sites around the country, which employed about 150 total staff. *Id.* ¶16. The NIH refused to release carry-over funds to PHACS, which Williams reserved from prior grant years to ensure proper closure of the 20-year study and are typically released as a matter of course. *Id.* ¶17. Because of the funding lapse, Williams and her team are now not able to perform "crucial study closure activities like data and specimen submission, document archiving, and regulatory compliance for human research activities at the clinical sites." *Id.*

Response: Defendants admit or have no basis to dispute.

142. Williams's second terminated NIH grant funded the Health Outcomes around Pregnancy and Exposure to HIV/ARV, (or "HOPE") study, a multisite cohort study on women with HIV at 13 clinical research sites around the country. *Id.* ¶19.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

143. This grant, which would have provided about $14.5 million in federal funding over 5 years, was in its last year of funding when it was terminated. *Id.* The grant provided salary support for 4 PIs and the equivalent of 6 additional full-time staff members and supported 13 clinical research sites. *Id.* Due to funding shortages, 13 clinical sites were also unable to perform close out activities, meaning the study will likely "lose a significant amount of data gathered in the last four years of the study." *Id.* ¶20. Williams has already laid off one staff member and furloughed 3 additional staff members. *Id.* The abrupt funding termination also has had "an enormous impact on [Williams's] study participants, who are women living with HIV." *Id.* at 22. Because "[t]here remains an unfortunate stigma attached to HIV," Williams's research "rel[ies] on the willingness of [her] study participants to share openly some of the most vulnerable and challenging aspects of their lives. *Id.* In other words, "[her] work thus depends on a foundation of trust between [her] and the participants [she] work[s] with, and many of [her] participants have expressed that they feel [her team] betrayed the commitment [Williams] made to better understand their health conditions when [Williams] abruptly ceased study activities. *Id.*

Response: Defendants admit or have no basis to dispute.

d. AAUP-Harvard member John Quackenbush

144. Quackenbush is a Professor of Computational Biology and Bioinformatics at the Harvard T.H. Chan School of Public Health and the Chair of the Department of Biostatistics at the School of Public Health. Ex. 16 ¶1. His research focuses on cancer treatments, specifically

"developing methods that map the processes that control how cells change as they transition from health to disease" and the roles that sex and gender play. *Id.* ¶5.

Response: Defendants admit or have no basis to dispute.

145. Around fifty percent of Quackenbush's salary came from a National Cancer Institute R35 grant, which funded research to "develop new methods to map processes involved in cellular regulation, to develop software tools that would allow us and other scientists around the world to map and study these controls, and to study sex as a biological variable in the context of how it affects cancer." *Id.* ¶12. His "team built the first system capable of modeling how each of the 25,000 genes in the human genome change over time and demonstrated its application to development of breast cancer. This method was recognized by the NCI as one of the most important advances in cancer research in 2024." *Id.* ¶17. The grant, which provided $600,000 a year in funding for seven years, was terminated on May 15, 2025. *Id.* ¶¶12, 13.

Response: Defendants admit or have no basis to dispute.

146. Quackenbush's other terminated NIH grant funded the development of methods to "study how different chromosomal backgrounds result in different risk for disease." *Id.* ¶14. That grant, which accounted for a large part of his remaining salary, was terminated as of April 4, 2025. *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

147. Tenured faculty at the School of Public Health must fund 90% of their research effort or will otherwise face a "substantial salary reduction." *Id.* ¶18. For Quackenbush, "[t]rying to re-establish a research program after the rug has been yanked out from under it with little notice" is "an untenable position." *Id.*

Response: Defendants admit or have no basis to dispute.

148. Quackenbush has lost all of his federal funding. *Id.* ¶15. As a result, the more than 20 publicly-available software tools he has developed "will soon become dysfunctional," *id.*, and due to its nature and magnitude, his research "will effectively be dead" "[u]nless funding is restored by the end of the summer and the federal government agrees to fund new and renewal grant proposals from Harvard researchers," *id.* ¶18.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

149. Quackenbush is involved with training the over 40 students in the Department of Biostatistics with the financial support of NIH training grants. *Id.* ¶¶21, 22. The Department has lost all of its training grants, meaning that the students now all face a lack of support for their studies and research. *Id.* ¶22. Because of the apprenticeship style training of the field, he cannot train the department's postdoctoral fellows and graduate students without federal funding. *Id.* ¶24. As a result, "promising lines of research will disappear." *Id.* ¶20.

Response: Defendants admit or have no basis to dispute.

150. Quackenbush's mentees and students are now looking elsewhere for opportunities to complete their training and finish their degrees, including overseas in Canada and Europe, a loss that "would be a blow to science in the U.S." *Id.*

Response: Defendants admit or have no basis to dispute.

e. AAUP-Harvard member Scott Delaney

151. Delaney is a Research Scientist at the Harvard T.H. Chan School of Public Health ("HSPH"). Ex. 22 ¶3. He is an epidemiologist and studies "how environmental, social, and legal forces affect neurodegenerative diseases in older Americans and neurodevelopmental health in

American children." *Id.* ¶3. The "driving motivation" of his career "is to improve the lives of people battling neurological disorders." *Id.*

Response: Defendants admit or have no basis to dispute.

152. Delaney has a three-year employment agreement with HSPH that began in May 2024. *Id.* ¶5. As a Research Scientist, Delaney is paid "to conduct research, not to teach, mentor, or perform other duties." *Id.* ¶8. As a professional researcher, Delaney must ensure his salary is "fully funded by research grants." *Id.* For many Research Scientists at HSPH, including Delaney, NIH grants "provide most funding for our research and salaries." *Id.*

Response: Defendants admit or have no basis to dispute.

153. Delaney's research group at HSPH consists of 4 Research Scientists including Delaney, "a masters-level biostatistician, and 5-6 students and postdoctoral fellows." *Id.* ¶23.

Response: Defendants admit or have no basis to dispute.

154. Delaney's current research and his entire salary were "entirely funded" by a single NIH grant that was frozen in April 2025 and terminated on or about May 15, 2025. *Id.* ¶¶9, 18. This was a five-year grant "meant to support research from September 2022 until July 2027." *Id.* ¶19. This grant funded Delaney's research "on the health effects of various environmental exposures, including fine particle air pollution and extreme temperature events, on brain health." *Id.* ¶10. He was studying "the effects of these exposures on Americans with neurodegenerative diseases." *Id.*; *see also id.* ¶18. His team planned to expand the research to include Americans with Lewy Body Dementia, "a devastating yet understudied syndrome that shares some symptoms in common with both Alzheimer's and Parkinson's Diseases." *Id.* ¶10.

Response: Defendants admit or have no basis to dispute.

155. Prior to the termination of the NIH grant funding Delaney's research and salary, he "received a conditional layoff notice from HSPH that said if [he] d[id] not obtain grants to support [his] salary within six months, [he] w[ould] be laid off on October 14, 2025." *Id.* ¶21. Because "grants for academic research typically take many months or more to apply for and receive," and he "will not be able to obtain private funding to replace [his] federal funding," Delaney "fully expect[s] to be laid off in October." *Id.* However, if his "research group's federal grant is restored within a few months, [his] position will continue to exist and [his] job will no longer be in peril." *Id.* ¶22.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

156. Everyone in Delaney's research group is also "now at risk of losing their jobs." *Id.* ¶23. His research group has, in collaboration with a larger team, "contributed to the compilation of one of the largest datasets of Medicare claims data available" that includes "21 years' worth of data of every fee-for-service Medicare hospitalization claim in the entire country." *Id.* It has "taken years to train our staff and researchers to work with this massive dataset" and even if his team was able to hire different researchers at a later date, "years of productivity and resources would be required to train these individuals" because there is "a very steep learning curve for anyone working with our data." *Id.*

Response: Defendants admit or have no basis to dispute.

157. The "collective knowledge of the staff and researchers" in Delaney's research group "is also irreplaceable." *Id.* ¶24. "The value of experience and institutional memory within the research group will be lost if individuals are forced to turn to other institutions that are able to fund their work" and projects that have been "years in the making, with extensively trained and

specialized staff, will be compromised" if team members are "forced to find jobs elsewhere." *Id.* The "scientific community and American public" will "lose research meant to benefit the lives of people living with neurodegenerative diseases" if "funding is not restored within the next few months." *Id.*

Response: Defendants admit or have no basis to dispute.

158. Students and postdoctoral fellows hired to work in Delaney's research group "may also lose their jobs if funding is not restored." *Id.* ¶25.

Response: Defendants admit or have no basis to dispute.

159. "NIH grants comprise a larger proportion of HSPH's budget than of any other school within Harvard." *Id.* ¶27. The federal grant terminations "across HSPH have had a huge impact on the psyche of everyone within the school." *Id.*

Response: Defendants admit or have no basis to dispute.

f. AAUP-Harvard member Walter Willett

160. Willett is a Professor of Epidemiology and Nutrition at the Harvard T.H. Chan School of Public Health and the director of the Thich Nhat Hanh Center for Mindfulness in Public Health. Ex. 23 ¶1. He is the most cited nutritionist in the world, and his research "focuses on the risk factors for heart disease, cancer, and other conditions." *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

161. Willett's work was funded by two large grants from the NIH National Cancer Institute. Both grants were terminated on May 6, 2025. *Id.* ¶11.

Response: Defendants admit or have no basis to dispute.

162. Willett's first terminated grant funded a study, since the 1980s, that follows a cohort of women to understand how diets and lifestyle relate to cancer risk and, in parallel, follows the diets of a group of men who got cancer. *Id.* ¶¶12, 13. The study collected "data about heart attacks,

cancer, and other conditions that share risk factors with heart disease, such as dementia and Parkinson's disease." *Id.* ¶13.

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

163. Willett and his team of researchers collect information about participants' "physical and cognitive functions" every two years. *Id.* ¶16. If the next follow-up is not conducted within the next year, some participants, who have contributed information for four decades, may die before Willett is able to follow up with them. *Id.* The study would "deprive all Americans from the benefits of knowledge about diet, other aspects of lifestyle, and use of medications that enhance their possibilities of living longer and healthier lives." *Id.*

Response: Defendants admit or have no basis to dispute.

164. The study has collected biological samples from approximately 30,000 participants that must be stored at low temperatures. *Id.* ¶13. Without funding, Willett can only keep the samples, which will spoil if allowed to thaw, frozen for a few weeks. *Id.* ¶15. No other institution in the world has this data, meaning the samples are irreplaceable. *Id.*

Response: Defendants admit or have no basis to dispute.

165. Willett will soon have to lay off his team of experienced researchers, who have specialized knowledge about the studies. *Id.* ¶17. He is concerned he will not be able to hire them back even if federal funding is later reinstated. *Id.*

Response: Defendants admit or have no basis to dispute.

166. Willet worries that students, "when selecting project subject matter, may choose or change their topics based on fear that certain topics will be at risk due to the Trump

administration's actions." *Id.* ¶20. This includes "research on dietary quality in vulnerable groups such as refugees and low-income groups." *Id.*

Response: Defendants admit or have no basis to dispute.

g. AAUP-Harvard member Sarah Fortune

167. Fortune is a Professor of Immunology and Infectious Diseases at the Harvard T.H. Chan School of Public Health and the Chair of the Department of Immunology and Infectious Diseases at HSPH. Ex. 24 ¶1. Her research "focuses on the biology of tuberculosis infection. It seeks to identify bacterial and immune factors that shape tuberculosis infection outcomes." *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

168. Fortune "lead[s] the HI-IMPAcTB program, one of three initiatives that form the largest investment that the NIH has ever made in the area of tuberculosis, to identify the immune basis of protection from tuberculosis disease. [Her] work informs strategies for tuberculosis diagnosis, vaccine design, targeting [tuberculosis] treatment and tracking previously unrecognized modes of [tuberculosis] transmission." *Id.* ¶4. She received a Stop Work Order for the HI-IMPAcTB contract on April 15, 2025, which "was starting its 5th of 7 years of funding and received roughly $8 million per year to support 21 research groups over 11 institutions." *Id.* ¶12. As a result of the termination of federal funding, "[t]he flow of samples from other sites, the flow of operations, the flow of data and the day-to-day immune profiling at [the] lab have all ceased." *Id.* ¶13. In addition, the lab "has stopped receiving shipments from [its] collaborators, stopped performing experiments, and has been forced to develop a layoff plan." *Id.* ¶13.

Response: Defendants admit or have no basis to dispute.

169. Fortune has been forced to lay off researchers "who generated the data and have been working to analyze and distill the data." *Id.* The lab is "losing whole bodies of work because [it is] laying off the scientists who carry the knowledge from the past 5 years of research," much

of which is not yet completed. *Id.* Her lab is "losing not only the future funding but many of the discoveries from the past investments." *Id.*

Response: Defendants admit or have no basis to dispute.

170. Fortune, who "train[s] [her] staff using an apprenticeship model that would be extremely difficult and time-intensive to replicate," relied on "federal funding to train valuable researchers and support staff over the long term and to staff [her] labs with the staff needed to conduct effective scientific inquiry." *Id.* ¶18. Her team's "shared, institutional knowledge will be scattered to the wind if [she is] forced to let go of more individuals in the lab. It would be impossible to later reproduce the accumulated expertise of [the] current staff if federal funding is later restored." *Id.* ¶18.

Response: Defendants admit or have no basis to dispute.

h. AAUP-Harvard member Don Ingber

171. Ingber is the Founding Director of the Wyss Institute for Biologically Inspired Engineering at Harvard University, the Judah Folkman Professor of Vascular Biology at Harvard Medical School and the Vascular Biology Program at Boston Children's Hospital, and the Hansjörg Wyss Professor of Biologically Inspired Engineering at the Harvard John A. Paulson School of Engineering and Applied Sciences. Ex. 25 ¶1.

Response: Defendants admit or have no basis to dispute.

172. Ingber's research "use[s] methods of miniaturization originally developed in the computer industry for manufacturing microchips to build devices with functional circuits that use living cells as their components" called Organ Chips. *Id.* ¶6.

Response: Defendants admit or have no basis to dispute.

173. Until April 14, Ingber "was actively working on two federally funded projects utilizing [his] human Organ Chip work." *Id.* ¶14.

Response: Defendants admit or have no basis to dispute.

174. Ingber's first such project "uses Organ Chip technology to study how the human lung, intestine, bone marrow, and lymph node respond to radiation and to identify drugs that can mitigate the effects of that radiation." *Id.* ¶15. Federal government funding for this project "supports 21 positions in [Ingber's] lab, including 3 graduate students, 1 intern, 2 postdoctoral fellows, 5 technicians, and 10 technical staff members." *Id.*

Response: Defendants admit or have no basis to dispute.

175. Ingber's second such project "uses Organ Chip technology to study the effects of microgravity and radiation on astronauts during spaceflight." *Id.* ¶16. Federal government funding for this project "supports 5 positions in [Ingber's] lab, including 5 technical staff members." *Id.*

Response: Defendants admit or have no basis to dispute.

176. On April 14, Ingber "received 2 notices from the federal government directing me to stop work on both of these projects." *Id.* ¶17.

Response: Defendants admit or have no basis to dispute.

177. "As a result, no work is currently happening in [Ingber's] lab on either project." *Id.* ¶18. Ingber has been "forced to halt experiments midstream" and has thus lost the scientific value of those experiments and has had to shift employees to other areas of work to avoid laying them off. *Id.* "If this funding is not restored soon, [Ingber] will have to terminate many of these positions." *Id.*

Response: Defendants admit or have no basis to dispute.

178. Two non-citizen researchers have recently chosen to leave Ingber's lab as a result of Defendants' actions and concern for their own job security. *Id.* ¶19.

Response: Defendants admit or have no basis to dispute.

179. Work from Ingber's second project was "scheduled to fly aboard the Artemis II mission to the moon alongside the astronauts who donated the cells." *Id.* ¶16. Because they had stopped work pursuant to the federal government's orders, Ingber's team was recently "unable to participate in an important meeting related to the upcoming use of [their] chips on the Artemis II space mission, jeopardizing [their] ability to meet the deadlines associated with that project." *Id.* ¶20. "In an attempt to salvage this important project, meet the deadlines necessary to participate in the Artemis II mission, and protect the livelihood of the staff members who rely on [Ingber] for jobs, [he has] been forced to explore shifting work associated with this project and many of the associated staff positions out of the Wyss Institute to a private company." *Id.* Doing so would cost Ingber and the Wyss Institute the reputational benefits of the project. *Id.*

Response: Defendants admit or have no basis to dispute.

180. Ingber currently has "multiple funding proposals" before the federal government which he is "concerned will not receive funding given the government's position." *Id.* ¶21.

Response: Defendants admit or have no basis to dispute.

i. AAUP-Harvard member Bence Ölveczky

181. Ölveczky is a Professor of Organismic and Evolutionary Biology at Harvard University. Ex. 26 ¶1. His research focuses on how the brain learns new motor skills and generates complex behaviors. *Id.* ¶4. A main focus of his lab's work is studying the function of the basal ganglia in the brain, which goes awry in people diagnosed with Parkinson's and Huntington's disease. *Id.*

Response: Defendants admit or have no basis to dispute.

182. Ölveczky had two NIH grants that were terminated on May 15, 2025. *Id.* ¶11. He runs a lab of 10-12 people that was "largely funded by these grants." *Id.* His federal funding

"covered salaries for post-docs and technicians, reagents, animal care costs, instruments, and publication costs." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

183. Ölveczky's first terminated NIH grant funded "research understanding sensorimotor control through neuro-biomechanical simulation." *Id.* ¶12. He was leading a research collaboration with other institutions to create a "virtual animal with a realistic biomechanical musculoskeletal system controlled by an artificial neural network" that "could be trained to mimic the behavior of real animals. *Id.* This research "had the potential to transform how we study the brain" and the "potential to improve AI algorithms required for sophisticated robotic control." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

184. Ölveczky's second terminated NIH grant "funded research aimed at understanding the neural circuits underlying the acquisition and control of motor skills." *Id.* ¶13. This work "informs our understanding of how healthy brains work" and the "neural mechanism affected in disease" and "had the potential to improve the design of rehabilitations strategies, including after a stroke." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

185. Ölveczky has one research project funded by the Simons Foundation for Autism Research studying "how autism affects brain function and behavior, specifically social behaviors." *Id.* ¶14. This private funding "covers work on a narrow set of questions related to autism research" and by contract he can "only use this private funding to advance autism research that matches the

goals of the Foundation." *Id.* This grant will end this year, and Ölveczky was planning on applying for federal grants to continue "this promising research and extend its scope." *Id.*

Response: Defendants admit or have no basis to dispute.

186. Ölveczky's "experiments are complicated and run for a couple of years." *Id.* ¶15. If his work gets cut short, "that means [his team] will not be able to finish [their] experiments, analyze [their] data, and write publications." *Id.* "The funds previously spent will have been for nothing, much of the work will be lost, and the public won't get the benefit of our completed research." *Id.* His lab may also "have little to show for 3-5 years' worth of work" and the "currency in academia" is publishing and getting "credit for advancing the field." *Id.*

Response: Defendants admit or have no basis to dispute.

187. Some of Ölveczky's federally funded experiments involve training rats for months. *Id.* ¶16. If he had to "terminate or pause those experiments," he would "later have to retrain new rats from scratch, which would be onerous and a waste of valuable research time." *Id.* ¶16.

Response: Defendants admit or have no basis to dispute.

If federal funding is not restored soon, Ölveczky "may be faced with letting critical staff members go." *Id.* ¶17. His staff "run the experiments, analyze the data, write reports to grant agencies, write journal articles, maintain the animal colonies, and keep my research projects going." *Id.* They have invested years in Ölveczky's research, and if he has to let them go, "it would derail and destroy their careers." *Id.* If he has to let staff go, he "may not be able to replace them," and even if he could later hire new staff when federal funding is restored, he could not replace his current staff "who have spent 3-4 years in my lab and understand our data and how to conduct our experiments" a **Response: Defendants dispute that the named party was a party or an intended benefiary of any contract.**

188. nd have "institutional memories." *Id.* ¶¶18–20. If he "brought in new staff in a few years after federal funding resumes" he "may have to train them for 2-3 years to be able to run similar experiments." *Id.* ¶21.

Response: Defendants admit or have no basis to dispute.

189. Ölveczky's postdocs' research "would be entirely lost." "[P]ostdocs come up with their own research ideas" and someone new "would not want to do exactly the same type of research my current postdocs are engaged in." *Id.* ¶22.

Response: Defendants admit or have no basis to dispute.

j. AAUP-Harvard member Shoba Ramanadhan

190. Ramanadhan is an Associate Professor of Social and Behavior Sciences at the Harvard T.H. Chan School of Public Health. Ex. 21 ¶1. Her research focuses on "strengthening systems in underserved communities to leverage the best available evidence for cancer prevention and control." *Id.* ¶4. "Much of [her] work is conducted in partnership with community-based organizations and coalitions." *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

191. Ramanadhan conducts research under five major projects that are fully federally funded. *Id.* ¶11. Four out of five of her federal grants from the NIH have been terminated or ended early. *Id.* "Work on the projects that were funded by these grants is expected to stop soon, and [her] department is already helping to plan layoffs for staff on these grants." *Id.*

Response: Defendants admit or have no basis to dispute.

192. Ramanadhan's "first terminated grant funded research about the impact of climate change-related heat stress on people across the globe." *Id.* ¶12. The information collected through the project "is intended to support the local communities where the research is taking place" as well as "other areas with limited resources to protect communities against heat stress." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

193. Ramanadhan's "second terminated grant funded training of researchers to expand the impact of their work on local communities and public health systems." *Id.* ¶13. The project "focuses on social determinants of health … to develop sustainable, high-impact solutions to cancer inequities." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

194. Ramanadhan's "third terminated grant funded cancer-focused outreach to immigrant, refugee, and racial/ethnic minority communities." *Id.* ¶14. The grant also funded workforce development programs that train "students from under-represented minority backgrounds to support them in pursuing research careers focused on cancer and other health inequities." *Id.* "Losing this grant will impact who ultimately goes on to work in the field." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

195. Ramanadhan's fourth terminated grant supported academics across HSPH, Harvard Medical School, and Harvard-affiliated hospitals "to translate their research into programs, practices, and policies that can be implemented widely." *Id.* ¶15. Ramanadhan's work under the project "engages community leaders from underserved communities to help design and execute research projects that are likely to be high impact in their communities." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

196. Ramanadhan works "closely with communities that have been subject to discrimination in the United States" that are "understandably skeptical of scientists and academic researchers." *Id.* ¶16. It can take her research team "5 to 15 years to build the requisite trust and relationships with a community and partner on research." *Id.* Without federal funding, her team "will not be able to honor [their] existing commitments to the communities [they] serve." *Id.* ¶17.

197. Ramanadhan's team "supports local organizations to use evidence-based interventions for cancer prevention and control." *Id.* ¶19. "If [she] cannot complete her projects, people in the communities [she] serve[s] will not be supported to engage in cancer prevention activities, such as breast cancer screening or vaccination against HPV." *Id.*

Response: Defendants admit or have no basis to dispute.

198. Ramanadhan "will not be able to obtain private foundation funding to replace [her] terminated federal funding." *Id.* ¶18.

Response: Defendants admit or have no basis to dispute.

199. The termination of Ramanadhan's grants "impacts three generations of scientists at Harvard." *Id.* ¶21. Ramanadhan and her colleagues "have had to rescind offers of employment for students at the Masters and Doctoral levels, due to the abrupt termination of funding." *Id.* ¶20. Graduate students on the terminated grants "have lost out on valuable training opportunities, from conducting research to publishing papers and presenting findings at scientific conferences." *Id.* ¶21. Losing her grants "also means [she] lose[s] the ability to support postdoctoral fellows." *Id.* For faculty working towards tenure, as Ramanadhan is, the loss of federal funding "restricts the ability to create the type of broad, high-impact program of research required for tenure." *Id.* ¶22. "[G]iven the large number of researchers suddenly turning towards the same, limited pool of [private] resources, it is likely that many academics will need to leave the field," particularly

"individuals working in areas disfavored by this administration." *Id.* "An entire cohort could lose the opportunity to become tenured because of these cuts." *Id.* This "puts the future of public health training and leadership at risk and risks skewing the field away from topics related to equity and diversity." *Id.*

Response: Defendants dispute that the named party was a party or an intended beneficiary of any contract.

200. Health equity is central to the classes Ramanadhan teaches "on implementation science and qualitative analysis." *Id.* ¶23. "There is no accurate language that [she] can use in [her] courses that does not use terms disfavored by the Trump administration, such as LGBTQ, discrimination, minority and more." If she is "not able to use terminology disfavored by the Trump administration, [she] will not be able to teach or conduct research effectively." *Id.*

Response: Defendants admit or have no basis to dispute.

k. AAUP-Harvard member Caroline Light

201. Light is a Lecturer and Director of Undergraduate Studies in Women, Gender, and Sexuality Studies ("WGS"). Ex. 17 ¶1.

Response: Defendants admit or have no basis to dispute.

202. Light's research "explores the ways in which race, gender, and region have shaped collective memory and archival silence" and she has "studied and written about the experience of southern Jewish assimilation as well as the intersection of armed self-defense and race and gender violence." *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

203. Light "teaches undergraduate courses on labor history, immigration, and gun violence." *Id.* She also advises "undergraduate students pursuing independent research on topics related to gender, sexuality, race, and power." *Id.*

Response: Defendants admit or have no basis to dispute.

204. Light does not have tenure. *Id.* ¶13.

Response: Defendants admit or have no basis to dispute.

205. Light is "concerned about the future of her research" because she worries that Harvard "may feel forced to accede" to Defendants' pressure. *Id.* ¶11. She has "seen Harvard take actions that suggest the university is actively making concessions to comply with the Trump administration's demands in the face of immense financial pressure." *Id.* For example, "Harvard renamed its Office of Equity, Diversity, Inclusion, and Belonging the Office of 'Community and Campus Life.'" *Id.* Harvard also "discontinued financial support for all affinity and graduation celebrations," including graduation celebrations of the LBGTQ+ and First Generation Low Income student groups and "celebrations of students of different races and ethnicities." *Id.*

Response: Defendants dispute as to relevance to the current proceeding.

206. "If Harvard continues to capitulate to the Trump administration's demands," Light worries "about the future security of [her] teaching and scholarship in gender and sexuality studies and ethnic studies." *Id.* ¶12. "If Harvard's leadership decides to make further program cuts," Light believes WGS "could then become a target, with enhanced scrutiny on its curricular offerings and research." *Id.* ¶12. Light's position is "thus vulnerable." *Id.* ¶12.

Response: Defendants dispute as to relevance to the current proceeding.

207. Light has "witnessed a chilling effect on scholarly and pedagogical innovation as a direct result" of Defendants' actions. *Id.* ¶15. Her colleagues teaching on topics related to gender and sexuality "have been targeted and doxed based on the titles and intellectual foci of their courses." *Id.*

Response: Defendants dispute as to relevance to the current proceeding.

208. Light has witnessed a "chilling impact on the academic environment at Harvard" as a result of Defendants' actions. *Id.* ¶17. She has "observed that students are becoming more fearful about sharing their perspectives in public fora." *Id.*

Response: Defendants dispute as to relevance to the current proceeding.

209. Light is Jewish and has "conducted significant research on Jewish history in the [United States]." *Id.* ¶5. She wears a keffiyeh on campus as a reminder of her "obligation as a Jewish person to use [her] relative privilege to participate in 'tikkun olam,' or healing the world." *Id.* ¶18.

Response: Defendants admit or have no basis to dispute.

210. Light does not believe it is antisemitic to care about and respond to the suffering of others and express care for and solidarity with Palestinian people. *Id.* Light has "become more cautious about sharing [her] thoughts on issues related to Palestine and Israel" in the classroom and on campus. *Id.* She also worries that when she wears her keffiyeh in public, she may be the target of physical harm or violence. *Id.*

Response: Defendants dispute as to relevance to the current proceeding.

l. Anonymous AAUP-Harvard members

211. Certain of Plaintiffs' members "are afraid to publicly testify about the impacts of" Defendants' actions "because they fear retaliation from Harvard University, Harvard affiliates, or the federal government." Ex. 14 ¶49. These members "have expressed fear that they will be black-listed from future federal grant funding, denied tenure or academic promotion, and/or face retaliation against other members of their department or the students they advise." *Id.* ¶50. "Certain members have expressed concern that because they or their family members are noncitizens, their visas or green cards could be revoked in retaliation for their participation in this litigation." *Id.*

Response: To the extent that the facts stated above do not concern current or prospective grant funding or First Amendment-protected speech, Defendants dispute as to relevance to the current proceeding.

212. The Harvard-AAUP President has "received confidential reports of both top-down censorship and anticipatory self-censorship at Harvard-affiliated publications, in which authors of both scholarly and public-facing material attest to being discouraged from publishing on topics disfavored by the Trump administration." *Id.* ¶29. Individuals who have shared these confidential reports have stressed that the Harvard-AAUP President "cannot discuss these incidents with any specificity because [the individuals] fear being fired from their positions or facing professional retaliation." *Id.*

Response: Defendants admit or have no basis to dispute.

213. The Harvard-AAUP President has two colleagues that have changed their course plans for the fall "out of self-preservation because their planned courses were on topics explicitly disfavored by the Trump administration." *Id.* ¶31. One changed their curricular offerings to no longer be explicitly about transgender issues and the other to no longer be explicitly about race. *Id.*

Response: Defendants admit or have no basis to dispute.

214. Biomedical researchers who have received stop work orders have expressed concerns to the Harvard-AAUP President "about whether they can do research anymore concerning topics like health equity, maternal mortality for women of color, and disparities in health outcomes." *Id.* ¶32.

Response: Defendants admit or have no basis to dispute.

215. An anonymous AAUP member reports that they "changed their teaching plans for next semester because they fear harassment." *Id.* ¶51. They had planned to teach a course that would have dealt with topics including settler colonialism, slavery, Indian removal, and the U.S.-Mexico War, "all of which could be covered by the Defendants' ill-defined demand that anything related to 'DEI' be discontinued." *Id.* ¶53.

Response: Defendants admit or have no basis to dispute.

216. This anonymous AAUP member also reports that they had been vocal in support of pro-Palestine student protestors in the past but adjusted their speech and teaching out of concern for Harvard's response to Defendants' actions. *Id.* ¶52.

Response: Defendants admit or have no basis to dispute.

217. A second anonymous AAUP member will spend part of next year working outside the United States "because they do not feel comfortable being at Harvard anymore due to their pro-Palestine advocacy and opinions." *Id.* ¶56. "This member's decision to spend part of next year working outside the United States is intended as a step towards their full transition outside of the United States" which means "the medical school and patients in the Harvard-affiliated hospital system will not receive the benefit of this faculty member's decades of clinical expertise." *Id.*

Response: Defendants admit or have no basis to dispute.

218. A third anonymous AAUP member is a member of the faculty at Harvard Medical School and an internationally recognized scholar in their field. *Id.* ¶57. This member states that Defendants' actions have "had a catastrophic effect on the atmosphere and conduct of biomedical research at [Harvard Medical School]." *Id.* ¶58. Foundational scientific work that has taken many

years of human effort and institutional investment is being terminated in a manner that "will fundamentally preclude the possibility of future research." *Id.* ¶62.

Response: Defendants admit or have no basis to dispute.

219. All three of this member's NIH grants were suspended as of May 1, totaling millions of dollars. *Id.* ¶59. These grants supported the work of five Boston-area biomedical researchers as well as many biomedical researchers at the member's international research site. *Id.* "They have had to suspend ongoing clinical trials and they do not know what will happen to valuable biomedical samples that have already been gathered as part of their research." *Id.*

Response: Defendants admit or have no basis to dispute.

220. This anonymous AAUP member has also seen administrative staff responsible for tasks such as grants administration and human studies review be dismissed. *Id.* ¶60. They note that early career scientists who have completed multiple years of postgraduate training and scientists with unique and advanced skills are now seeking career opportunities outside of academia or outside of the United States, disrupting the scientific pipeline in ways that will have generational effects. *Id.*

Response: Defendants admit or have no basis to dispute.

221. This member attests that Harvard is encouraging faculty to pursue philanthropic funding for their work, but the type of research they perform is unlikely to garner private funding. *Id.* ¶61.

Response: Defendants admit or have no basis to dispute.

222. This member remains anonymous because they will need bridge funding from another source to maintain their research program and "they fear that their actions might influence the possibility of receiving such support." *Id.* ¶63. Additionally, administrators at the Harvard-

affiliated hospital where they work "have explicitly instructed this faculty member not to voice any public concerns about what is occurring and not to speak to the media." *Id.*

Response: Defendants admit or have no basis to dispute.

m. AAUP-Harvard members filing under seal

223. Two of AAUP-Harvard's members are filing their affidavits under seal due to fear of harm to themselves, their families, their research teams, and their careers if they were to file publicly. Plaintiffs refer the Court to their under-seal declarations for a description of how Defendants' actions have harmed them. The facts set forth in these declarations are not subject to dispute.

Response: Defendants admit or have no basis to dispute the members reasons for filing under seal. Defendants dispute any allegation that the Defendants' action have caused any legally cognizable harm to those members.

2. Harms to Plaintiff UAW's members

a. Plaintiff member Victoria Jenkins

224. Jenkins is Genome Database Coordinator, a staff scientist position, in Harvard's Department of Molecular and Cellular Biology, and a member of HAW-UAW. Ex. 27 ¶¶1, 4. She works at FlyBase—"the only database dedicated to the Drosophila (fruit fly) genome [which] is essential to the daily work of anyone who works with Drosophila around the world." *Id.* ¶11. Her work focuses on extracting, interpreting, and archiving data from different sources "to standardize the data and make it accessible to the public and other researchers." *Id.* ¶3.

Response: Defendants admit or have no basis to dispute.

225. FlyBase received grant funding from the NIH and NSF and Jenkins learned on May 19, 2025 "that the grant funding, which was previously frozen, has been terminated." *Id.* ¶12. The funding termination will "imminently affect" Jenkins' work as "[w]ithout funding, the FlyBase website will be frozen later this summer and need to stop updating" which will mean "that newly

discovered genes, data, and other discoveries on Drosophila will not be integrated in the FlyBase database and shared with the world." *Id.* ¶13

Response: Defendants admit or have no basis to dispute.

226. Jenkins worries that due to the funding cuts "[y]ears of experience and essential, historical knowledge on the FlyBase database will be lost" that will "have ripple effects across the globe, as Drosophila scientists worldwide rely on FlyBase to conduct vital research that contributes to human medical research and fundamental understandings of biology." *Id.* ¶14–15.

Response: Defendants admit or have no basis to dispute.

227. Jenkins is also "very concerned" about her "job security and anticipate[s] layoffs due to the termination of funding." *Id.* ¶15. She does not "believe there is a viable alternate source of funding that would realistically replace federal funding for FlyBase" as in its twenty-five years of existence, "there has been no viable outside funding source." *Id.* ¶16.

Response: Defendants admit or have no basis to dispute.

b. Plaintiff member Jennifer Chen

228. Chen holds a PhD in Bioinformatics and Integrative Genomics from the Massachusetts Institute of Technology, as well as a Master of Science in Biomedical Informatics and a Bachelor of Science in Biomedical Computation from Stanford University. Ex. 28 ¶2. Chen, a member of HAW-UAW, is a Data Science and NIH Postdoctoral Fellow at Harvard University researching evolutionary patterns of innate animal behaviors combined with comparative genomics, single cell transcriptomics, and other large-scale sequencing approaches to investigate how genes govern behavior. *Id.* ¶1–3.

Response: Defendants admit or have no basis to dispute.

229. Chen received notice on April 2, 2025 that her NIH K99/R00 grant program had been terminated and that any previously guaranteed funds would not be funded beyond June 30,

2025. *Id.* ¶12. Chen has been on maternity leave since receiving the grant termination notice, and has had to work unpaid hours while on leave to attempt to use the remaining active funds before they expire at the end of June. *Id.* ¶14.

Response: Defendants admit or have no basis to dispute.

230. Chen is concerned about the impact of this grant termination on her future job prospects because the now-terminated grant would have covered her faculty salary as well as funded a portion of her lab as a faculty member. *Id.* ¶15. Additionally, her research and job applications are delayed by having to apply for non-governmental funding to replace the terminated NIH funds. *Id.* ¶16.

Response: Defendants admit or have no basis to dispute.

c. Plaintiff member Adam Sychla

231. Sychla is a postdoctoral research fellow at Harvard Medical School researching RNA secondary structure analysis to generate next-generation gene therapies. Ex. 30 ¶¶1, 3. Sychla holds a PhD in Biochemistry, Molecular Biology, and Biophysics from the University of Minnesota and a B.S. in Molecular Genetics and Physics from the Ohio State University. *Id.* ¶2. Sychla is a member of HAW-UAW, as well as a member of HAW-UAW's bargaining committee. *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

232. Sychla's salary is covered by an NIH virology training grant that was terminated by the Trump administration. *Id.* ¶12. This salary has enabled him to study existing viruses in order to better "target new medicines to treat these viruses." *Id.* ¶13. While Sychla has received informal assurances that his salary will be covered for the next year, he has not received any "formal or official confirmation" to that effect, let alone any communication about funding beyond a year from now. *Id.* ¶17.

Response: Defendants admit or have no basis to dispute.

233. Because of the termination, Sychla has had to reallocate his time from research to grant writing in an attempt to cover these lost funds. He has also had to take on additional administrative lab management tasks, as his research lab's manager "was laid off in anticipation of these funding cuts." *Id.* ¶15.

Response: Defendants admit or have no basis to dispute.

234. Sychla is concerned about finding funding coverage because "the number of institutions that could provide grants for [his] project is severely limited." *Id.* ¶20. Without funding coverage, Sychla's entire virology project will stop, causing "approximately $250,000 to $300,000 in losses" beyond the intangible losses of his research progress. *Id.* ¶18.

Response: Defendants admit or have no basis to dispute.

235. Sychla reports that the Trump administration's actions "have also had a chilling effect on [his] actions and the actions of those around [him]," including individuals in his department seeking jobs in other counties for fear of lack of career prospects in the United States or individuals "altering their fields of study or fearing the pursuit of certain fields of study due to concerns that participating in those fields may result in targeting of them and their work." *Id.* ¶¶21, 25.

Response: Defendants dispute any allegations that a subjective "chilling effect"is legally cognizable or was caused by Defendants.

236. Sychla himself has begun considering career options outside of his decade-long field of study and has "been applying to less virology projects due to the Trump administration's attacks on virology." *Id.* ¶22.

Response: Defendants admit or have no basis to dispute.

237. In addition to the attacks on his field of study, Sychla is also concerned about identity or diversity-related retaliation, including as a result of his ongoing public involvement in student and worker advocacy initiatives at Harvard. *Id.* ¶26.

Response: Defendants admit or have no basis to dispute.

d. Plaintiff member Kelsey Tyssowski

238. Tyssowski is a Postdoctoral Research Associate in the Departments of Organismic & Evolutionary Biology and Molecular & Cellular Biology at Harvard University, and a member of HAW-UAW. Ex. 31 ¶¶1, 3. Her research "focuses on comparing different subspecies of deer mice with innate behavioral differences to understand how the nervous system enables skilled movement." *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

239. Tyssowski received "a K99/R00 grant from the NIH" which was "supposed to cover [her] salary through March 2026, covering most of the end of [her] postdoctoral research, and was supposed to cover the first three years of research in [her] own lab." *Id.* ¶10. The loss of federal funding imminently affects her "work and career prospects." *Id.* ¶12. The loss of NIH funding will impact her "ability to travel" "to visit a skilled movement research lab in North Carolina that [she has] been collaborating with as lead scientist for the past five years" and "will negatively impact the research [she] is doing as part of this collaboration." *Id.*

Response: Defendants admit or have no basis to dispute.

240. Tyssowski understands that post June 30, 2025, "any stopgap funding from Harvard University will not cover grants awarded to non-tenure-track researchers" and it will be up to the "discretion of researchers' tenured/tenure-track faculty supervisor as to whether non-tenure track researchers whose federal funding has been terminated will be provided some amount of funding." *Id.* ¶11. At this time, Tyssowski has not "been guaranteed funding to support [her] salary and

research through the summer of 2026" and without this stopgap funding she "may be forced to leave academic science entirely." *Id.*

Response: Defendants admit or have no basis to dispute.

241. Tyssowski is concerned that the termination of her R00 grant, which would have provided funding for the first few years of research in her own lab, "will negatively impact [her] chances of getting a tenure-track faculty job and continuing [her] research program." *Id.* ¶13. Since August 2019, she has been developing "a new system using deer mouse lines to study skilled movement." *Id.* ¶14. Tyssowski is worried that with the termination of her R00 grant and its impact on her ability to obtain a faculty job and continue her research, "the world might never benefit from the discoveries that could be made with this system, as it depends on mouse lines that don't exist anywhere else in the world and [the] expertise that [she] has developed[.]" *Id.*

Response: Defendants dispute that the named person was a party or intended beneficiary of any contract.

e. Plaintiff member Beau Schaeffer

242. Schaeffer is a PhD student in Population Health Sciences, a teaching fellow at Harvard T.H. Chan School of Public Health, and a member of HGSU-UAW. Ex. 29 ¶¶1, 4. His doctoral thesis "focuses on the development of observational research methods for vaccine safety and efficacy and applying these methods to real world data." *Id*. ¶3.

Response: Defendants admit or have no basis to dispute.

243. Schaeffer's doctoral thesis is "only possible through a NIH-funded external collaboration with a large industry partner (a health system) and the data they manage." *Id.* ¶10. The termination of NIH funding will imminently impact Schaeffer's "vaccine study design work" as the scope of his "work will be reduced moving forward as the loss of NIH funding will require the industry partner to limit the labor dedicated to its collaboration with Harvard." *Id.* ¶11. The funding

termination will also have broader effects on "vaccine research made possible through the collaboration with the industry partner" as "[w]ithout the federal funding source, it is unclear whether additional, critical research projects with the industry partner would be able to continue." *Id.* ¶11.

Response: Defendants admit or have no basis to dispute.

244. Schaeffer is uncertain "whether and for how long [he] might receive some stopgap funding from Harvard University" as the university's pledge of $250 million in one-time stopgap funding "is far from sufficient or sustainable to replace the roughly $2.7 billion in terminated funds across Harvard University, including terminated funds at the Harvard T.H. Chan School of Public Health." *Id.* ¶12.

Response: Defendants admit or have no basis to dispute.

245. Schaeffer is also concerned that the loss of NIH funding for his research will impact society and "lead to gaps in the vaccine study design literature" at a time when "[i]mproving observational research methods for vaccines is critical given the increased interest surrounding the safety and efficacy of vaccines." *Id.* ¶13. With the termination of federal funding, it is "uncertain the ability to continue vaccine research with the industry partner"—a collaboration that is critical to Schaeffer's "dissertation and developing rigorous observational research to address questions around new and existing vaccines that are not feasible to assess through other means." *Id.* ¶13.

Response: Defendants admit or have no basis to dispute.

f. Plaintiff member Trudy Merritt

246. Merritt is a PhD student in Virology at Harvard Medical School and a member of HGSU-UAW. Ex. 32 ¶¶1, 3. Merritt's research focuses on "viral host-interactions and specifically how viruses interact with cell signaling pathways driving inflammation and cell death" and explores "how viruses have evolved mechanisms to evade innate immune response." *Id.* ¶4.

Response: Defendants admit or have no basis to dispute.

247. Merritt's PhD is entirely funded by a T32 grant program and the loss of this federal funding "imminently affects [their] work and ability to continue in [their] PhD program." *Id.* ¶¶10, 11. They are concerned that without the T32 grant, they "will have to halt all progress towards [their] degree to find employment elsewhere to afford essential living expenses." *Id.* ¶12. Since the termination of their NIH funding, Merritt has "received no specific information on how [their] PhD will continue to be funded." *Id.* They are aware that Harvard "has promised $250 million to support research on campus" but note that "it remains unclear how this money will be dispersed and how individual programs might supplement the remaining billions of research funding that has been cut to date." *Id.* The continued uncertainty caused by the termination of their NIH funding has "had a detrimental impact on [their] research progress by increasing anxiety and impacting [their] ability to focus." *Id.*

Response: Defendants admit or have no basis to dispute.

248. The administration's funding terminations and related demands on Harvard to "make changes to retain its funding have had a chilling effect on [Merritt's] actions." *Id.* ¶13. Following their funding termination, Merritt "rewrote grant proposals and applications for federal funding to minimize [their] research's contribution to understanding viral infection and spread" and made these changes "due to concerns that the applications would be rejected outright because of the Trump administration's views on the field of virology." *Id.* ¶14.

Response: Defendants dispute that they have caused any subjective "chilling effect" or that such a claim is a legally cognizable harm.

249. At this time, Merritt has "not submitted the funding applications due to additional actions taken by the Trump administration." *Id.* ¶15. Merritt notes that "[r]egardless of affiliation with entities outside of Harvard" such as lab specific hospital affiliation, "all Harvard graduate

students must submit grants through Harvard." *Id.* The administration's May 5 letter made clear to Merritt that, "as a Harvard graduate student, [they] have no current means of securing federal funding to continue [their] research." *Id.* ¶15.

Response: Defendants admit or have no basis to dispute.

g. Plaintiff member Jules Riegel

250. Riegel, a member of HAW-UAW, is a Lecturer on History and Literature at Harvard University, researching and teaching on the Holocaust, World War II, and global transgender history. Ex. 33 ¶¶1, 3.

Response: Defendants admit or have no basis to dispute.

251. The administration's funding terminations, threats, and related demands have chilled their speech and actions, culminating in them opting "not to teach a course on global transgender history in the upcoming fall semester due to fear of content-based retaliation, fear for [their] students' safety, and fear for [themself] as an openly transgender individual." *Id.* ¶¶11–12.

Response: Defendants dispute that they have caused any subjective "chilling effect" or that such a claim is a legally cognizable harm, as well as any characterizations cited about the Defendants' actions.

252. Riegel has more broadly had to reevaluate how to "safely teach courses on topics including global transgender history, World War II, and the Holocaust," including "curricular and pedagogical changes" as a result of "the administration's demands for 'viewpoint diversity,'" "attacks on diversity, equity, and inclusion," and the uncertainty caused by the administration's attacks and vague invocation of "ideological capture." *Id.* ¶¶12–14.

Response: Defendants admit or have no basis to dispute.

253. "As a non-tenure-track faculty member who is also engaged in activism in addition to [their] scholarship," Riegel is "specifically concerned about the administration's goal of

'reducing the power held by students and untenured faculty' and by those 'more committed to activism than scholarship.'" *Id.* ¶15. Riegel is worried that the attacks "may result in [them] having even less control around [their] curriculum, such as hindering [their] ability to determine [their] own course content, or being forced to teach content with which [they] disagree." *Id.*

Response: Defendants admit or have no basis to dispute.

254. Riegel also reports "broad concern within [their] department about how these policies may affect "faculty, staff, and students." *Id.* ¶16.

Response: Defendants admit or have no basis to dispute.

255. As a result of these concerns, Riegel is "fearful for the safety of [their] students, especially international students or students with immigrant backgrounds, including their ability to engage with critical scholarship around the Holocaust and transgender history" and "could not in good conscience recommend that doctoral applicants attend Harvard right now." *Id.* ¶¶17–18.

Response: Defendants admit or have no basis to dispute.

Dated: June 16, 2025

Respectfully submitted,

LEAH B. FOLEY

United States Attorney

By: /s/ Anuj K. Khetarpal

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSSETTS

PRESIDENT AND FELLOWS OF HARVARD COLLEGE, *Plaintiff*, v. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, et al., *Defendants*.	Case No. 1:25-cv-11048-ADB
AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS—HARVARD FACULTY CHAPTER et al., *Plaintiffs*, v. UNITED STATES DEPARTMENT OF JUSTICE et al., *Defendants*.	Case No. 1:25-CV-10910-ADB

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Defendants hereby appeal to the United States Court of Appeals for the First Circuit from this Court's Order Entering Final Judgment, entered in Case No. 1:25-cv-11048-ADB at ECF No. 247 and dated October 20, 2025, as well as this Court's Order and Final Judgment entered in Case No. 1:25-CV-10910-ADB at ECF No. 153 and dated October 20, 2025.

Dated: December 18, 2025

Respectfully submitted,

ABHISHEK KAMBLI
Deputy Associate Attorney General

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

JOSEPH BORSON
Assistant Director, Federal Programs Branch

/s/ *Eitan R. Sirkovich*
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CERTIFICATE OF SERVICE

Counsel for Defendants certify that they have submitted the foregoing document with the clerk of court for the District of Massachusetts, using the electronic case filing system of the Court. Counsel for Defendant hereby certify that they have served all parties electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).

/s/ *Eitan R. Sirkovich*
Eitan R. Sirkovich

Docusign Envelope ID: 8B5E1264-41A5-4866-8162-EB8B7082C5DA
Case: 25-2231 Case: 1:25-cv-10685-ADB Document: 00118243992 Page: 95-6 Date Filed: 10/30/2026 Page 2 of 5 Entry ID: 6806028

U.S. General Services Administration

3/31/2025

MEMORANDUM FOR: 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

FROM: JOSH GRUENBAUM
Signed by: Josh Gruenbaum 2E0F9ABC0FC249F...
COMMISSIONER, FEDERAL ACQUISITION SERVICE
U.S. GENERAL SERVICES ADMINISTRATION (GSA)

SUBJECT: Review of Federal Government Contracts

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, consisting of the Departments of Justice, Education, Health and Human Services, and the General Services Administration. GSA is leading a Task Force comprehensive review of 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 Harvard University.

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 $255.6 million of contract ceiling value. In addition, we are requiring you to send a list of all other contracts between the Federal Government and Harvard 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 $8.7 billion of multi-year grant commitments between Harvard University, its affiliates and the Federal Government for potential compliance concerns, false claims or other infractions.

Docusign Envelope ID: 8B5E1264-41A5-4866-8162-EB8B7082C5DA

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.

April 03, 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:

Please consider this a formal communication with respect to the current situation on the campus of Harvard University and a follow up to the March 31, 2025, letter from Commissioner Gruenbaum informing you that the United States Government would be reviewing Harvard's federal funding. Harvard has asked for a dialogue with the Task Force to discuss this ongoing review. Below, you will find several broad, non-exhaustive areas of reform that the government views as necessary for Harvard to implement to remain a responsible recipient of federal taxpayer dollars. We look forward to a meaningful dialogue focused on lasting, structural reforms at Harvard.

U.S. taxpayers invest enormously in U.S. colleges and universities, including Harvard University. These funds are an investment and, like any investment, are based on the recipient's performance, not owed as a matter of custom or right. It is the responsibility of the federal government to ensure that all recipients are responsible stewards of taxpayer funds. Harvard University, however, has fundamentally failed to protect American students and faculty from antisemitic violence and harassment in addition to other alleged violations of Title VI and Title VII of the Civil Rights Act of 1964. This letter outlines immediate next steps that we regard as necessary for Harvard University's continued financial relationship with the United States government.

- **Oversight and accountability for biased programs that fuel antisemitism.** Programs and departments that fuel antisemitic harassment must be reviewed and necessary changes made to address bias, improve viewpoint diversity, and end ideological capture.
- **Disciplinary reform and consistent accountability.** Harvard has an obligation to consistently and proactively enforce its existing disciplinary policies, ensuring that senior administrative leaders are responsible for final decisions. Reforms must include a

comprehensive mask ban (with medical and religious exemptions, given identification is always displayed) and a clarified time, place, and manner policy. Harvard must review and report on disciplinary actions for antisemitic rule violations since October 7, 2023.

- **Student group accountability.** Recognized and unrecognized student groups, and their leadership, must be held accountable for violations of Harvard policy.
- **Governance and leadership reforms.** Harvard must make meaningful governance reforms to improve its organizational structure to foster clear lines of authority and accountability, and to empower faculty and administrative leaders who are committed to implementing the changes indicated in this letter.
- **Merit-based admissions reform.** Harvard must adopt and implement merit-based admissions policies; cease all preferences based on race, color, or national origin in admissions throughout its undergraduate, graduate, and other programs; and demonstrate through structural and personnel action that these changes are durable.
- **Merit-based hiring reform.** Harvard must adopt and implement merit-based hiring policies; cease all preferences based on race, color, religion, sex, or national origin in hiring throughout its teaching and research faculty, staff, and leadership; and demonstrate through structural and personnel action that these changes are durable.
- **Diversity, Equity, and Inclusion (DEI) programs.** DEI programs teach students, faculty, staff, and leadership to make snap judgments about each other based on crude race and identity stereotypes, which fuels division and hatred based on race, color, national origin, and other protected identity characteristics. All efforts should be made to shutter such programs.
- **Cooperation with law enforcement.** Harvard must cooperate with law enforcement to ensure student safety.
- **Transparency and reporting to ED, DHS, and other federal regulators.** Harvard must comply fully with existing statutory reporting requirements under Section 117 of the Higher Education Act, commit to full cooperation with DHS and other federal regulators, and make organizational changes as necessary to enable full compliance.

We expect your immediate cooperation in implementing these critical reforms that will enable Harvard to return to its original mission of providing a high-quality education in a safe environment for *all* students through a focus on truth-seeking, 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

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.

- 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

quinn emanuel trial lawyers 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

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
Suite 900
Washington, DC 20006

THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

May 5, 2025

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

Dr. Garber,

The Federal Government has a sacred responsibility to be a wise and important steward of American taxpayer dollars. Harvard University, despite amassing a largely tax-free $53.2 billion dollar endowment (larger than the GDP of 100 countries), receives billions of dollars of taxpayer largess each year. Receiving such taxpayer funds is a privilege, not a right. Yet instead of using these funds to advance the education of its students, Harvard is engaging in a systemic pattern of violating federal law. Where do many of these "students" come from, who are they, how do they get into Harvard, or even into our country—and why is there so much HATE? These are questions that must be answered, among many more, but the biggest question of all is, why will Harvard not give straightforward answers to the American public?

Harvard University has made a mockery of this country's higher education system. It has invited foreign students, who engage in violent behavior and show contempt for the United States of America, to its campus. In every way, Harvard has failed to abide by its legal obligations, its ethical and fiduciary duties, its transparency responsibilities, and any semblance of academic rigor. It had scrapped standardized testing requirements and a normalized grading system. This year Harvard was forced to adopt an embarrassing "remedial math" program for undergraduates. Why is it, we ask, that Harvard has to teach simple and basic mathematics, when it is supposedly so hard to get into this "acclaimed university"? Who is getting in under such a low standard when others, with fabulous grades and a great understanding of the highest levels of mathematics, are being rejected?

Harvard has even been embroiled in humiliating plagiarism scandals, exposed clearly and plainly in the media, with respect to your then University President, who was an embarrassment to our Nation. Much of Harvard's hateful discrimination was revealed, last year, by the great work of Congresswoman Elise Stefanik, and her Committee. As if it were trying to embarrass itself even further, Harvard hired failed Mayors Bill De Blasio and Lori Lightfoot, perhaps the worst mayors ever to preside over major cities in our country's history, to supposedly teach "leadership" at their School of Public Health. This is like hiring the captain of the Titanic to teach navigation to future captains of the sea.

This incomprehensible failure becomes more understandable after reviewing Harvard's management. The Harvard Corporation, which is supposed to competently and professionally manage Harvard's vast academic, financial, and physical resources, is run by strongly left-leaning Obama political appointee Penny Pritzker, a Democrat operative, who is catastrophic and

running the institution in a totally chaotic way. Harvard alumnus and highly successful hedge fund manager Bill Ackman noted that, under her leadership, Harvard has become "a political advocacy organization for one party."

Ackman has called for the resignation of Pritzker, concluding that the "[t]he mismanagement here is Penny Pritzker" and noting that any serious corporation would have removed her after a litany of recent failings and the fact that, incredibly, "Harvard is not in a good financial position." According to Ackman, one of the world's foremost finance experts, Harvard's so-called $53 billion endowment is "massively overstated as far as what it's really worth," and Harvard has irresponsibly taken out $8 billion in debt.

If this is true, it is concerning evidence of Harvard's disastrous mismanagement, indicating an urgent need for massive reform—not continued taxpayer investment. If Harvard prefers not to change, then Harvard should have no problem using its overflowing endowment to fund its bloated bureaucracy.

At its best, a university should fulfill the highest ideals of our Nation, and enlighten the thousands of hopeful students who walk through its magnificent gates. But Harvard has betrayed this ideal.

Perhaps most alarmingly, Harvard has failed to abide by the United States Supreme Court's ruling demanding that it end its racial preferencing, and continues to engage in ugly racism in its undergraduate and graduate schools, and even within the Harvard Law Review itself. Our universities should be bastions of merit that reward and celebrate excellence and achievement. They should not be incubators of discrimination that encourage resentment and instill grievance and racism into our wonderful young Americans.

The above concerns are only a fraction of the long list of Harvard's consistent violations of its own legal duties. Given these and other concerning allegations, this letter is to inform you that Harvard should no longer seek GRANTS from the federal government, since none will be provided. Harvard will cease to be a publicly funded institution, and can instead operate as a privately-funded institution, drawing on its colossal endowment, and raising money from its large base of wealthy alumni. You have an approximately $53 Billion head start, much of which was made possible by the fact that you are living within the walls of, and benefiting from, the prosperity secured by the United States of America and its free-market system you teach your students to despise.

The Administration had previously been willing to maintain federal funding to Harvard, so long as Harvard committed to complying with long-settled Federal Law, including to protect and promote student welfare and the landmark decision of our Supreme Court against racial preferencing. The proposed common-sense reforms – which the Administration remains committed to – include a return to merit-based admissions and hiring, an end to unlawful programs that promote crude identity stereotypes, disciplinary reform and consistent accountability, including for student groups, cooperation with Law Enforcement, and reporting compliance with the Department of Education, Department of Homeland Security, and other

Federal Agencies. The Administration's priorities have not changed and today's letter marks the end of new grants for the University.

These requests will advance the best interests of Harvard University, so it can reclaim its status as a respected educational institution for the future leaders of America. Thank you for your attention to this matter!

Sincerely,



Linda E. McMahon
Secretary of Education

Federal Register
Vol. 90, No. 21
Monday, February 3, 2025

Presidential Documents

Title 3—

The President

Executive Order 14188 of January 29, 2025

Additional Measures To Combat Anti-Semitism

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Purpose.* My Administration has fought and will continue to fight anti-Semitism in the United States and around the world. On December 11, 2019, I issued Executive Order 13899, my first Executive Order on Combating Anti-Semitism, finding that students, in particular, faced anti-Semitic harassment in schools and on university and college campuses. Executive Order 13899 provided interpretive assistance on the enforcement of the Nation's civil rights laws to ensure that they would protect American Jews to the same extent to which all other American citizens are protected. The prior administration effectively nullified Executive Order 13899 by failing to give the terms of the order full force and effect throughout the Government. This order reaffirms Executive Order 13899 and directs additional measures to advance the policy thereof in the wake of the Hamas terrorist attacks of October 7, 2023, against the people of Israel. These attacks unleashed an unprecedented wave of vile anti-Semitic discrimination, vandalism, and violence against our citizens, especially in our schools and on our campuses. Jewish students have faced an unrelenting barrage of discrimination; denial of access to campus common areas and facilities, including libraries and classrooms; and intimidation, harassment, and physical threats and assault. A joint report by the House Committees on Education and the Workforce, Energy and Commerce, Judiciary, Oversight and Accountability, Veterans' Affairs, and Ways and Means calls the Federal Government's failure to fight anti-Semitism and protect Jewish students ''astounding.'' This failure is unacceptable and ends today.

Sec. 2. *Policy.* It shall be the policy of the United States to combat anti-Semitism vigorously, using all available and appropriate legal tools, to prosecute, remove, or otherwise hold to account the perpetrators of unlawful anti-Semitic harassment and violence.

Sec. 3. *Additional Measures to Combat Campus Anti-Semitism.* (a) Within 60 days of the date of this order, the head of each executive department or agency (agency) shall submit a report to the President, through the Assistant to the President for Domestic Policy, identifying all civil and criminal authorities or actions within the jurisdiction of that agency, beyond those already implemented under Executive Order 13899, that might be used to curb or combat anti-Semitism, and containing an inventory and analysis of all pending administrative complaints, as of the date of the report, against or involving institutions of higher education alleging civil-rights violations related to or arising from post-October 7, 2023, campus anti-Semitism.

(b) The report submitted by the Attorney General under this section shall additionally include an inventory and an analysis of all court cases, as of the date of the report, against or involving institutions of higher education alleging civil-rights violations related to or arising from post-October 7, 2023, campus anti-Semitism and indicate whether the Attorney General intends to or has taken any action with respect to such matters, including filing statements of interest or intervention.

(c) The Attorney General is encouraged to employ appropriate civil-rights enforcement authorities, such as 18 U.S.C. 241, to combat anti-Semitism.

(d) The report submitted by the Secretary of Education under this section shall additionally include an inventory and an analysis of all Title VI complaints and administrative actions, including in K–12 education, related to anti-Semitism—pending or resolved after October 7, 2023—within the Department's Office for Civil Rights.

(e) In addition to identifying relevant authorities to curb or combat anti-Semitism generally required by this section, the Secretary of State, the Secretary of Education, and the Secretary of Homeland Security, in consultation with each other, shall include in their reports recommendations for familiarizing institutions of higher education with the grounds for inadmissibility under 8 U.S.C. 1182(a)(3) so that such institutions may monitor for and report activities by alien students and staff relevant to those grounds and for ensuring that such reports about aliens lead, as appropriate and consistent with applicable law, to investigations and, if warranted, actions to remove such aliens.

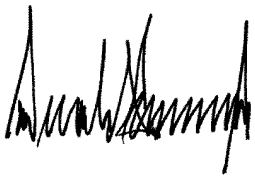
Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
January 29, 2025.

[FR Doc. 2025–02230
Filed 1–31–25; 11:15 am]
Billing code 3395–F4–P

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."

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 April 25, 2025

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FOR IMMEDIATE RELEASE
March 31, 2025

Contact: HHS Press Office

202-690-6343
Submit a Request for Comment

HHS, ED, and GSA Initiate Federal Contract and Grant Review of Harvard University

Measures include a comprehensive review of federal contracts and grants as part of an investigation aimed at eliminating anti-Semitic harassment on college campuses

WASHINGTON — Today, the Departments of Education (ED), Health and Human Services (HHS), and the U.S. General Services Administration (GSA), announced a comprehensive review of federal contracts and grants at Harvard University and its affiliates. This review is part of the ongoing efforts of the Joint Task Force to Combat Anti-Semitism.

The Task Force will review the more than $255.6 million in contracts between Harvard University, its affiliates and the Federal Government. The review also includes the more than $8.7 billion in multi-year grant commitments to Harvard University and its affiliates to ensure the university is in compliance with federal regulations, including its civil rights responsibilities.

“Harvard has served as a symbol of the American Dream for generations – the pinnacle aspiration for students all over the world to work hard and earn admission to the storied institution,” said **Secretary of Education Linda McMahon**. “Harvard’s failure to protect students on campus from anti-Semitic discrimination - all while promoting divisive ideologies over free inquiry - has put its reputation in serious jeopardy. Harvard can right these wrongs and restore itself to a campus dedicated to academic excellence and truth-seeking, where all students feel safe on its campus.”

Today’s actions by the Task Force follow a similar ongoing review of Columbia University. That review led to Columbia agreeing to comply with 9 preconditions <https://www.gsa.gov/about-us/newsroom/news-releases/hhs-ed-and-gsa-respond-to-columbia-universitys-actions-to-comply-with-joint-03242025> for further negotiations regarding a return of canceled federal funds. This initiative strengthens enforcement of President Trump’s Executive Order titled “Additional Measures to Combat Anti-Semitism <https://www.whitehouse.gov/presidential-actions/2025/01/additional-measures-to-combat-anti-semitism/>**.** The Task Force ensures that federally funded institutions uphold their legal and ethical responsibilities to prevent anti-Semitic harassment.

The federal government will collaborate with relevant contracting agencies to assess whether Stop Work Orders should be issued for any identified contracts. Additionally, Harvard has been directed to submit a comprehensive list of all contracts—both direct and through affiliates—between their institution and the federal government that were not included in the initial review.

“The Task Force will continue its efforts to root out anti-Semitism and to refocus our institutions of higher learning on the core values that undergird a liberal education,” said **HHS Acting General Counsel and Task Force member, Sean Keveney**. “We are pleased that Harvard is willing to engage with us on these goals.”

Any institution found to be in violation of federal compliance standards may face administrative actions, including contract termination.

The Task Force remains committed to awarding federal funds responsibly and holding institutions accountable for taking decisive action against anti-Semitic harassment. GSA has been asked to facilitate the review of federal funding received by Harvard including grant and contract reviews across the Federal Government.

“Hate in any form goes against the foundational principles of America. While Harvard's recent actions to curb institutionalized anti-Semitism - though long overdue - are welcome, there is much more that the university must do to retain the privilege of receiving federal taxpayer's hard earned dollars,” said **FAS Commissioner and Task Force Member, Josh Gruenbaum**. “This administration has proven that we will take swift action to hold institutions accountable if they allow anti-Semitism to fester. We will not hesitate to act if Harvard fails to do so.”

For more information, visit the announcement on the formation of the Task Force to Combat Anti-Semitism <https://www.justice.gov/opa/pr/justice-department-announces-formation-task-force-combat-anti-semitism> and read the HHS, ED, and GSA joint press <https://www.gsa.gov/about-us/newsroom/news-releases/hhs-ed-and-gsa-announce-additional-measures-to-end-antisemitic-harassment-03032025> release from Monday, March 3rd.

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FOR IMMEDIATE RELEASE
April 14, 2025

Contact: HHS Press Office

202-690-6343
Submit a Request for Comment

Joint Task Force Statement Regarding Harvard University

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.

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Content created by Assistant Secretary for Public Affairs (ASPA)
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U.S. General Services Administration

May 13, 2025

Joint Task Force to Combat Anti-Semitism Statement on Additional Harvard Actions

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

Harvard University has repeatedly failed to confront the pervasive race discrimination and anti-Semitic harassment plaguing its campus. This is just the latest chapter in Harvard's long-standing policy and practice of discriminating on the basis of race as recognized by the Supreme Court in Students for Fair Admissions v. Harvard, where the Court rebuked Harvard for its unlawful race discrimination in admissions. That shameful legacy has continued on as recognized by Harvard's own Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias, which lays bare an appalling reality: Jewish students were subjected to pervasive insults, physical assault, and intimidation, with no meaningful response from Harvard's leadership. Recent reporting has exposed the Harvard Law Review's (HLR) pattern of endemic race discrimination when evaluating articles for inclusion in its journal. Even more troubling, the HLR awarded a $65,000 fellowship–meant to "serve the public interest"—to a protester who faced criminal charges for assaulting a Jewish student on campus. The decision was reviewed and approved by a faculty committee, demonstrating just how radical Harvard has become.

Harvard's campus, once a symbol of academic prestige, has become a breeding ground for virtue signaling and discrimination. This is not leadership; it is cowardice. And it's not academic freedom; it's institutional disenfranchisement. There is a dark problem on Harvard's campus, and by prioritizing appeasement over accountability, institutional leaders have forfeited the school's claim to taxpayer support. As a result, eight federal agencies across the government are announcing the termination of approximately $450 million in grants to Harvard, which is in addition to the $2.2 billion that was terminated last week.

The Task Force fully supports the Trump Administration's multi-agency move to cut funding to Harvard, demonstrating the entire Administration's commitment to eradicating discrimination on Harvard's campus. As we have made clear time and again, this Task Force will not waver in its mission to root out discrimination, hate and bigotry at institutions entrusted with public funds. Harvard, and its leadership group who are tainted by the egregious infractions under its watch, faces a steep, uphill battle to reclaim its legacy as a lawful institution and center of academic excellence.

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Last updated: May 13, 2025

U.S. House of Representatives
Staff Report on Antisemitism

December 18, 2024

In coordination with the:

Speaker of the House Mike Johnson
Majority Leader Steve Scalise
Majority Whip Tom Emmer
Republican Conference Chairwoman Elise Stefanik
Republican Conference Vice Chairman Blake Moore
Education and the Workforce Committee
Energy and Commerce Committee
Judiciary Committee
Oversight Committee
Veterans' Affairs Committee
Ways and Means Committee

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II. Executive Summary

Since the horrific terrorist attack carried out by Hamas on October 7, 2023, the United States has witnessed an alarming surge in antisemitism. Across the nation, Jewish Americans have been harassed, assaulted, intimidated, and subjected to hostile environments—violations that stand in stark contrast to America's fundamental values, including a foundational commitment to religious freedom for all.

In response, on April 30, 2024, Speaker Mike Johnson announced a unified U.S. House of Representatives initiative to confront this crisis head-on. This effort, spanning multiple committees, reflects an unwavering dedication to combating antisemitism and ensuring the safety and dignity of Jewish Americans. The initiative has been spearheaded by the Committees on Education and the Workforce, Energy and Commerce, Judiciary, Oversight and Accountability, Veterans Affairs, and Ways and Means. Together, these committees have undertaken investigations into federal funding, federal departments and agencies, foreign student visa programs, and tax benefits granted to nonprofit organizations and universities, all to address the troubling rise of hate and extremism.

The Committees' findings are alarming. For instance, some of our most prominent American universities refused to crack down on antisemitism. In fact, many colleges handed down disparate disciplinary actions for Jewish students versus their antagonists—the students who engaged in antisemitic behavior, encampments, and intimidating tactics such as campus checkpoints and tax-exempt organizations that enabled and funded violent campus protests, among other troubling findings. The failure of our federal government departments and agencies is astounding. For example, HHS and its grant-making agencies have entirely avoided any accountability for institutions to which they award millions of dollars annually.

The recommendations contained in this report are a result of thoughtful investigations by each Committee. These recommendations should not be taken lightly. First and foremost, as a nation we must protect Jewish citizens and students. That may require colleges and universities to use their vast endowments to better protect and support students on campus. Universities must ensure equal treatment for equivalent infractions. Students must learn that actions have consequences—not that there is a different standard based on race or ethnicity. This report reveals the lack of oversight of institutions receiving significant sums of federal grant money and the recommendations urge that the U.S. Department of Health and Human Services (HHS), in particular, engage in more robust oversight. Likewise, the U.S. Department of Veterans Affairs has more work to do inside and outside their headquarters. This is not an exhaustive list—readers should refer to the subsections for more specifics.

As Speaker Johnson emphasized when he announced the House-wide initiative, "[n]early every committee here has a role to play in these efforts to stop the madness that has ensued." Highlights of the initiative include:

- **The Committee on Education and the Workforce**: Conducted oversight by holding hearings with students and university presidents and obtaining more than 400,000 pages

of documents from postsecondary institutions through document requests and subpoenas to ensure accountability.

- **The Committee on Energy and Commerce**: Conducted oversight of the federal agencies responsible for disbursing taxpayer-funded research grants to institutions and several institutions themselves.

- **The Committee on the Judiciary**: Examined immigration policies and enforcement to address national security concerns, including foreign nationals with sympathies for Hamas entering the country.

- **The Committee on Oversight and Accountability**: Examined the actions of officials in the District of Columbia as it relates to their refusal to adequately address unlawful and antisemitic protests.

- **The Committee on Veterans Affairs**: Investigated antisemitic misconduct within the Department of Veterans Affairs and the inadequate internal investigation that followed such conduct. The Committee sent letters to the Department of Veterans Affairs and the Governors of California, New York, Illinois, Massachusetts, Michigan, and North Carolina asking them to investigate through the State Approving Agencies whether certain universities were adequately addressing the education needs of Jewish veteran students and were providing the quality of education required for participation in the GI Bill. These states and universities were chosen because they received a D or an F rating from the Anti-Defamation League's report card.

- **The Committee on Ways and Means**: Investigated tax-exempt organizations and antisemitism across the country to hold bad actors accountable and ensure that tax-exempt organizations, including universities, are not abusing our nation's tax code to support illegal activity or operate outside of tax-exempt purposes.

These robust, multi-faceted investigations have culminated in actionable findings and recommendations to safeguard Jewish Americans and uphold America's commitment to religious freedom and safety. House Republicans remain steadfast in their commitment to addressing this fateful moment with moral clarity and decisive action, ensuring that Jewish Americans can live safely and freely in the United States of America. In the 119th Congress, we look forward to continuing to shine a light wherever antisemitism rears its ugly head.

III. The Committee on Education and the Workforce

A. Overview of the Investigation

Over the past year, the House Committee on Education and the Workforce ("Committee"), led by Chairwoman Virginia Foxx, conducted an intensive investigation into antisemitism in postsecondary education. The Committee's investigation has been unprecedented in depth and scope, sending requests for documents and information to universities across the country and collecting nearly half a million pages of documents. For the first time in its 157-year history, the Committee issued subpoenas to universities for their failure to satisfy the Committee's demands. Chairwoman Foxx and the Committee held six hearings and a student roundtable on campus antisemitism. The Committee issued numerous reports and released documents that revealed extensive evidence of universities' apparent unwillingness to fulfill their legal obligations under Title VI of the *Civil Rights Act* ("Title VI") and their overwhelming failure to address the explosion of antisemitic conduct on their campuses.

Relevant Federal Laws

Title VI: Title VI prohibits recipients of federal funds ("recipients") from discriminating on the basis of race, color, or national origin.[1] Approximately 5,600 colleges and universities receive federal funds, including in the form of student aid under Title IV of the *Higher Education Act*, and therefore are subject to Title VI.[2] Since 2004, the Department of Education's Office for Civil Rights ("OCR") has repeatedly affirmed that discrimination against religious groups is prohibited by Title VI when it is based on an individual's actual or perceived shared ancestry or ethnic characteristics, or on an individual's citizenship or residency in a country with a dominant religion or distinct religious identity.[3]

Recipients may be found in violation of Title VI under disparate treatment claims (when a recipient treats students differently based on race, color, or national origin) and under hostile environment claims.[4] The Department of Education's OCR defines a hostile environment as "unwelcome conduct based on race, color, or national origin that, based on the totality of circumstances, is subjectively and objectively offensive and is so severe or pervasive that it

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[1] Civil Rights Act of 1964 § 601.
[2] *Number of postsecondary institutions in the United States that award federal student aid*, NATIONAL CENTER FOR EDUCATION STATISTICS, https://nces.ed.gov/ipeds/TrendGenerator/app/answer/1/1.
[3] U.S. DEP'T OF ED. OFF. OF C.R., KNOW YOUR RIGHTS: TITLE VI AND RELIGION (2017), https://www2.ed.gov/about/offices/list/ocr/docs/know-rights-201701-religious-disc.pdf; U.S. DEP'T OF ED. OFF. OF C.R., FACT SHEET: PROTECTING STUDENTS FROM DISCRIMINATION BASED ON SHARED ANCESTRY OR ETHNIC CHARACTERISTICS (2023), https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-shared-ancestry-202301.pdf.
[4] ABIGAIL A. GRABER, CONG. RSCH. SERV., LSB11129, RELIGIOUS DISCRIMINATION AT SCHOOL: APPLICATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (2024).

limits or denies a person's ability to participate in or benefit from a school's education program or activity."[5]

Notably, the commission of a discriminatory act on a recipient's campus does not by itself amount to a Title VI violation. A Title VI violation occurs when a recipient has allowed, permitted, or created a hostile environment that targets someone based on race, color, or national origin.[6] Whether any particular incident amounts to a Title VI violation depends on the specific facts of the incident and any related incidents on campus and the university's response.[7]

The Clery Act: The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* ("Clery Act") requires all institutions that receive Title IV funding to establish and publish various campus security policies, submit an annual crime report of campus crime statistics, and publish accurate and prompt reporting of all crimes to the campus police and appropriate law enforcement agencies.[8] The Clery Act provides for additional reporting when victims of certain crimes are selected on the basis of certain characteristics – including religion, national origin, and ethnicity.[9] This means that institutions must count crimes such as assault, intimidation, or vandalism when the victim is intentionally selected because of his or her perceived religion or national origin, such as when Jewish students are targeted.

B. Findings

(1) Universities Failed to Stop Antisemitism on Their Campuses, Likely Violating Title VI

The Committee found that numerous universities failed to stop antisemitism on their campuses, likely violating Title VI. Specifically, Columbia University explicitly acknowledged that its campus became a hostile environment in violation of Title VI. In addition, evidence suggests Title VI violations at other universities including the University of California, Los Angeles ("UCLA"), and Harvard.

- **Columbia University:** 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[ed] a hostile environment in violation of Title VI, especially around our gates, that is unsafe for everyone."[10] This statement came after an April 21, Committee letter to the University

[5] Catherine E. Lhamon, *Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics*, U.S. DEP'T OF ED., (May 7, 2024), https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf.
[6] U.S. DEP'T OF ED. OFF. OF C.R., DEAR COLLEAGUE LETTER: PROTECTING STUDENTS FROM DISCRIMINATION, SUCH AS HARASSMENT, BASED ON RACE, COLOR, OR NATIONAL ORIGIN, INCLUDING SHARED ANCESTRY OR ETHNIC CHARACTERISTICS (2024), https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdfhttps://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-shared-ancestry-202301.pdf.
[7] *Id.*
[8] Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) (2024).
[9] Clery Act § 1092(f)(1)(F)(ii).
[10] Statement from Columbia Univ. President Minouche Shafik, Columbia Univ. (Apr. 29, 2024), https://president.columbia.edu/news/statement-columbia-university-president-minouche-shafik-4-29.

documenting numerous disturbing incidents at and around the encampment, and warning that Columbia was in "major breach" of its Title VI obligations.[11] 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.[12]

- 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.[13] 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."[14] 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."[15] The Task Force also found "[v]isibly observant [Jewish] students, like ones who wear traditional head coverings, have been frequently met with extreme hostility."[16]

- **UCLA:** UCLA allowed the creation of a hostile environment for Jewish students that appears to have violated Title VI.[17] UCLA administrators failed to heed recommendations by university police to identify outside agitators and remove nonstudents from the encampment, even as it fortified and expanded to include antisemitic checkpoints that denied Jewish

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[11] Letter from Virginia Foxx, Chairwoman, H. Comm. on Ed. & the Workforce, to Columbia Univ. (Apr. 21, 2024), https://edworkforce.house.gov/uploadedfiles/4-21-24_columbia_april_letter.pdf.

[12] Kenneth Granger, et. al, *Violent pro-terror rioters shouting 'Intifada!' smash their way into Columbia University academic building in latest campus chaos*, NY POST (Apr. 30, 2024), https://nypost.com/2024/04/30/us-news/columbia-university-protesters-take-over-hamilton-hall/.

[13] Task Force on Antisemitism, *Columbia University Student Experiences of Antisemitism and Recommendations For Promoting Shared Values And Inclusion* (Aug. 2024), https://president.columbia.edu/sites/default/files/content/Announcements/Report-2-Task-Force-on-Antisemitism.pdf.

[14] *Id.* at 36-37.

[15] Task Force on Antisemitism, *Columbia University Student Experiences of Antisemitism and Recommendations For Promoting Shared Values And Inclusion*, 28-29 (Aug. 2024), https://president.columbia.edu/sites/default/files/content/Announcements/Report-2-Task-Force-on-Antisemitism.pdf.

[16] Task Force on Antisemitism, *Columbia University Student Experiences of Antisemitism and Recommendations For Promoting Shared Values And Inclusion*, 13 (Aug. 2024), https://president.columbia.edu/sites/default/files/content/Announcements/Report-2-Task-Force-on-Antisemitism.pdf.

[17] Though the Committee views the evidence as substantiating a Title VI violation, neither OCR nor a court, both of which have authority to find a violation has occurred, have yet done so.

students access to central parts of campus.[18] Only after an outbreak of mob violence did the University take the overdue step of clearing the encampment.[19]

The U.S. District Court for the Central District of California found[20] that "Jewish students were excluded from portions of the UCLA campus because they refused to denounce their faith" and issued a preliminary injunction ordering the school to ensure Jewish students have access to the same resources as other students.[21]

- **Harvard University:** Harvard drew national attention for pervasive antisemitic misconduct, including the assault of an Israeli student, classroom disruptions, and a building occupation, but its leaders ignored their own advisors' recommendations to address the problem.[22] In the aftermath of the post-October 7th explosion of antisemitic hate, then-President Claudine Gay formed an Antisemitism Advisory Group ("AAG") to help "develop a robust strategy for confronting antisemitism on campus."[23] It found antisemitism to be a major problem at Harvard, noting significant harassment of Jewish students and pervasive ostracization of Israeli students.[24] AAG members became frustrated by Harvard's leaders' inaction, prompting five of its eight members to threaten to resign.[25]

  In December 2023, the AAG presented Harvard's leaders with a set of significant recommendations to combat antisemitism at the University including enforcing "zero tolerance" for classroom disruptions; countering antisemitic speech; reviewing the academic rigor of classes and programs with antisemitic content; and reviewing Harvard's Office for

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[18] UCLA Police Message Thread (Apr. 25, 2024, 4:25 AM) (on file with Comm.); Email from UCLA Bruin Alert (Apr. 26, 2024, 12:26 PM) (on file with Comm.); Katherine Mangan, *Federal Judge Blasts UCLA for Allowing Encampment Protesters to Block Jewish Students*, THE CHRONICLE OF HIGHER ED. (Aug. 14, 2024) https://www.chronicle.com/article/federal-judge-blasts-ucla-for-allowing-encampment-protesters-to-block-jewish-students.

[19] UCPD Leadership Text Messages (May 1, 2024) (on file with Comm.); Letter from Assemb. Rick Chavez Zbur to Hon. Catherine E. Lhamon, Asst. Sec. U.S. Dept. of Ed. (Apr. 30, 2024), https://a51.asmdc.org/press-releases/20240430-assemblymember-zbur-requests-investigation-potential-violations-title-vi.

[20] The court's grant of a preliminary injunction was based on the undisputed facts underlying the plaintiffs' free exercise claims and did not adjudicate the Title VI or other claims asserted by the plaintiffs.

[21] Order for Preliminary Injunction, *Frankel v. Regents*, No. 2:24-cv-04702-MCS-PD (C.D. Cal., Aug. 13, 2024). The order states at 15, "Defendants are prohibited from knowingly allowing or facilitating the exclusion of Jewish students from ordinarily available portions of UCLA's programs, activities, and campus areas, whether as a result of a de-escalation strategy or otherwise."

[22] H. Comm. on Education and the Workforce, Investigative Update: *The Antisemitism Advisory Group and Harvard's Response: Clarity and Inaction* (May 15, 2024), https://edworkforce.house.gov/uploadedfiles/5.15.24_harvard_committee_report_final.pdf.

[23] Claudine Gay, Combating Antisemitism, Harvard Univ. (Nov. 9, 2023), https://www.harvard.edu/president/news-gay/2023/combating-antisemitism/; The group's members included former Harvard Law School Dean Martha Minow, visiting scholar Rabbi David Wolpe, writer and Harvard alumna Dara Horn, Government professor Eric Nelson, Divinity School professor Kevin Madigan, Harvard Board of Overseers member Geraldine Acuña-Sunshine, Harvard College Dean of Students Thomas Dunne, and a Jewish undergraduate.

[24] Investigative Update, *supra* note 21.

[25] Dara Horn, Transcribed Interview before the H. Comm. on Ed. & the Workforce, 38-39 (Mar. 18, 2024) (on file with Comm.); Letter from Antisemitism Advisory Grp. members to Claudine Gay, President, Harv. Univ. (Nov. 5, 2023) (on file with Comm.), at 1.

Equity, Diversity, Inclusion, and Belonging's inadequacy in addressing antisemitism.[26] Harvard's leaders, however, failed to implement these and disbanded the AAG at the end of the fall 2023 semester,[27] and replaced it with a new Antisemitism Task Force in January 2024.[28] Rather than implement the AAG's recommendations, the Task Force took months to release a weaker, less detailed set of preliminary recommendations in June 2024, which drew criticism from Harvard's Jewish community.[29]

(2) Students who established unlawful antisemitic encampments—which violated university polices and created unsafe, hostile environments—were granted shocking concessions.

In the spring of 2024, there was a wave of unlawful antisemitic encampments established on campuses throughout the country. These encampments frequently generated substantial harassment – and in some cases physical assaults – of Jewish students, created hostile environments, and disrupted campus operations. In a dereliction of their responsibilities, many school officials failed to clear these encampments in a timely manner, often negotiating with encampment participants, and in some cases appeasing them with appalling concessions. Two of the most notable cases are Northwestern, the first school to capitulate to its encampment; and Columbia, the first school where an encampment was established, and where the University's fecklessness led to the criminal takeover of a campus building. In both cases, the universities' shocking efforts to appease students went farther than the public was led to believe.

- **Northwestern University:** Northwestern reached a shameful agreement appeasing its encampment after President Michael Schill chose radical anti-Israel faculty members Jessica Winegar and Nour Kteily to negotiate on the school's behalf with the antisemitic encampment.[30] The negotiators abused their positions to support encampment organizers, with Kteily writing that he aimed to "get some amazing wins" for them.[31] Northwestern's Provost Kathleen Hagerty endorsed this approach, affirming Kteily after he advised students on how to pressure trustees on advancing divestment.[32] Hagerty also supported Kteily's recommendation that Northwestern boycott Sabra hummus due to it being perceived as an

[26] Antisemitism Advisory Grp., *Potential Statement of Goals and Steps to Address Antisemitism Issues* (Dec. 18, 2023) (on file with Comm.).
[27] Andrew Bernard, *Harvard propped up Jew-hatred advisory group 'for show,' House committee report concludes*, JEWISH NEWS SYNDICATE (May 16, 2024), https://www.jns.org/harvard-propped-up-jew-hatred-advisory-group-for-show-house-committee-report-concludes/.
[28] Harvard was heavily criticized for selecting historian Derek Penslar to co-chair the Task Force which replaced the AAG, considering Penslar calling reports of antisemitism at Harvard "exaggerated" and signing a letter calling Israel a "regime of apartheid." *See* Jon Levine, *Chair of Harvard's new antisemitism task force accused of antisemitism*, NEW YORK POST (Jan. 20, 2024), https://nypost.com/2024/01/20/news/chair-of-harvards-new-task-force-accused-of-antisemitism/.
[29] Haley Cohen, *Harvard Jewish leaders, alumni disappointed by antisemitism task force recommendations*, JEWISH INSIDER (Jun. 27, 2024), https://jewishinsider.com/2024/06/harvard-task-force-antisemitism-jewish-leaders-alumni/
[30] STAFF OF H. COMM. ON ED. & THE WORKFORCE, 118TH CONG., ANTISEMITISM ON COLLEGE CAMPUSES EXPOSED 9-18 (Comm. Print 2024).
[31] Text Message from Nour Kteily, Professor of Mgmt. and Org., Nw. Univ. Kellog Sch. Of. Mgmt., to Wendy Pearlman, Professor of Pol. Sci., Nw. Univ. Weinberg Coll. Arts & Sci. (Apr. 26, 2024, 7:45 PM) (on file with Comm.).
[32] Text Message from Kathleen Hagerty, Provost, Nw. Univ., to Nour Kteily, Professor of Mgmt. and Org., Nw. Univ. Kellog Sch. Of Mgmt. (Apr. 26, 2024, 12:49 AM UTC-5) (on file with Comm.).

Israeli product.[33] The final agreement contains an apparent mechanism for implementing such a boycott through a provision for students to provide input on dining services and vendors.

President Schill also appears to have misled Congress in his testimony before the Committee regarding whether the University entertained encampment organizers' demands to hire an anti-Zionist rabbi. Specifically, President Schill categorically denied that he would ever hire someone on such a basis, but documents produced to the Committee reveal President Schill actively entertained the request while expressing sensitivity to the optics of his actions.[34] Further, language in the final agreement contains a mechanism for facilitating such a hire, [35] and encampment organizers stated they would "be able to pick a new rabbi" as a result of the agreement.[36] At best, President Schill's testimony lacked candor and is unbecoming of a university president; at worst Schill's testimony was false and met the criteria of a federal crime.

- **Columbia University:** Despite Columbia offering more significant concessions than it publicly acknowledged, efforts to appease encampment organizers did not result in an agreement.[37] Columbia offered to have the University body responsible for considering divestment requests and making recommendations to the Board of Trustees review proposals to divest from companies with criteria that would open the door for anti-Israel activists to pursue spurious claims against companies with ties to Israel or that are involved in defense manufacturing. Columbia also offered amnesty for some encampment members, to create a University fund to invest in projects in Gaza and the West Bank and to provide scholarships for students with ties to Gaza and the West Bank.[38] Even after negotiations broke down,

[33] Text Message from Nour Kteily, Professor of Mgmt. and Org., Nw. U. Kellog Sch. Of Mgmt., to Kathleen Hagerty, Provost, Nw. U (Apr. 27, 2024, 3:18 AM) (on file with Comm.); Sabra is a U.S.-based company jointly owned by PepsiCo and the Israeli company Strauss Group.
[34] Text Messages from Michael H. Schill, President, Nw. Univ., to Susan Davis, Vice President of Student Aff., Nw. Univ. (Apr. 27, 2024) (on file with Comm.); Memorandum on Northwestern University's Three Ideals (Apr. 28, 2024) (on file with Comm.)
[35] Agreement on Deering Meadow, Northwestern Univ. (Apr. 29, 2024), https://www northwestern.edu/leadership-notes/2024/agreement-on-deering-meadow.pdf (The final language states: "The University will engage students in a process dedicated to ensuring additional support for Jewish and Muslim students within Student Affairs/Religious & Spiritual Life.").
[36] Live: Pro-Palestinian demonstrators continue to push for divestment on Deering Meadow following agreement, THE DAILY N.W. (Apr. 25, 2024), https://dailynorthwestern.com/2024/04/25/campus/live-pro-palestinian-student-activists-set-up-encampment-on-deering-meadow/.
[37] In her April 29 public statement on the negotiations' failure, then-President Shafik offered a sanitized and incomplete description of the University's offers. For example, Shafik omitted that the University had proposed specific forms of divestment for consideration by ACSRI, offered amnesty for conduct violators, and offered scholarships for students with ties to Gaza and the West Bank. *See* Statement from Columbia Univ, President Minouche Shafik, Columbia Univ. (Apr. 29, 2024), https://president.columbia.edu/news/statement-columbia-university-president-minouche-shafik-4-29.
[38] Student Demands and Possible Columbia Univ. Responses (Apr. 22, 2024) (on file with Comm.).

Columbia continued to appease the radical encampment when then-President Shafik promised to "explore pursuing" the encampment's demands.[39]

This mentality appears to be shared by Columbia's current leadership. In September 2024, Columbia's Interim President Katrina Armstrong shamefully apologized to students arrested for the takeover of Hamilton Hall and for participating in the encampment.[40]

(3) So-Called University Leaders Intentionally Declined to Support Jewish Communities on Campus

The Committee found that so-called university leaders deliberately chose to withhold support from Jewish communities on campus, demonstrating a refusal to address the hostile environments at their institutions. On many campuses numerous antisemitic students, faculty, and staff openly supported Hamas' terrorism and engaged in harassment and intimidation of Jewish communities.[41] Jewish students, faculty, and staff often felt abandoned by administrators' passive and muted responses to the explosion of antisemitic hate on campus. The Committee's investigation found that these failures to act were not mere oversights but intentional decisions.

- **Harvard Administrators Deliberately Chose Not to Condemn Hamas in Their Widely Criticized October 9th Statement**: Harvard was widely criticized when its October 9th statement on the October 7th attack failed to condemn Hamas.[42] The statement was issued by then-President Gay, current President (then-Provost) Alan Garber, and the deans of Harvard's various schools. The Committee's investigation revealed that this group of Harvard's top administrators made deliberate decisions to remove draft language that denounced Hamas' terrorism, acknowledged the impact of the taking of hostages upon the Harvard community, and called Hamas' attack "violent," while insisting on including

[39] Statement from Columbia Univ, President Minouche Shafik, Columbia Univ. (Apr. 29, 2024), https://president.columbia.edu/news/statement-columbia-university-president-minouche-shafik-4-29.
[40] Esha Karam, Shea Vance, & Sarah Huddleston, *'I'm really sorry': Armstrong apologizes to those 'hurt' by NYPD sweeps*, COLUMBIA SPECTATOR (Sept. 19, 2024), https://www.columbiaspectator.com/news/2024/09/19/im-really-sorry-armstrong-apologizes-to-those-hurt-by-nypd-sweeps/.
[41] *See*: J. Sellers Hill, *Harvard Student Groups Face Intense Backlash for Statement Calling Israel 'Entirely Responsible' for Hamas Attack*, HARVARD CRIMSON (Oct. 10, 2023), https://www.thecrimson.com/article/2023/10/10/psc-statement-backlash; Haley Cohen, *Columbia University, Barnard College silent after faculty letter calls Hamas terrorist attack a legitimate 'military action'*, JEWISH INSIDER (Oct. 31, 2023), https://jewishinsider.com/2023/10/colombia-university-barnard-college-faculty-letter-hamas-terror-attack-israel; Emily Scolnick, *Pro-Palestinian student activists denounce Penn, call Oct. 7 Hamas attacks 'a necessary step'*, Daily Pennsylvanian (Oct. 16, 2024), https://www.thedp.com/article/2024/10/penn-philadelphia-students-for-justice-in-palestine-statement; Sharon Otterman, *Pro-Palestinian Group at Columbia Now Backs 'Armed Resistance' by Hamas*, NY TIMES (OCT. 9, 2024), https://www.nytimes.com/2024/10/09/nyregion/columbia-pro-palestinian-group-hamas.html.
[42] Miles J. Herszenhorn, *Harvard Affiliates, Politicians Slam University Leaders Over Late, 'Word Salad' Statement on War in Israel*, HARVARD CRIMSON (Oct. 10, 2023), https://www.thecrimson.com/article/2023/10/10/harvard-statement-criticized.

language expressing equivalence between Hamas' attack and the limited Israeli military operations in Gaza that had taken place at the time.[43]

- **Harvard's Then-President Gay and Then-Provost Garber Asked Harvard Corporation Senior Fellow Penny Pritzker Not to Call the Slogan "From The River To The Sea" Antisemitic:** The eliminationist antisemitic slogan, "From the River to the Sea," which calls for Israel to be wiped off the map and replaced with a Palestinian state, has been a hallmark of antisemitic activism at Harvard and other schools. Gay and Garber both objected to Harvard Corporation Senior Fellow Penny Pritzker calling the phrase antisemitic hate speech.[44] Gay asked Pritzker not to characterize the slogan as such, because Gay was concerned doing so would raise the question of whether Harvard would take disciplinary action.[45] Notably, Gay did not cite free speech principles as a reason for not taking disciplinary action as she had asserted in other venues, but rather, "contestation about what constitutes antisemitic speech."[46] Gay's response to Pritzker thus appears to substantiate criticisms that Harvard has treated antisemitic chants differently than other forms of hate.

- **Columbia University Failed to Correct False Narratives of a "Chemical Attack" Used to Vilify Jewish Students but Imposed Disproportionate Discipline on Jewish Students Involved:** Columbia University administrators allowed a false narrative that Jewish students had perpetrated a "chemical attack" at an anti-Israel rally to persist for months despite knowing it was false and that the students involved had merely sprayed novelty "fart sprays."[47] In an apparent case of disparate treatment, the Jewish students responsible were given excessive year-and-a-half long suspensions, substantially longer than any suspension for antisemitic conduct violations.[48] Columbia failed to correct the record despite requests from the Jewish community, even as anti-Israel students used the false narrative of a "chemical attack" purportedly involving military-grade "skunk spray" to demonize Jewish students and call for excluding Israelis.[49] Columbia finally acknowledged that the incident was not a "chemical attack" in August 2024, pursuant to a settlement with one of the Jewish

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[43] E-mail from Claudine Gay, President, Harvard Univ. to Penny Pritzker, Senior Fellow, Harvard Corp. (Oct. 22, 2023, 11:24 AM) (on file with Comm.); E-mail from Claudine Gay, President, Harvard Univ. to Penny Pritzker, Senior Fellow, Harvard Corp. (Oct. 22, 2023, 10:46 PM) (on file with Comm.).

[44] E-mail from Penny Pritzker, Senior Fellow, Harvard Corp., to Claudine Gay, President, Harvard Univ. (Oct. 22, 2023, 8:59 AM) (on file with Comm.).

[45] E-mail from Claudine Gay, President, Harvard Univ. to Penny Pritzker, Senior Fellow, Harvard Corp. (Oct. 22, 2023, 10:46 PM) (on file with Comm.).

[46] E-mail from Claudine Gay, President, Harvard Univ. to Penny Pritzker, Senior Fellow, Harvard Corp. (Oct. 22, 2023, 10:46 PM) (on file with Comm.).

[47] STAFF OF H. COMM. ON ED. & THE WORKFORCE, 118TH CONG., ANTISEMITISM ON COLLEGE CAMPUSES EXPOSED 48-56 (Comm. Print 2024); Disciplinary Record, Columbia Univ. (Feb. 23, 2024) (on file with Comm.).

[48] Columbia failed to impose meaningful discipline for numerous serious antisemitic conduct offenses. *See* ANTISEMITISM ON COLLEGE CAMPUSES EXPOSED at 59-64; Confidential Settlement Agreement (Aug. 29, 2024) (on file with Comm.)

[49] ANTISEMITISM ON COLLEGE CAMPUSES EXPOSED at 48-56; Aneeta Bhole, *Antisemitic poster of skunk with Star of David plastered across Columbia University: 'Villainizes Jewish and Israeli students'*, NEW YORK POST (Feb. 6, 2024), https://nypost.com/2024/02/06/metro/antisemitic-skunk-poster-plastered-across-columbia/.

students excessively disciplined, which also awarded the student $395,000 and modified the suspension to conditional disciplinary probation.[50]

(4) Universities Failed to Enforce Their Rules and Impose Meaningful Discipline for Antisemitic Behavior, and in Some Cases, Radical Faculty Thwarted Meaningful Discipline.

Universities have often asserted that their FERPA obligations prevent sharing information about their responses to disciplinary cases, but that they would address antisemitic incidents seriously.[51] In fact, the Committee's review of disciplinary information, produced by 11 universities, reveals that the schools utterly failed to enforce their rules and impose discipline in response to antisemitic conduct violations, encouraging future transgressions. In some cases, radical faculty thwarted meaningful discipline. A sample of relevant statistics and cases are presented below:

- **Columbia University**: Columbia said the 22 students arrested for the criminal takeover of Hamilton Hall would face expulsion.[52] Instead, the University lifted the students' interim suspensions after pushback from radical faculty, allowing 7 to graduate, restoring 11 to good standing, and leaving 3 with preexisting sanctions suspended and 1 on probation.[53] Despite dozens of students being arrested for conduct related to Hamilton Hall and the encampment, or having faced discipline for other egregious antisemitic incidents; Columbia failed to expel students and issued final suspensions to only four students.[54]

  Members of Columbia's University Senate, led by Executive Committee Chair Jeanine D'Armiento, thwarted discipline by intimidating Columbia's weak leaders into allowing the Hamilton Hall perpetrators to avoid real discipline.[55] Columbia dropped the arrested students' interim suspensions, transferring their cases from an administrator-driven disciplinary process to a feeble Rules of University Conduct process under the control of the

[50] Confidential Settlement Agreement (Aug. 29, 2024). (on file with Comm.).
[51] For example, in the Committee's December 5, 2023, hearing, then-Harvard President Claudine Gay cited FERPA obligations in refusing to answer questions on Harvard's disciplinary response to antisemitic incidents, but testified, "I can assure you we have robust student disciplinary processes" and that, "students have been held to account for any episode in which they violated our behavior based policies." *See*: *Holding Campus Leaders Accountable and Confronting Antisemitism Before the H. Comm. on Ed. & the Workforce*, 118th Cong. 56 (2023), https://www.congress.gov/118/chrg/CHRG-118hhrg56239/CHRG-118hhrg56239.pdf.
[52] Press Release, Columbia Univ. Off. of Pub. Affs., Columbia Updates (Apr. 30, 2024, 5:40 PM), https://communications.news.columbia.edu/news/campus-updates.
[53] *2024.08.14 - Appendix A to Columbia Letter (revised)*, Columbia Univ. (Aug. 14, 2024) (on file with Comm.); Letter from Counsel, Columbia Univ., to Virginia Foxx, Chairwoman, H. Comm. on Ed. & the Workforce (Oct 11, 2024) (on file with the Comm.).
[54] Letter from Counsel, Columbia Univ., to Virginia Foxx, Chairwoman, H. Comm. on Ed. & the Workforce (Oct 15, 2024) (on file with the Comm.).
[55] ANTISEMITISM ON COLLEGE CAMPUSES EXPOSED at 88-106; *Discipline*, Stand Columbia Society (Oct. 23, 2024), https://standcolumbia.org/discipline/.

University Senate, which allowed nearly all arrested students to graduate or return to campus.[56]

- **University of Pennsylvania ("Penn")**: Despite multiple serious antisemitic incidents, including building occupations, a riot at the Interim President's house, an unlawful encampment that resulted in the arrest of nine students, and theft of an Israeli flag from a Jewish student's house by a student who later burned it at a rally where she gave a viral pro-Hamas rant, Penn imposed little discipline.[57] Only three students at Penn were suspended for a single semester and 14 students received semester-long disciplinary probations.[58]

- **UCLA**: Ninety-two of the 96 students arrested at the UCLA encampment signed resolution agreements allowing them to escape disciplinary consequences.[59] None were disciplined for the antisemitic checkpoints that violated Jewish students' civil rights by restricting them from central parts of campus.[60]

- **Harvard University**: Harvard failed to suspend any students for conduct violations related to numerous antisemitic incidents including an unlawful encampment, the occupation of a campus building, and repeated disruptions of classes with bullhorns.[61] Harvard College's disciplinary board downgraded many sanctions. This included diluting five suspensions of over a year, probations lasting no longer than a semester, and lowering the probations of 35 students to shorter periods.[62] Harvard Corporation Senior Fellow Penny Pritzker acknowledged that the disciplinary boards' unwillingness to impose sanctions was a real problem and said that the Corporation found the situation "unacceptable."[63]

- **Rutgers University**: Despite constant antisemitic acts of disruption and harassment, including encampments on multiple campuses and the disruption of a town hall that forced Rutgers' president to flee with a police escort, Rutgers suspended only three students and placed four on probation.[64] None of the students faced consequences for their involvement in the Rutgers encampments. As part of a pattern of disparate treatment, however, Rutgers took

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[56] *Id.*
[57] ANTISEMITISM ON COLLEGE CAMPUSES EXPOSED at 64-67.
[58] Disciplinary Chart (amended), Univ. of Penn. (Oct. 14, 2024) (on file with Comm.)
[59] Disciplinary Chart, Univ. of Cal. Los Angeles (Oct. 8, 2024) (on file with Comm.).
[60] Disciplinary Chart, Univ. of Cal. Los Angeles (Oct. 8, 2024) (on file with Comm.).
[61] Harvard University Disciplinary Chart, H. Comm. on Ed. and the Workforce (Sept. 26, 2024), https://edworkforce.house.gov/uploadedfiles/harvard_disciplinary_charts_clean_mb_redacted_redacted.pdf.
[62] H. Comm. on Education and the Workforce, *Harvard University Failed to Discipline Antisemitic Conduct Violations* (Sept. 23, 2024), https://edworkforce.house.gov/uploadedfiles/9.23.2024_harvard_disciplinary_final.pdf; Harvard University Disciplinary Chart, H. Comm. on Ed. and the Workforce (Sept. 26, 2024), https://edworkforce.house.gov/uploadedfiles/harvard_disciplinary_charts_clean_mb_redacted_redacted.pdf;
[63] Penny Pritzker, Transcribed Interview before the H. Comm. on Ed. & the Workforce, 73 (Aug. 29, 2024) (on file with Comm.).
[64] Disciplinary chart (amended), Rutgers Univ. (Sept. 20, 2024) (on file with Comm.).

harsh disciplinary actions against Jewish students for speaking out about antisemitism they experienced.[65]

- **University of California, Berkeley ("UC Berkeley")**: Despite an unlawful encampment, student riots, building occupations, and the obstruction of a major gate to the center of campus, UC Berkeley issued no suspensions and placed only one student on probation.[66]

- **Northwestern University**: Despite numerous antisemitic incidents, Northwestern placed only seven students on disciplinary probation and issued a warning to one student. Not a single Northwestern student faced disciplinary sanctions for the unlawful encampment, despite multiple incidents in which Jewish students experienced grotesque harassment.[67]

- **Massachusetts Institute of Technology ("MIT")**: MIT failed to suspend a single student for antisemitic conduct violations despite an encampment that required police intervention and arrests to clear, and numerous other significant antisemitic conduct incidents.[68] Notably, MIT failed to suspend any of the 27 students who were referred for discipline for the MIT encampment.[69]

- **Barnard College**: Barnard, a Columbia affiliate, overwhelmingly failed to discipline the numerous Barnard students who participated in the Columbia encampment. Fifty of 55 students initially placed on interim suspension for participating in the encampment had their suspensions lifted through "alternative resolution" agreements letting them off with short probations.[70] Four who did not sign the agreements still had their suspensions lifted[71]

- **Yale University**: Since October 7, 2023, Yale has not suspended a single student, and only placed two students on probation despite many antisemitic conduct incidents. [72] Notably, no students were disciplined for establishing antisemitic checkpoints blocking Jewish students from parts of campus.[73]

- **George Washington University ("GWU")**: Of the 22 students who faced disciplinary proceedings for the antisemitic GWU encampment, where mock trials called for the GWU president and other officials to be beheaded and hanged for not divesting from Israel, only

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[65] ANTISEMITISM ON COLLEGE CAMPUSES EXPOSED at 72.
[66] Berkeley Disciplinary Chart (amended), Univ. of Cal. Berkeley. (Oct. 8, 2024) (on file with Comm.)
[67] Northwestern Disciplinary Chart (amended), Nw. Univ. (Oct. 14, 2024) (on file with Comm.).
[68] MIT Disciplinary Chart (amended), Mass. Inst. of Tech. (Oct. 22, 2024) (on file with Comm.).
[69] *Id.*
[70] Letter from Counsel, Barnard Coll., to Virginia Foxx, Chairwoman H. Comm. on Ed. and Workforce (Oct. 14, 2024) (on file with Comm.); Barnard College Disciplinary chart (amended), Barnard Coll. (Oct. 14, 2024) (on file with Comm.).
[71] *Id.*
[72] E-mail from Counsel, Yale Univ., to Comm. (Oct. 17, 2024, 8:22 PM) (on file with Comm.); E-mail from Counsel, Yale Univ., to Comm. (Oct. 14, 2024, 4:09 PM) (on file with Comm.); E-mail from Counsel, Yale Univ., to Comm. (June 19, 2024, 1:13 PM) (on file with Comm.).
[73] *Id.*

one student was suspended. Despite numerous antisemitic conduct violations, GWU has suspended only one student and placed 16 on varying lengths of probation.[74]

(5) So-Called University Leaders Expressed Hostility to Congressional Oversight and Treated Campus Antisemitism as a Public Relations Issue, Not a Serious Problem Demanding Action.

So-called university leaders expressed hostility and contempt toward congressional oversight of campus antisemitism and public criticism. Rather than treat the antisemitic hate plaguing their campuses as a serious problem, they handled it as a public relations issue. For example, at Harvard, then-President Gay disparaged Representative Elise Stefanik in an official Board of Overseers meeting after Representative Stefanik's questioning yielded Gay's disastrous December 5, 2023, testimony,[75] falsely calling Representative Stefanik a "purveyor of hate" and "supporter of proudboys."[76] Other examples include Penn administrators trying to orchestrate media coverage depicting Members of Congress as "bullying and grandstanding" and Columbia Board of Trustees leaders dismissing congressional oversight on campus antisemitism as "capital [*sic*] hill nonsense" and expressing hope Democrats would win the House and spare them from further oversight.[77]

C. Recommendations

The Committee's findings demand action. Universities must make significant changes to comply with the requirements of federal law and meet their obligations to protect Jewish and Israeli students, faculty, and staff and ensure a safe, uninterrupted learning environment. In addition, the executive branch should hold universities accountable for their failures to address campus antisemitism with meaningful consequences. Lastly, Congress should pass legislation to support students and ensure accountability.

Universities

- **Universities Must Enforce Their Conduct Rules and Impose Meaningful Discipline:** The Committee's investigation found that postsecondary institutions failed to enforce rules and impose meaningful discipline in response to antisemitic conduct violations, an abdication of their Title VI responsibility to prevent a hostile environment. To comply with their Title VI obligations, universities must enforce their conduct rules and enact meaningful disciplinary sanctions, including suspension, expulsion, and termination of employment where appropriate. Additionally, Jewish students received inappropriate or excessive

[74] Letter from Counsel, George Washington Univ., to Comm. (Oct. 11, 2024) (on file with Comm.); GWU Disciplinary chart (amended), George Washington Univ. (Oct. 11, 2024) (on file with Comm.); Stu, (@thestustustudio), TWITTER (May 3, 2024, 7:42 PM), https://x.com/thestustustudio/status/1786541753064931643.
[75] Meeting minutes, Board of Overseers, Harvard Univ. (Dec. 10, 2023) (on file with Comm.).
[76] *Id.*
[77] Text messages between Leah Popowich, Larry Platt, & Anna Cowenhoven (Dec. 5, 2023) (on file with Comm.); Text messages between David Greenwald, Co-Chair, Board of Trustees, Colum. Univ. and Jonathan Lavine, Chair Emeritus, Board of Trustees, Colum, Univ. (Jan. 7, 2024) (on file with Comm.); Text message from Claire Shipman, Co-Chair, Board of Trustees, Colum. Univ., to Minouche Shafik, President, Colum. Univ. (Dec. 28, 2024, 10:57 AM) (on file with Comm.).

discipline, including for actions that should not have been conduct violations, such as speaking out about antisemitism. This contrasts with the meager discipline imposed for serious antisemitic incidents. These failures raise significant Title VI disparate treatment concerns, and universities must examine their disciplinary processes to eliminate such disparate treatment.

- **Universities Must Protect Student Safety to Maintain a Safe and Uninterrupted Learning Environment:** Many universities allowed unlawful antisemitic encampments and other protests to persist that threatened the safety of their campus communities, disrupted university operations, and created hostile environments. Universities must take seriously their obligation to preserve a safe and uninterrupted learning environment and prevent hostile environments. Maintaining order and safety, such as by clearing encampments, stopping attempts to obstruct Jewish students' movements across campus as occurred at universities including UCLA and Yale, and preventing disruptions of classes, lectures, and other activities, must begin immediately. Institutions should ensure that their police and security capabilities are sufficient to maintain safety and order.

- **Universities Should Forcefully Reject Antisemitism:** As antisemitic conduct raged on their campuses, many university leaders remained conspicuously silent or subdued. Statements that antisemitism has no place on a campus are meaningless if university heads fail to act on those words. Double standards are unacceptable and raise disparate treatment concerns under Title VI. Universities should condemn antisemitic speech, as they have for hate targeting any other minority group. Universities should also reform admissions and hiring processes that have filled their student bodies, faculties, and staffs with pro-Hamas antisemites.

- **Universities Must Recognize That Discrimination Against "Zionists" is an Unacceptable Antisemitic Civil Rights Violation:** Universities should make clear that discrimination against Zionists is an unacceptable violation of their conduct policies and must prevent hostile environments created by discrimination against "Zionists." Campus Jewish communities are often targeted through antisemitic discrimination and harassment on the purported basis of being "Zionists." While criticism of Israel is not inherently antisemitic, hatred against "Zionists" is.[78] Anti-Zionism has been recognized as a form of antisemitism by major Jewish organizations and a bipartisan vote of the U.S. House of Representatives.[79]

- **Universities Must Increase Academic Rigor and Viewpoint Diversity:** Universities that take billions in taxpayer dollars have been captured by radical faculties. In the humanities and social sciences areas, faculty espouse a narrow range of views which are oftentimes deeply antisemitic. Academic standards have deteriorated, and at many institutions viewpoint diversity is nearly nonexistent. This must change, especially among tenured faculty.

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[78] To discriminate against "Zionists" would have the effect of discriminating against the vast majority of Jews. The Anti-Defamation League defines Zionism as "the movement for the self-determination and statehood for the Jewish people in their ancestral homeland, the land of Israel." A 2020 Pew Research Center survey found 82 percent of American Jews said caring about Israel is an "important or essential" part of their Jewish identity." *See U.S. Jews' connections with and attitudes toward Israel*, Pew Research Center (May 11, 2021), https://www.pewresearch.org/religion/2021/05/11/u-s-jews-connections-with-and-attitudes-toward-israel/

[79] 169 CONG. REC. H6131 (daily ed. Dec. 5, 2023).

Universities must restore academic rigor and stop their programs from being platforms for intellectually bankrupt radicalization and indoctrination, including the perpetuation of antisemitic falsehoods.

- **Universities Must Increase Transparency Regarding Their Handling of Conduct Incidents:** Universities have frequently refused to share details with the public on their handling of conduct incidents, leaving campus communities in the dark as to what actions, if any, were taken. While universities have often asserted the *Family Educational Rights and Privacy Act* (FERPA) as a purported ground for refusing to produce this information, their blanket refusals go beyond FERPA's requirements. Schools have handled this issue inconsistently, often asserting FERPA as a grounds for not releasing information they prefer to withhold, while on the other hand sharing information on specific incidents publicly or to non-governmental third-parties in certain instances where it suited them.[80] Institutions can and should share more information on their handling of antisemitic conduct incidents.

The Executive Branch

- **The Executive Branch Should Aggressively Enforce Title VI and Hold Universities Accountable for Violating Their Obligations:** Despite a historic explosion of virulent antisemitism, the Biden-Harris administration failed to hold universities accountable for Title VI violations. The Department of Education has not imposed real consequences for noncompliant institutions, initiated proactive compliance reviews or directed investigations as called for by its own procedures,[81] nor has it issued a promised rulemaking implementing President Trump's December 2019 Executive Order on Combating Antisemitism.[82] The executive branch should aggressively enforce Title VI and hold schools accountable for their failures to protect students. Universities that fail to fulfill the obligations upon which their federal funding is predicated or whose actions make clear they are unfit stewards of taxpayer dollars should be treated accordingly.

- **The Executive Branch Should Ensure Rigorous Adherence to the Clery Act and Issue Fines to Noncompliant Universities:** The Department of Education should promote transparency and accountability around campus safety by ensuring institutions comply with the Clery Act. Designated Clery Act crimes including assaults on Jewish students have been committed with antisemitic motivations. In the face of the explosion of such conduct, the

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[80] *See, e.g.,* Miranda Nazzaro, Columbia says it has begun suspending students who refuse to leave encampment, THE HILL (Apr. 29, 2024), https://thehill.com/homenews/education/4630879-columbia-says-it-has-begun-suspending-students-who-refuse-to-leave-encampment/; Rebecca Cohen, *Columbia University says it has banned student protester who said 'Zionists don't deserve to live'*, NBC NEWS (Apr. 27, 2024), https://www.nbcnews.com/news/us-news/columbia-university-says-banned-khymani-james-protester-said-zionists-rcna149642; Harvard University provided information regarding the October 18 assault of an Israeli Harvard Business School student to a third party, *see*: E-mail from Claudine Gay, President, Harv. Univ., to Penny Pritzker, et al. (Oct. 22, 2024, 11:24 AM) (on file with Comm.).

[81] U.S. DEP'T OF ED. OFF. OF C.R., CASE PROCESSING MANUAL (May 7, 2024), https://www.ed.gov/sites/ed/files/about/offices/list/ocr/docs/ocrcpm.pdf.

[82] Exec. Order No. 13899, 84 Fed. Reg. 68779 (Dec. 11, 2019); The Biden Administration has failed to issue a notice of proposed rulemaking to implement EO 13899, *see Confronting the Scourge of Antisemitism on Campus Before the H. Comm. on Ed. & the Workforce*, 118th Cong. 27 (2023) (statement of Kenneth Marcus, Chairman, Brandeis Center for Human Rights Under Law).

Department appears not to have conducted program reviews at colleges to ensure their compliance with reporting requirements. The new administration should rigorously enforce the Clery Act to prompt colleges to maintain safe campuses.

Congress

- **Congress Should Pass Legislation Removing Title IV Eligibility from Any University That Boycotts or Divests From Israel:** A significant amount of campus unrest resulted from anti-Israel radicals' efforts to coerce institutions to divest from and boycott Israel. Congress can help stop this madness by passing legislation so any institution of higher education that contravenes U.S. foreign policy by boycotting or divesting from Israel will become ineligible for federal student aid under Title IV. Federal laws already prohibit U.S. persons from participating in unsanctioned foreign boycotts, most notably the Arab League boycott of Israel, with significant criminal and administrative penalties for violators.[83]

- **Congress Should Pass the DETERRENT Act:**[84] There has been significant concern regarding potential malign foreign influence in postsecondary education, including in funding antisemitic faculty and programs. The DETERRENT Act would reform section 117 of the *Higher Education Act* to strengthen enforcement and bring much-needed transparency and accountability to existing requirements, mandating the disclosure of foreign gifts. DETERRENT passed the House in a bipartisan 246-170 vote.[85]

- **Congress Should Pass the *College Cost Reduction Act* ("CCRA"):** For too long, unlimited taxpayer dollars have allowed colleges to raise tuition endlessly,[86] fueling a spending spree on factors contributing to the rise in campus antisemitism, including the proliferation of Diversity, Equity, and Inclusion administrators and radical academic centers.[87] Universities must refocus their missions to academic rigor and programs that provide returns on students' investments. The CCRA will hold colleges accountable for charging exorbitant prices for

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[83] Bureau of Industry & Security, *Antiboycott Compliance under the EAR*, U.S. DEP'T. OF COMMERCE, https://www.bis.doc.gov/index.php/enforcement/oac.

[84] Defending Education Transparency and Ending Rogue Regimes Engaging in Nefarious Transactions Act, H.R. 5933, 118th Cong. (2024).

[85] 169 CONG. REC. H6184 (daily ed. Dec. 6, 2023).

[86] DAVID O. LUCCA, ET AL., CREDIT SUPPLY AND THE RISE IN COLLEGE TUITION: EVIDENCE FROM THE EXPANSION IN FEDERAL STUDENT AID PROGRAMS, FED. RESERVE BANK OF N.Y. (Jul. 2015), https://www.newyorkfed.org/medialibrary/media/research/staff_reports/sr733.pdf; GREY GORDON AND AARON HEDLUND, ACCOUNTING FOR TUITION INCREASES ACROSS U.S. COLLEGES (Oct. 28, 2020), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3720860; SANDRA E. BLACK, ET AL., PLUS OR MINUS? THE EFFECT OF GRADUATE SCHOOL LOANS ON ACCESS, ATTAINMENT, AND PRICES, NAT'L BUREAU OF ECONOMIC RESEARCH (May 2023), https://www.nber.org/papers/w31291.

[87] Melissa Korn, et al., *Colleges Spend Like There's No Tomorrow. 'These Places Are Just Devouring Money.'*, THE WALL STREET JOURNAL (Aug. 10, 2023), https://www.wsj.com/articles/state-university-tuition-increase-spending-41a58100; Jennifer Kabbany, Ohio State University doubled DEI staff in five years, payroll costs almost tripled, The College Fix (Nov. 3, 2023), https://www.thecollegefix.com/ohio-state-university-doubled-dei-staff-in-five-years-payroll-costs-almost-tripled/; Jason Bedrick, *Here's How the Federal Government Is Funding Antisemitism With Your Tax Dollars*, HERITAGE FDN. (Jan. 30, 2023), https://www.heritage.org/civil-society/commentary/heres-how-the-federal-government-funding-antisemitism-your-tax-dollars.

valueless degrees and provide a pathway for states and new accreditors to focus on degree quality rather than appeasing progressive agendas. By ending the stream of subsidies for radicalism and holding schools accountable for their graduates' success, colleges will need to focus less on "woke" initiatives and more on ensuring students have access to an affordable education and a well-paying job after they graduate.[88]

[88] Robert Kelchen and Marc Novicoff, *Are Gaza Protests Happening Mostly at Elite Colleges?*, WASH. MONTHLY (May 24, 2024), https://washingtonmonthly.com/2024/05/24/are-gaza-protests-happening-mostly-at-elite-colleges/.

IV. The Committee on Energy and Commerce

A. Overview of the Investigation

Incidents of antisemitism exploded across colleges, universities, and other institutions[89] in the U.S. since the October 7, 2023, Hamas terrorist attack on Israel. While antisemitism has been a growing issue, this attack amplified these tensions aimed at the Jewish community. Moreover, antisemitism has spread into and infected our health care systems, including medical schools and hospital systems.

The Committee on Energy and Commerce ("E&C") and the Committee on Education and the Workforce ("E&W") opened investigations into the extent to which HHS and one of its awarding agencies, the National Institutes of Health ("NIH"), are ensuring that institutions receiving hundreds of millions of taxpayer dollars from HHS or NIH are complying with relevant federal civil rights laws and are providing safe environments for all, particularly those individuals of Jewish ancestry.[90] The Committees also opened investigations into the Advanced Research Projects Agency for Health ("ARPA-H"), an independent agency within NIH that has funded more than $595 million in biomedical and health research at institutions and organizations in the last year alone.[91] Thus far the Committees have launched investigations into incidents of antisemitism at three NIH-funded institutions: the University of California, San Francisco[92] and Columbia University,[93] including their medical schools and associated health care systems, and the Gladstone Institutes, an independent research institution.[94]

The Committees' investigation found that HHS, NIH and HHS OCR failed to act in the wake of emerging antisemitism across college campuses, medical schools, and medical systems. HHS leadership has refused either to cooperate with congressional inquiries into their actions – or lack thereof – or to require federal taxpayer funded institutions to comply with civil rights laws and prevent antisemitism at their institutions. Investigation into the NIH-funded institutions unearthed fear amongst institutional leadership to publicly push back on antisemitic behavior.

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[89] In this report, institutions refer to organizations such as colleges, universities, and research institutes which receive federal taxpayer funding.

[90] H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce, Letter to HHS Sec'y Xavier Becerra (May 23, 2024), https://d1dth6e84htgma.cloudfront.net/05_23_24_Letter_to_HHS_re_Antisemitism_e86731652b.pdf; H. Comm. on Energy and Commerce and H. Comm. on Education and the Workforce, Letter to HHS Sec'y Xavier Becerra (Sept. 18, 2024), https://d1dth6e84htgma.cloudfront.net/09_18_24_Joint_Letter_to_HHS_Antisemitism_c6d7ffb666.pdf.

[91] H. Comm. on Energy and Commerce and H. Comm. on Education and the Workforce, Letter to Director Renee Wegrzyn, Ph.D. (Oct. 2, 2024), https://d1dth6e84htgma.cloudfront.net/10_02_24_Joint_Letter_to_ARPA_H_Antisemitism_122a3a0f8b.pdf.

[92] H. Comm. on Energy and Commerce, Letter to Chancellor Sam Hawgood (July 31, 2024), https://d1dth6e84htgma.cloudfront.net/07_31_24_Letter_to_UCSF_re_Antisemitism_a1bf4b421f.pdf.

[93] H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce, Letter to Interim President Dr. Katrina Armstrong (Sept. 18, 2024), https://d1dth6e84htgma.cloudfront.net/09_18_24_Joint_Letter_to_Columbia_Antisemitism_047ab2c1a7.pdf.

[94] H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce, Letter to President Dr. Deepak Srivastava (Nov. 21, 2024), https://d1dth6e84htgma.cloudfront.net/11_21_24_Joint_Letter_to_Gladstone_Antisemitism_Updated_a60e036b23.pdf.

The lack of action by HHS, NIH, and the leadership at the institutions they fund allowed antisemitism to permeate and take root not only in the educational system but also in the medical system where vulnerable individuals need to trust that their provider will treat them fairly and appropriately regardless of their national origin.

U.S. Department of Health and Human Services

HHS contains numerous grant awarding agencies, such as the NIH. The NIH is the largest public funder of biomedical research in the world, funding nearly $35 billion in biomedical and behavioral research grants awarded to colleges, universities, hospitals, and other institutions in fiscal year ("FY") 2023 alone.[95] The NIH spent these federal taxpayer dollars in the form of nearly 59,000 awards across more than 2,700 institutions, referred to as grantee institutions, throughout the U.S. and internationally.[96] While the NIH is the component of HHS that manages and billions of dollars in funds per FY in biomedical and behavioral research grants, it does not have the authority to investigate or oversee investigations of discrimination and harassment at grantee institutions, such as antisemitism. Rather, as a law enforcement agency,[97] HHS OCR is charged with ensuring grantee institutions comply with federal laws, including Title VI of the *Civil Rights Act of 1964,* which protects against discrimination based on national origin.[98] HHS OCR has the authority to investigate allegations of antisemitism and to conduct reviews of grantee institutions to ensure compliance with relevant federal civil rights laws.[99]

On May 23, 2024, E&C and E&W wrote a joint letter to HHS Secretary Xavier Becerra inquiring as to the extent to which the HHS and NIH are ensuring that grantee institutions are fostering and maintaining an environment free from harassment and discrimination.[100] This letter specifically pointed to the April 2024 antisemitic, and at times violent, protests that broke out across several prominent NIH-funded institutions—including Columbia University, the University of Southern California ("USC"), UCLA, GW, Harvard University, and Yale University— protests that resulted in unsafe learning and research environments for students, faculty, patients, and staff, especially for those of Jewish ancestry.[101] For example, on April 17, 2024, at Columbia University, which received more than $358 million in NIH funding in FY

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[95] The National Institutes of Health (NIH), FY 2023 By the Numbers: Extramural Grant Investments in Research, *available at* https://nexus.od.nih.gov/all/2024/02/21/fy-2023-by-the-numbers-extramural-grant-investments-in-research.
[96] *Id.*
[97] U.S. Dep't. of Health and Human Services Office of Civil Rights, OCR Mission & Vision, https://www.hhs.gov/ocr/about-us/mission-vision/index.html.
[98] U.S. Dep't. of Health and Human Services Office of Civil Rights, Laws and Regulations Enforced by OCR, https://www.hhs.gov/civil-rights/for-providers/laws-regulations-guidance/laws/index.html.
[99] U.S. Dep't. of Health and Human Services Office of Civil Rights, Know the rights that protect us from discrimination based on race, color or national origin, yourrightsundertitleviofthecivilrightsact.pdf (hhs.gov).
[100] H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce, Letter to HHS Sec'y Xavier Becerra (May 23, 2024), https://d1dth6e84htgma.cloudfront.net/05_23_24_Letter_to_HHS_re_Antisemitism_e86731652b.pdf.
[101] *Id.*

2023,[102] an encampment including hundreds of protestors and tents sprang up on campus.[103] Banners and signs vandalized the campus—including residence halls—with antisemitic sentiments and even support for the terrorist organization Hamas.[104] Despite more than 100 arrests, the protests progressed to the occupation of a campus building and physical attacks of Jewish students—leading campus officials to move some classes online.[105] In addition, professors at Columbia University openly made antisemitic and even pro-Hamas statements, adding to the harassment of Jewish students.[106] A prominent rabbi at Columbia University also warned Jewish students to remain off-campus due to fears that the university and New York City police could not keep students safe.[107] Jewish students on campus also expressed concerns over their safety on campus and the mental and psychological toll the hostile environment is taking on their ability to work and learn.

According to the U.S. Department of Education's OCR, colleges and universities are prohibited from discriminating based on a variety of categories, including national origin.[108] A college or university is in violation of Title VI of the *Civil Rights Act of 1964* if: (1) there is harassing conduct on the basis of race, color, or national origin that is sufficiently serious as to limit or deny a student's ability to participate in or benefit from the educational program (i.e., creates a hostile environment); (2) a responsible employee of the school knew, or should have known, about the harassment; and (3) the school failed to take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent the harassment from reoccurring, and as appropriate, remedy its effects.[109] According to NIH's Grant Policy Statement, any institution receiving federal funds must assure work environments are free of discriminatory harassment and are safe and conducive to high-quality work.[110] HHS's OCR is responsible for ensuring that institutions that receive Federal financial assistance comply

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[102] National Institutes of Health (NIH), Research Portfolio Online Reporting Tools (RePORT): NIH awards by location & organization, https://report.nih.gov/award/index.cfm?ot=DH,27,47,4,52,64,41,MS,20,16,6,13,10,49,53,86,OTHDH&fy=2023&state=&ic=&fm =&orgid=&distr=&rfa=&om=n&pid=.

[103] Isa Farfan, et al., *How the Columbia protests sparked campus demonstrations across the country*, NBC NEWS (Apr. 24, 2024), https://www.nbcnews.com/news/us-news/columbia-protests-sparked-campusdemonstrations-country-rcna148994.

[104] Greg Wehner, *Columbia University student files class action lawsuit against school to protect Jews on campus*, FOX NEWS (Apr. 29, 2024), https://www.msn.com/en-us/money/companies/columbia-university-student-files-class-action-lawsuit-againstschool-to-protect-jews-on-campus/ar-AA1nToLz.

[105] Isa Farfan, et al., *How the Columbia protests sparked campus demonstrations across the country*, NBC NEWS (Apr. 24, 2024), https://www.nbcnews.com/news/us-news/columbia-protests-sparked-campusdemonstrations-country-rcna148994.

[106] Emi Tuyetnhi Tran, *Columbia University president grilled about campus antisemitism at congressional hearing*, NBC NEWS (Apr. 17, 2024), https://www.nbcnews.com/news/education/columbia-university-president-grilled-campus-antisemitismcongressiona-rcna148177.

[107] Doree Lewak and Isabel Keane, *Columbia rabbi warns Jewish students to go home, don't come back to campus because of 'extreme antisemitism,'* NEW YORK POST (Apr. 21, 2024), https://www.msn.com/en-us/news/us/columbia-rabbi-warns-jewishstudents-to-go-home-don-t-come-back-to-campus-because-of-extreme-antisemitism/ar-AA1nouyc.

[108] U.S. Dep't. of Education Office of Civil Rights, Know Your Rights: Title VI and Religion, https://www2.ed.gov/about/offices/list/ocr/docs/know-rights-201701-religious-disc.pdf.

[109] *Id.*

[110] National Institutes of Health (NIH), NIH Grants Policy Statement Apr. 2024, https://grants.nih.gov/grants/policy/nihgps/nihgps.pdf.

with Title VI as well as other civil rights laws.[111] Colleges or universities that violate Title VI can ultimately lose Federal funding.[112]

These six grantee institutions received more than **$2.7 billion** in taxpayer funding through the NIH in FY 2023 alone.[113] The Committees questioned what, if any, efforts the NIH is making to hold grantee institutions accountable for rising antisemitism on their campuses and what, if any, efforts HHS OCR is making to ensure grantee institutions' comply with Title VI.[114] Furthermore, the Committees inquired about the number of complaints HHS OCR and NIH have received alleging incidents of antisemitism.[115]

After three months of follow-up from E&C staff, on August 22, 2024, the HHS Assistant Secretary for Legislation sent a two-page response on behalf of HHS Secretary Becerra.[116] HHS refused to provide specific information about either HHS OCR or NIH steps taken to ensure institutions and universities receiving funding from HHS are complying with federal civil rights laws, or whether HHS OCR or NIH have received any complaints regarding potential violations of federal law as it pertains to antisemitism.[117] Rather, HHS's response focused on publicly available documentation about what is or is not allowed under Title VI.[118] Merely issuing guidance does not demonstrate that HHS, NIH or HHS OCR are taking any steps to ensure that universities or institutions are complying with federal civil rights laws, specifically as they pertain to antisemitism. Moreover, none of the guidance, training, or other information outlined by HHS has been developed or updated since the Hamas terrorist attack on October 7, 2024.

HHS also refused to provide any specific information about what NIH is doing to respond to significant antisemitic behavior at institutions to which it awards hundreds of millions of dollars each FY. The NIH has a duty to ensure that federal taxpayer funds do not support harassing or discriminatory behavior.

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[111] U.S. Dep't. of Health and Human Services Office of Civil Rights, Laws and Regulations Enforced by OCR, https://www.hhs.gov/civil-rights/for-providers/laws-regulations-guidance/laws/index.html.

[112] U.S. Dep't. of Education, U.S. Department of Education's Office for Civil Rights announces list of open Title VI shared ancestry investigations of institutions of higher education and K-12 schools, https://www.ed.gov/about/news/press-release/us-department-of-educations-office-civil-rights-announces-list-of-open.

[113] National Institutes of Health (NIH), Research Portfolio Online Reporting Tools (RePORT): NIH awards by location & organization, https://report.nih.gov/award/index.cfm?ot=DH,27,47,4,52,64,41,MS,20,16,6,13,10,49,53,86,OTHDH&fy=2023&state=&ic=&fm =&orgid=&distr=&rfa=&om=n&pid=.

[114] H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce, Letter to HHS Sec'y Xavier Becerra (May 23, 2024), https://d1dth6e84htgma.cloudfront.net/05_23_24_Letter_to_HHS_re_Antisemitism_e86731652b.pdf; H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce, Letter to HHS Sec'y Xavier Becerra (Sept. 18, 2024), https://d1dth6e84htgma.cloudfront.net/09_18_24_Joint_Letter_to_HHS_Antisemitism_c6d7ffb666.pdf.

[115] *Id.*

[116] Prior to receiving HHS's limited response to the Committees' May 23, 2024, letter, the Committees followed up via email on June 13, 2024, July 8, 2024, Aug. 2, 2024, and earlier in the day Aug. 22, 2024, before finally receiving the HHS's response that afternoon.

[117] Letter from Melanie Anne Egorin, PhD, HHS Assistant Sec'y for Leg., to The Hon. Cathy McMorris Rodgers, Chair, H. Comm. on Energy and Commerce and The Hon. Virginia Foxx, Chair, H. Comm. on Education & the Workforce (Aug. 22, 2024) (on file with the Comms.).

[118] *Id.*

Likewise, HHS refused to provide any information regarding whether HHS OCR or NIH received complaints of antisemitism from NIH-funded institutions in FY 2023 or FY 2024. Despite HHS OCR being the enforcement arm of HHS with the responsibility to investigate complaints of potential federal civil rights violations in NIH-funded programs and activities, HHS's response directed the Committees to NIH's Office of Extramural Research.[119] This further illustrates HHS OCR's willingness to abandon its enforcement responsibilities when it comes to antisemitism at grantee institutions.

In response to HHS's inadequate response, on September 18, 2024, the Committees wrote another letter to HHS OCR requesting specific documentation outlining HHS OCR's and NIH's actions in preventing and responding to incidents of antisemitism at grantee institutions.[120] Secretary Becerra did not respond by the October 2, 2024, deadline and both Committees requested a follow-up meeting to discuss HHS's failure to deliver the requested documentation.[121] During this meeting, HHS stated that it has no timeline or further information about when HHS expects to provide the Committees with the requested information. As of mid-December, HHS has failed to provide the Committees with additional information or an updated timeline for when information will be available, despite follow-up communications from committee staff.

HHS's refusal to adequately respond to the Committees' requests for information reflects HHS leadership's unwillingness to require institutions receiving federal taxpayer funding to comply with federal civil rights laws and provide a safe research environment free from discrimination and harassment for all students. The dismissive response leads the Committees to believe that HHS is either unconcerned or unable to demonstrate evidence of actions they are taking to appropriately handle complaints of antisemitism. Committee staff heard directly from a grantee institution that it has not been contacted by HHS OCR or NIH regarding the very public issues of antisemitism on its campus and associated medical centers to confirm the institution was ensuring a safe research environment for NIH-funded grants and complying with Title VI or communicating any specific guidance since before October 7, 2023.[122]

On November 22, 2024, HHS OCR Director Melanie Fontes Rainer published a Dear Colleague Letter on antisemitism, islamophobia, and related forms of discrimination.[123] Rather than take meaningful action based on the Committee's inquiry, this letter once again pointed to

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[119] Letter from Melanie Anne Egorin, PhD, HHS Assistant Sec'y for Leg., to The Hon. Cathy McMorris Rodgers, Chair, H. Comm. on Energy and Commerce and The Hon. Virginia Foxx, Chair, H. Comm. on Education & the Workforce (Aug. 22, 2024) (on file with the Comms.).

[120] H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce, Letter to HHS Sec'y Xavier Becerra (Sept. 18, 2024), https://d1dth6e84htgma.cloudfront.net/09_18_24_Joint_Letter_to_HHS_Antisemitism_c6d7ffb666.pdf.

[121] Email from staff, H. Comm. on Energy and Commerce and H. Comm. on Education & the Workforce to staff, HHS Office of the Assistant Secretary for Legislation (Oct. 4, 2024) (on file with the Comms.).

[122] Video interview with Aaron Culter, Partner, and Ari Fridman, Counsel, Hogan Lovells, representing the University of California, San Francisco (Sept. 5, 2024).

[123] U.S. Dep't of Health and Human Services (HHS) Office for Civil Rights (OCR), *Addressing Discrimination based on Religion or Shared Ancestry and Ethnicity in HHS Funded Programs and Activities* (Nov. 22, 2024), https://www.hhs.gov/sites/default/files/ocr-dcl-religious-discrimination-final.pdf.

guidance on HHS' website and White House fact sheets. This is yet another example of HHS's focus on platitudes over sincere action.

Advanced Research Projects Agency for Health

ARPA-H is an independent agency of HHS within NIH, that reports directly to Secretary Becerra.[124] ARPA-H was created to advance high-potential, high-impact biomedical and health research that cannot be readily accomplished through traditional research or commercial activity.[125] Appropriations for ARPA-H began in FY 2022, with total appropriations between FY 2022 and 2024 totaling $4 billion.[126]

On October 2, 2024, E&C and E&W opened investigations into the extent to which ARPA-H is ensuring the research it funds is conducted in an environment free from harassment and discrimination.[127] These inquiries stemmed in part due to the fact that of the 14 university-based projects ARPA-H funded in the last year, 11 are at universities that were recently or are currently under federal and/or congressional investigation for potential Title VI violations and/or are being sued in federal court for permitting antisemitic behavior on campus.[128] For example, Columbia University has been sued in federal court,[129] is currently undergoing several investigations by the U.S. Department of Education OCR,[130] and is undergoing investigation by

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[124] Advanced Research Projects Agency for Health (ARPA-H), *Frequently Asked Questions*, https://arpa-h.gov/about/faqs#:~:text=The%20Advanced%20Research%20Projects%20Agency%20for%20Health%20%28ARPA-H%29,on%20leveraging%20research%20advances%20for%20real%20world%20impact.

[125] *Id.*

[126] U.S. Dep't of Health and Human Services (HHS) Advanced Research Projects Agency for Health (ARPA-H) Congressional Justification for Appropriations Committees Fiscal Year 2025, https://arpa-h.gov/sites/default/files/2024- 03/ARPA-H%20FY%202025.pdf#page=17 (see page 13 for FY 2023 and 2024).

[127] H. Comm. on Energy and Commerce and H. Comm. on Education and the Workforce, Letter to Director Renee Wegrzyn, Ph.D. (Oct. 2, 2024), 10_02_24_Joint_Letter_to_ARPA_H_Antisemitism_122a3a0f8b.pdf.

[128] U.S. Dep't of Education, *List of Open Title VI Shared Ancestry Investigations*, https://www2.ed.gov/about/offices/list/ocr/sharedancestry-list.html?queries%5Bsearch%5D=columbia (last accessed Sept. 4, 2024); U.S. Dep't. of Education, *U.S. Department of Education's Office for Civil Rights Announces List of Open Title VI Shared Ancestry Investigations of Institutions of Higher Education and K-12 Schools* (Nov. 16, 2023), https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-list-open-title-vi-shared-ancestry-investigations-institutions-higher-education-and-k-12-schools; U.S. Dep't. of Education, *U.S. Department of Education's Office for Civil Rights Announces Resolution of a Complaint Against the University of Illinois – Urbana Champaign Alleging Antisemitic Discrimination* (Sept. 3, 2024), https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-resolution-complaint-against-university-illinois-%E2%80%93-urbana-champaign-alleging-antisemitic-discrimination; H. Comm. on Energy and Commerce, Letter to Chancellor Sam Hawgood (July 31, 2024), https://d1dth6e84htgma.cloudfront.net/07_31_24_Letter_to_UCSF_re_Antisemitism_a1bf4b421f.pdf; AP and TOI Staff, *Judge dismisses antisemitism lawsuit against MIT, says Jewish students were kept safe*, THE TIMES OF ISRAEL (Aug. 8, 2024), https://www.timesofisrael.com/judge-dismisses-antisemitism-lawsuit-against-mit-says-jewish-students-were-kept-safe/#:~:text=Massachusetts%20Institute%20of%20Technology.

[129] "Kasowitz Files Amended Lawsuit Adding Dozens of New Plaintiffs and New Allegations of Columbia's Antisemitic Hostile Educational Environment and Egregious Civil Rights Violations," Kasowitz Benson Torres (June 18, 2024), https://www.kasowitz.com/media/client-news/kasowitz-files-amended-lawsuit-adding-dozens-of-new-plaintiffs-and-new-allegations-of-columbia-s-antisemitic-hostile-educational-environment-and-egregious-civil-rights-violations/.

[130] U.S. Dep't. of Education, List of Open Title VI Shared Ancestry Investigations, https://www2.ed.gov/about/offices/list/ocr/sharedancestry-list.html?queries%5Bsearch%5D=columbia (last accessed Sept. 4, 2024).

congressional committees,[131] for complaints of antisemitism. E&C is currently investigating the University of California, San Francisco ("UCSF") regarding concerns of antisemitism at the university, medical school, and associated medical centers.[132] The U.S. Department of Education recently closed its investigation into the University of Illinois-Urbana Champaign with a resolution agreement that found the university was not meeting its obligation under Title VI as it relates to complaints of shared ancestry discrimination—including 135 complaints of anti-Jewish discrimination.[133]

As of mid-December 2024, ARPA-H has not provided any information to the Committees, despite follow-up by E&C Committee staff. Like HHS and NIH, ARPA-H does not seem to take seriously its role of ensuring federal taxpayer dollars are not spent on harassment and discrimination.

NIH-Funded Institutions

In addition to opening an investigation into HHS OCR and NIH's role in appropriately responding and overseeing incidents of antisemitism, E&C opened several investigations into how NIH-funded institutions, specifically grantee institutions with medical schools and associated medical centers, were ensuring compliance with Title VI and ensuring safe environments for all members of the institution. Specifically:

- On July 31, 2024, E&C opened an investigation into UCSF, which received nearly $790 million in grants from NIH in FY 2023,[134] due to ongoing and pervasive acts of antisemitic harassment and intimidation not only on the campus but within its associated medical centers under UCSF Health.[135] For example, patients walking to the medical center saw and heard pro-terror and pro-violence statements and symbols, including Hamas symbolism, at the nearby encampment in spring of 2024.[136] There were both public and confidential reports of patients of Jewish heritage and faith feeling unsafe or

[131] H. Comm. on Education & the Workforce (Feb. 12, 2024), https://edworkforce.house.gov/uploadedfiles/2-12-24_foxx_letter_to_columbia_university.pdf; H. Comm. on Energy and Commerce, Letter to Interim President Dr. Katrina Armstrong (Sept. 18, 2024), https://energycommerce.house.gov/posts/e-and-c-e-and-w-republicans-demand-answers-from-columbia-university.
[132] H. Comm. on Energy and Commerce, Letter to Chancellor Sam Hawgood (July 31, 2024), https://d1dth6e84htgma.cloudfront.net/07_31_24_Letter_to_UCSF_re_Antisemitism_a1bf4b421f.pdf.
[133] U.S. Dep't of Education, *U.S. Department of Education's Office for Civil Rights Announces Resolution of a Complaint Against the University of Illinois – Urbana Champaign Alleging Antisemitic Discrimination* (Sept. 3, 2024), https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-resolution-complaint-against-university-illinois-%E2%80%93-urbana-champaign-alleging-antisemitic-discrimination.
[134] National Institutes of Health (NIH), *Research Portfolio Online Reporting Tools (RePORT): NIH awards by location & organization,* https://report.nih.gov/award/index.cfm?ot=DH,27,47,4,52,64,41,MS,20,16,6,13,10,49,53,86,OTHDH&fy=2023&state=&ic=&fm=&orgid=&distr=&rfa=&om=n&pid=.
[135] H. Comm. on Energy and Commerce, Letter to Chancellor Sam Hawgood (July 31, 2024), https://d1dth6e84htgma.cloudfront.net/07_31_24_Letter_to_UCSF_re_Antisemitism_a1bf4b421f.pdf.
[136] This information is based on screenshots of Instagram posts from a now deleted account (ucsf4palestine), videos of the encampment, flyers for the encampment, and other materials provided to the committee from confidential sources.

uncomfortable when coming in for treatment.[137] While this investigation is ongoing, the Committee has been in regular contact with representatives for UCSF who have been cooperative with the inquiry.

- On September 18, 2024, E&C opened a joint investigation with E&W into Columbia University—including its medical school, Vagelos College of Physicians and Surgeons, and associated medical centers—as reports of antisemitism and even unequal medical treatment were reported.[138] For example, in July 2024, an Israeli student reported that when she went to the university's health services, no one came into the room to see her and she overheard a discussion between two health care professionals in another room in which one said they would not treat her because she was Israeli.[139] She sat in the room for another ten minutes until someone finally came to address her health needs.[140] As of mid-December 2024, representatives of Columbia University have not provided any information to the Committees as a part of this investigation beyond an October 2, 2024, response of basic platitudes.[141] E&C Committee staff sent follow-up requests for updates but have not received the requested information.[142]

- On November 21, 2024, E&C opened a joint investigation with E&W into complaints of leadership turning a blind eye to antisemitic discrimination and harassment at the Gladstone Institute, an independent research institution with a strong partnership with UCSF. Specifically, when a highly antisemitic email was sent to all members of Gladstone by a trainee in response to October 7, 2023,[143] the institute's response was, "I want to ask you all to refrain from sending emails to Gladstone-All on this topic […]" and that "we should not allow any form of disrespectful speech, actions, or violence

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[137] M.J. Koch, *Leading California Hospitals Are Becoming a 'Battlefield' as Jewish Patients, Doctors Face Surging Antisemitism*, THE NEW YORK SUN (Mar. 7, 2024), https://www.nysun.com/article/leading-california-hospitals-are-becoming-a-battlefield-as-jewish-patients-doctors-face-surging-antisemitism; *see also* Heather Knight, *In San Francisco, Doctors Feud Over 'Do No Harm' When It Comes to War Protests*, THE NEW YORK TIMES (June 24, 2024), https://www.nytimes.com/2024/06/24/us/israel-hamas-war-sf-doctors.html; *see also* Ayala Orel, *Antisemitism at UCSF: 'They Added Genocide in Gaza in a Presentation,'* YNETNEWS.COM (June 26, 2024), https://www.ynetnews.com/article/hyjzf119ir.

[138] H. Comm. on Energy and Commerce and H. Comm. on Education and the Workforce, Letter to Interim President Dr. Katrina Armstrong (Sept. 18, 2024), https://d1dth6e84htgma.cloudfront.net/09_18_24_Joint_Letter_to_Columbia_Antisemitism_047ab2c1a7.pdf.

[139] Columbia University Task Force on Antisemitism, Report #2 Columbia University Student Experiences of Antisemitism and Recommendations For Promoting Shared Values and Inclusion (Aug. 2024), https://president.columbia.edu/sites/default/files/content/Announcements/Report-2-Task-Force-on-Antisemitism.pdf.

[140] *Id.*

[141] Letter from Brian D. Smith, Partner, Covington, representing Columbia University, to The Hon. Cathy McMorris Rodgers et al., Chair, H. Comm. on Energy and Commerce and The Hon. Virginia Foxx et al., Chair, H. Comm. on Education & the Workforce (Oct. 2, 2024) (on file with the Comms.).

[142] Email from staff, H. Comm. on Energy and Commerce to Darcy Slayton, Associate, Covington, representing Columbia University (Nov. 1, 2024, and Dec. 11, 2024) (on file with the Comms.).

[143] Email from unnamed graduate student employed by the Gladstone Institutes, to "Gladstone All" email list (Oct. 9, 2023, 3:18pm) (on file with the Comms.).

under any circumstances."[144] There was no condemnation of the attacks of October 7, 2023, and no stance taken on the abhorrent email.[145]

The Committees' investigation determined that grantee institutions are struggling with balancing free speech and discrimination or harassment, often excusing antisemitic harassment under the guise of free speech. It also appears that while some institutions may privately disagree with the actions of students, faculty or staff, the fear of public reaction or lawsuits seems to limit the extent to which grantee institution leadership are willing to take public stances on incidents occurring on campus or on social media amongst institution faculty and/or students, particularly with regards to antisemitism. The consistent examples of inappropriate antisemitic materials being taught in classrooms, or spewed at events on campus, show that the counseling or minimal punishments that individuals receive is not sufficient to stop the incidents from continuing to occur. The actions being taken by institutions have not improved the situation for Jewish students, faculty, and other members of the grantee institutions. It is imperative that federal awarding agencies like HHS hold grantee institutions responsible for compliance with federal civil rights laws and ensure that public funds are not being used to support institutions and individuals who promote discrimination and harassment.

B. Recommendations

Recommendations for HHS, HHS OCR, and NIH

- The incoming administration should make wholesale personnel changes in HHS OCR. HHS OCR's refusal to engage with Congressional inquiries and apparent failure to act in reference to taxpayer funded grantee institutions demonstrates a need for change in personnel throughout HHS OCR, to include all levels of management.

- NIH should make clear to individuals at grantee institutions that incidents or allegations of antisemitism and other harassment and discrimination for shared ancestry can be reported through their grantee harassment web portal and email address.

- NIH should update its grant terms and conditions to require institutions seeking NIH funding to add the following new requirements:

    - NIH-funded institutions are required to notify NIH when key grant personnel are under investigation for shared ancestry/national origin discrimination or harassment and an action is taken against personnel (e.g., suspension from campus) that would impede the grant.

    - All investigations started into allegations of shared ancestry/national origin discrimination or harassment must be completed within six months, even if the accused or alleged victim leaves the institution. Without a conclusion about what happened, the institution and NIH cannot redress harm sustained by the victim. When investigations are stopped because the accused resigns/leaves the

[144] Email from President Srivastava to "Gladstone All" email list (Oct. 9, 2023, 6:13pm) (on file with the Comms.).
[145] *Id.*

institution, the harasser/abuser skirts consequences even if the accusations are true.

- All investigative reports must be made available to NIH. If the grantee institution chooses to conduct the investigations in-house rather than through a third-party law firm, it is responsible for ensuring the accuracy of the information. Therefore, the Chancellor, Provost, or other high-ranking member of the grantee institution must attest to NIH that the reports and files sent to NIH are complete and accurate representations of the facts of the case. If NIH is not satisfied with the investigation completed by the institution or its proxy, NIH may refer the case to HHS OCR and HHS OGC for investigation. The grantee institution must cooperate with any investigation conducted by these entities. If NIH is not satisfied with the actions taken by the grantee institution because of the investigation, it may recommend further actions. Failure to implement said actions may result in suspension or reconsideration of the grant.

- Principal investigators, co-principal investigators, or other key grant personnel on NIH-funded grants or networks may be removed by NIH, temporarily or permanently, if the grantee institution fails to take appropriate and timely action to make the research environment safe in response to allegations of shared ancestry/national origin discrimination or harassment.

- HHS must specify a required number of Title VI compliance reviews that HHS OCR must conduct per year at grantee institutions.

Recommendations for NIH-Funded Institutions

- All NIH-funded institutions should create a task force or commission of external experts in civil rights—including an expert in antisemitism—to review their curriculums for bias, discrimination, indoctrination, etc., to ensure that students are not being subjected to politicized or biased educations. This would not just be for classes or curriculum focused on topics such as diversity or inclusion, but for all classes, lectures, and curricular materials. This external group would create recommendations for ways to reduce bias and ensure that the curriculum is not biased or discriminatory towards any one group of people, any culture, etc. This review should be inclusive of all areas of study, including medical schools, nursing programs, public health programs, and social work programs.

- All NIH-funded institutions should create an antisemitism task force to review the current climate within the institution, evaluate the actions taken by the institution, put processes and procedures in place for responding to these incidents, and provide recommendations for action. This task force should not be made up of leadership within the institution. Rather, the task force should be a representative group of faculty, students, and independent subject matter experts.

- All NIH-funded institutions should update their discrimination and harassment training to include a section on antisemitism.

V. The Committee on the Judiciary

The Committee on the Judiciary has jurisdiction over the Biden-Harris Administration's enforcement of federal immigration law. This jurisdiction includes the adjudication, issuance, and revocation of nonimmigrant visas, such as student visas.

Certain conduct during the antisemitic protests may render aliens removable from the United States. Under the Immigration and Nationality Act ("INA"), an alien is inadmissible to and removable from the United States if the alien "endorses or espouses terrorist activity or persuades others to endorse or espouse terrorist activity or support a terrorist organization."[146] Despite the clear statutory language, in October 2023, only three weeks after Hamas's attacks on Israel, U.S. Department of Homeland Security ("DHS") Secretary Alejandro Mayorkas declined to state whether foreign students should "have their visas revoked" if they "advocate for the elimination of Israel and attacks on Jewish individuals."[147] Instead, Secretary Mayorkas claimed that "it is a matter of law and it requires a legal interpretation," noting that DHS was "assessing [the] legal assertion" that those aliens could have their visas revoked.[148]

In light of the despicable antisemitic protests that occurred nationwide on college campuses and elsewhere, on April 30, 2024, the Committee wrote to DHS Secretary Alejandro Mayorkas and U.S. Secretary of State ("State Department") Antony Blinken, requesting various documents and information relating to each Department's inaction in revoking visas for aliens who endorse or espouse terrorist activities, including aliens on student visas who endorse Hamas's terrorist activities against Israel and violence against Jews.[149] From the State Department, the Committee requested:

1. The number of aliens, including those on student visas, for whom DHS has requested the State Department revoke their visas based on their actions related to anti-Israel protests, disaggregated by visa category, country of nationality, and the specific action that precipitated the request, including:

    a. The number of such aliens for whom the State Department has revoked visas, disaggregated by visa category, country of nationality, and the reason for the revocation; and

    b. The number of such aliens who remain in the United States, disaggregated by visa category and country of nationality.[150]

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[146] 8 U.S.C. § 1182(a)(3)(B)(i)(VII); *see* 8 U.S.C. § 1227(a)(4)(B).
[147] John Binder, *DHS Chief Mayorkas Will Not Commit to Deporting Pro-Hamas Foreign Students from U.S.*, BREITBART (Oct. 31, 2023), https://www.breitbart.com/politics/2023/10/31/dhs-chief-mayorkas-will-not-commit-to-deporting-pro-hamas-foreign-students-from-u-s/.
[148] *Id.*
[149] Letter from Jim Jordan et al., Chairman, H. Comm. on the Judiciary, to Antony Blinken, Sec'y, U.S. Dep't of State (Apr. 30, 2024); Letter from Jim Jordan et al., Chairman, H. Comm. on the Judiciary, to Alejandro Mayorkas Sec'y, U.S. Dep't of Homeland Sec. (Apr. 30, 2024).
[150] Letter from Jim Jordan et al., Chairman, H. Comm. on the Judiciary, to Antony Blinken, Sec'y, U.S. Dep't of State (Apr. 30, 2024).

2. The total number of aliens, including those on student visas, for whom the State Department has revoked visas based on their actions related to anti-Israel protests disaggregated by visa category, country of nationality, and the specific action that precipitated the revocation.[151]

Similarly, from DHS the Committee requested:

1. The number of aliens, including those on student visas, who have endorsed or espoused terrorist activity or have persuaded others to endorse or espouse terrorist activity or support a terrorist organization during anti-Israel protests, disaggregated by visa category, if applicable, and country of nationality, including:

    a. The number of such aliens for whom DHS has requested the State Department revoke visas based on their actions related to anti-Israel protests, disaggregated by visa category, the country of nationality, and the specific action that precipitated the revocation request; and

    b. The number of such aliens who have been placed in removal proceedings, including the number removed from the United States, disaggregated by visa category and the country of nationality.[152]

2. Whether aliens who endorse or espouse terrorist activity or persuade others to endorse or espouse terrorist activity or support a terrorist organization are enforcement priorities under the September 30, 2021, memo, Guidelines for the Enforcement of Civil Immigration Law.[153]

Initially the Committee received no substantive response from either Department. Then on May 17, 2024, the Committee reiterated its requests via letters to Secretaries Mayorkas and Blinken.[154]

On May 29, 2024, the State Department responded in part that "The Department has not received any such requests from partners to revoke visas for individuals based on their actions related to on-campus protests within the referenced period and has not revoked any visas in that period for such activity."[155] To date, DHS has refused to provide a substantive response to the Committee's questions.

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[151] *Id.*
[152] Letter from Jim Jordan et al., Chairman, H. Comm. on the Judiciary, to Alejandro Mayorkas Sec'y, U.S. Dep't of Homeland Sec. (Apr. 30, 2024).
[153] *Id.*
[154] Letter from Jim Jordan et al., Chairman, H. Comm. on the Judiciary, to Antony Blinken, Sec'y, U.S. Dep't of State (May 17, 2024); Letter from Jim Jordan et al., Chairman, H. Comm. on the Judiciary, to Alejandro Mayorkas Sec'y, U.S. Dep't of Homeland Sec. (May 17, 2024).
[155] Letter from Naz Durakoglu, Asst. Sec., Bureau of Leg. Affairs, U.S. Dep't of State to Jim Jordan et al., Chairman, H. Comm. on the Judiciary, (May 29, 2024).

VI. The Committee on Oversight and Accountability

On April 30, 2024, House Committee on Oversight and Accountability Chairman James Comer and House Committee on Education and the Workforce Chairwoman Virginia Foxx (R-NC) sent a letter to Mayor Muriel Bowser and Metropolitan Police Department ("MPD") Chief Pamela Smith raising concerns about MPD's refusal to assist in clearing out an encampment of unlawful and antisemitic protestors on GWU's campus.[156]

The GWU encampment, which was occupying the main outdoor space at the University since April 26, 2024, was quickly condemned by University leadership once antisemitic chants were heard and graffiti was spread throughout the area. The encampment called for the end of the Israeli state and obstructed multiple buildings within campus.[157] The encampment was filled with a mix of students and individuals unaffiliated with the University who had no business being on its campus.[158] This unlawful chaos was taking place during finals week, already one of the most stressful times for students.

On May 1, 2024, House Committee on Oversight and Accountability Chairman James Comer and Representatives Lauren Boebert (R-CO), Anna Paulina Luna (R-FL), Byron Donalds (R-FL), Eric Burlison (R-MO), and William Timmons (R-SC) met with GWU leadership and toured the radical, antisemitic, and unlawful encampment on the university's campus. Following the tour, the Committee members called on D.C. Mayor Muriel Bowser to empower the MPD to clear out the unlawful encampment and restore the rule of law to protect students and staff.[159] Mayor Bowser's office continued to refuse to act on behalf of the university administration, students, and faculty. In response, Chairman Comer announced a full committee hearing on the inaction scheduled for May 8. Mayor Bowser and Police Chief Pamela Smith were invited to testify.[160]

In the early morning of May 8—just hours before the Oversight Committee hearing with Mayor Bowser and MPD Chief Pamela Smith—MPD finally cleared out the encampment.[161] This action led to 33 arrests; only 6 of those arrestees were GWU students.

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[156] Letter from Hon. Virginia Foxx, Chairwoman, H. Comm. on Educ. & the Workforce, and Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability, to Hon. Muriel Bowser, Mayor of Washington, D.C., and Ms. Pamela Smith, Chief, Metro. Police Dep't of D.C. (Apr. 30, 2024).

[157] Peter Hermann, *D.C. Police Rejected GWU's Plea to Sweep Out University Protestors*, THE WASHINGTON POST (Apr. 27, 2024).

[158] Briefing for Comm. on Oversight & Accountability Members from GWU officials (May 1, 2024).

[159] *Id.*

[160] Press Release, H. Comm. on Oversight & Accountability, *Comer Announces Hearing on the District of Columbia's Response to Radical, Antisemitic, and Unlawful Protests at GWU* (May 1, 2024), https://oversight.house.gov/release/comer-announces-hearing-on-the-district-of-columbias-response-to-radical-antisemitic-and-unlawful-protests-at-gwu/.

[161] Peter Hermann, Keith L. Alexander, Lauren Lumpkin, *Six GWU students among 33 arrested at campus protest encampment*, THE WASHINGTON POST (May 9, 2024).

VII. The Committee on Veterans' Affairs

A. Overview of the Investigation

In December 2023, the House Committee on Veterans' Affairs ("Committee") became aware of a U.S. Department of Veterans Affairs ("VA") OGC attorney who posted a social media video mocking Israelis who were asking for the return of hostages captured by Hamas.[162] Chairman Bost sent VA a request for information to get more details on the attorney in the video and to see if VA was investigating. After learning the attorney was employed in VA's Veterans Benefits Law Group and had yet to face any administrative action, Chairman Bost and 18 House Republicans sent the VA Secretary a letter expressing concern that the attorney's blatant antisemitism could affect veterans of Jewish faith and requesting that VA provide all documents related to its investigation to ensure VA was adequately investigating.[163]

Concerns regarding VA's investigation were validated when VA stated the attorney would not face discipline but instead would be required to complete harassment training.[164] Notably, VA failed to provide the Committee with any of its investigation documents. In May 2024, following months of negotiation, Committee staff reviewed the documents *in camera*. This review, and a subsequent June 2024 transcribed interview with the VA employee who conducted the investigation into the attorney, exposed troubling details about VA's investigation. First, the VA investigator worked in the same OGC practice group as the attorney who made the video, which raised questions regarding the investigation's independence.[165] Second, the investigator merely interviewed the attorney who made the video before determining no wrongdoing occurred.[166] The investigator did not investigate whether the attorney's coworkers felt unsafe following the attorney's comments or whether the attorney's work product was affected by the attorney's apparent bias. Even worse, the sole interview was neither transcribed or otherwise memorialized.[167] Finally, the investigator used Wikipedia's antisemitism definition instead of a reliable source when concluding the attorney's conduct was not antisemitic.[168]

The transcribed interview also revealed that the investigator worked with the attorney who posted the video but did not have a personal relationship with her.[169] The interview also revealed that the investigator failed to investigate the video's effect on the workplace and whether the attorney's work product was affected by her beliefs because the investigator was

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[162] Leo Shane III, *VA Att'y Disciplined for Video Mocking Israeli Hostages*, MIL. TIMES, Jan. 12, 2024, https://www.militarytimes.com/veterans/2024/01/13/va-attorney-disciplined-for-video-mocking-israeli-hostages/.
[163] Letter from Mike Bost et al., Chairman, H. Comm. on Veterans' Aff. to the Hon. Denis McDonough, Sec'y, U.S. Dep't of Veterans Aff. (Dec. 13, 2023).
[164] *See* Letter from the Hon. Denis McDonough, Sec'y, U.S. Dep't of Veterans Aff. to Mike Bost, Chairman, H. Comm. on Veterans' Aff. (Jan. 12, 2024).
[165] VA Investigator, Transcribed Interview before the H. Comm. on Veterans' Affairs, 15 (June 27, 2024) (on file with Comm).
[166] *Id.* at 19.
[167] *Id.* at 24.
[168] *Id.* at 22.
[169] VA Investigator, Transcribed Interview before the H. Comm. on Veterans' Affairs, 16 (June 27, 2024) (on file with Comm).

directed to conduct a narrow investigation.[170] Specifically, the investigator was directed by the Benefits Law Group's Chief Counsel, after consultation with VA OGC Personnel Group attorneys, to determine only whether: (1) the attorney's social media account contained information identifying the attorney as a VA employee; (2) the video the attorney posted on her social media could be attributed to VA; and (3) the attorney expressed antisemitic views on her personal social media within the VA workplace.[171] The investigator found none of this occurred.[172] Additionally, the investigator concluded the video was not antisemitic as the attorney was expressing their personal disagreement with the Israeli Government's actions in response to Hamas' terrorist attack on October 7, 2023.[173]

The Committee's investigation highlights how VA's internal misconduct investigations under the Biden-Harris administration are inadequate and lead to a lack of accountability throughout VA.

Letters to the Department of Veterans Affairs and the Governors to Address Antisemitism on Campus

In July 2024, Chairman Bost sent letters to VA and the Governors of California, New York, Illinois, Massachusetts, Michigan, and North Carolina.[174] The letters inquired about the measures being taken by VA and state officials in each of their states on specific college campuses to ensure that Jewish student veterans are safe and free from harassment and discrimination. The letters also requested that the State Approving Agencies ("SAAs") investigate whether the safety and treatment of Jewish veteran students are affecting the ability of these universities to offer a harassment-free environment and to provide a quality education for GI Bill approval of schools. These states and universities were chosen because they received a D or F rating from the Anti-Defamation League's report card,[175] in part due to current litigation or recent anti-Zionist student activities.

As of the release of this staff report, the Committee has only received responses from the Governor of North Carolina,[176] Northwestern University,[177] and VA.[178] VA stated they are monitoring the situation and has shared a list of available federal resources for veterans. They have not, however, taken any further action to ensure the safety and quality of education for student veterans on campus. On November 12, 2024, a follow-up email was sent to the

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[170] *Id.* at 18-21.
[171] *Id.* at 12-13.
[172] *Id.* at 13-14.
[173] *Id.* at 14.
[174] H. Committee on Veterans Affairs Letter from Mike Bost, Chairman, H. Comm. on Veterans Affairs, to Denis McDonough, Sec'y, U.S. Dep't of Veterans Affairs (July 8, 2024); H. Committee on Veterans Affairs Letters from Mike Bost, Chairman, H. Comm. on Veterans Affairs, to Governors Kathy Hochul, Gavin Newsom, Jay Robert Pritzker, Maura Healey, Gretchen Whitmer, Roy Cooper (July 8, 2024).
[175] Anti-Defamation League, Campus Antisemitism Report Card, https://www.adl.org/campus-antisemitism-report-card.
[176] Letter from Gov. Roy Cooper to Mike Bost, Chairman, the H. Comm. on Veterans Affairs (Aug. 9, 2024).
[177] Letter from Gov. Jay Robert Pritzker to Mike Bost, Chairman, the H. Comm. On Veterans Affairs (Nov. 9, 2024).
[178] Letter from Denis McDonough, Sec'y, U.S. Dep't of Veterans Affairs, to Mike Bost, Chairman, the H. Comm. on Veterans Affairs (Sept. 6, 2024).

Governors' offices to request details about what actions have been taken to address the situation and to ensure the safety and treatment of Jewish veteran students. Specifically, the Committee asked what investigations or oversight actions, if any, have been initiated by colleges and universities where antisemitic activities have been reported. To date, the Committee has not heard back from any of the other Governors, with the exception of North Carolina, or any of the universities involved regarding these concerns.

Northwestern University Policy Updates

As referenced above, Northwestern provided the Committee with policy updates to address some of the concerns raised in our July letter to Governor Jay Robert Pritzker.[179] Northwestern indicated that it established a display and solicitation policy that provides clear rules regarding on-campus displays and flyers, prohibits the use of chalk on buildings or signs that violate university regulations, and updated its demonstration policy to include new requirements for how community members may engage in protests or similar activities. The university also revised its policies on discrimination, harassment, and sexual misconduct to align with definitions provided by the U.S. Department of Education.

According to Northwestern, the annual update to the Student Code of Conduct includes specific provisions that address the Committee's concerns. The new Intimidation Standard prohibits individuals from subjecting others to abusive, harassing, or violent behavior that substantially affects the ability of the person or group to learn, work, or live in the University environment. Furthermore, Northwestern has updated its Failure to Comply policy to ensure that students are held accountable for their actions. The University also clarified its University Properties Policy, defining what constitutes a violation of university spaces and expanding the definition of tampering or damaging property. At the start of the academic year, Northwestern enhanced its resources for law enforcement performance and increased patrols in areas significant to the University's Jewish community. Further, the University plans to strengthen its enforcement capacity by hiring an additional investigator in the Office of Community Standards, whose role will be to investigate and adjudicate alleged violations of the Student Code of Conduct. Finally, Northwestern implemented several educational and training initiatives aimed at improving the community's ability to engage in difficult conversations constructively and respectfully, including programs offered by the Center for Enlightened Disagreement.[180]

B. Recommendations

- The Secretary, in collaboration with the State Approving Agencies, should establish anti-harassment and equal treatment policies and guidelines for educational institutions approved for participation in VA education programs to ensure that Jewish student veterans feel safe and respected on campus.

[179] H. Committee on Veterans Affairs Letters from Mike Bost, Chairman, H. Comm. on Veterans Affairs, to Gov. Kathy Hochul, Gavin Newsom, Jay Robert Pritzker, Maura Healey, Gretchen Whitmer, Roy Cooper (July 8, 2024).
[180] Northwestern Univ., Updates to Northwestern's Policies and Student Code of Conduct, Academic Year 2024-2025.

- State Approving Agencies should consider complaints related to antisemitism when conducting compliance surveys, risk-based surveys, and supervisory visits and consider these issues when certifying educational institutions for participation in the VA education programs.

- VA should establish a clear antisemitism definition to include in existing VA anti-harassment policies and ensure that all employees are held accountable for conduct that violates such policies.

VIII. The Committee on Ways and Means

A. Overview of the Investigation

The House Committee on Ways and Means ("Ways and Means") has been actively investigating tax-exempt organizations and antisemitism across the U.S. in the wake of Hamas' attack in Israel on October 7, 2023. The Committee held its first hearing on this issue on November 15, 2023, and has since held three hearings related to tax-exempt organizations and antisemitism, gathering testimony from a dozen witnesses in the process.[181]

In addition to hearings, the Committee requested information and materials from various tax-exempt organizations, including tax-exempt colleges and universities. It also collected over 1,500 pages of documentation throughout its investigation, including information related to tax-exempt school policies, enforcement standards and activities of tax-exempt colleges and universities, various sources of funding for tax-exempt colleges and universities, and other information relevant to the investigation.

The Committee also leveraged resources and gained information and assurances from various governmental entities and tax-exempt organizations that more will be done going forward to better protect students on campus; hold bad actors accountable who violate rules on campus; and use tools available to the government to step-in when tax-exempt organizations are supporting illegal activity or operating outside of their tax-exempt purpose. To date, the Committee has sent over 40 letters to various tax-exempt schools, government entities including the U.S. Department of the Treasury, Internal Revenue Service ("IRS"), Federal Bureau of Investigation ("FBI"), and Department of Justice ("DOJ") as part of its investigation.

B. Findings

Over the course of its investigation, the Ways and Means Committee found that several American-based tax-exempt organizations have funneled or are suspected of funneling American taxpayer dollars to designated terrorist organizations like Hamas. At the same time, American-based tax-exempt organizations have used taxpayer dollars to support, enable, and organize illegal encampments and/or protests that often resulted in violence, threats, and arrests. The Committee continues to investigate tax-exempt organizations engaging in activity that falls outside of well accepted tax-exempt purposes. Below are two case studies to illustrate some of the Committee's findings to date.

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[181] H. Comm. on Ways and Means, *Hearing: From Ivory Towers to Dark Corners: Investigating the Nexus Between Antisemitism, Tax-Exempt Universities, and Terror-Financing* (Nov. 15, 2023), https://waysandmeans.house.gov/event/hearing-from-ivory-towers-to-dark-corners-investigating-the-nexus-between-antisemitism-tax-exempt-universities-and-terror-financing/; H. Comm. on Ways and Means, *Hearing on the Crisis on Campus: Antisemitism, Radical Faculty, and the Failure of University Leadership* (June 13, 2024), https://waysandmeans.house.gov/event/hearing-on-the-crisis-on-campus-antisemitism-radical-faculty-and-the-failure-of-university-leadership/; H. Comm. on Ways and Means, *Oversight Subcommittee Hearing on Fueling Chaos: Tracing the Flow of Tax-Exempt Dollars to Antisemitism* (July 23, 2024), https://waysandmeans.house.gov/event/oversight-subcommittee-hearing-on-fueling-chaos-tracing-the-flow-of-tax-exempt-dollars-to-antisemitism/.

Case Study: The Alliance for Global Justice and Samidoun

The Alliance for Global Justice ("the Alliance") is an Arizona-based 501(c)(3) organization that serves as a financial sponsor to over 130 "projects."[182] According to their website, the Alliance envisions "societies which explore and implement alternatives to the unjust domination of governments, global financial institutions and multinational corporations" and their mission is to "achieve social change and economic justice by helping to build a stronger more unified grassroots movement."[183] According to the Alliance's 2023 Form 990, its mission is to "achieve social change and economic justice by helping to build a stronger and more unified grassroots movement."[184]

Over the course of its investigation, the Committee discovered that Samidoun—a financially sponsored project of the Alliance—was connected to terrorism in the Middle East and actively worked with Hamas and others to use "donations" to fund unrest and chaos in the region.[185] Despite describing itself as "an international network of activists working to build solidarity with Palestinian prisoners in their struggle for freedom,"[186] their conduct suggests something very different. For example, in February 2021, the National Bureau for Counter Terror Financing of Israel ("NBCTF") designated Samidoun a terrorist organization and a "part of the Popular Front for the Liberation of Palestine ("PFLP"),"[187] which itself has been designated as a foreign terrorist organization by the U.S. Department of State since 1997.[188] According to the NBCTF, one of Samidoun's leaders is part of the leadership of the PFLP, has been involved in the establishment of militant cells, and has motivated terrorist activity in "Judea & Samaria and abroad."[189]

On September 24, 2024, the Committee called on the IRS to revoke the tax-exempt status of multiple organizations, including the Alliance.[190] On October 15, 2024, just weeks after the Committee sent a letter to the IRS demanding an investigation into Samidoun and revocation of its financial sponsor's tax-exempt status, the Committee's suspicions were confirmed when the Department of the Treasury's Office of Foreign Assets Control designated Samidoun as a sham charity that serves as an international fundraiser for the PFLP terrorist organization.[191]

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[182] Fiscal Sponsorship, Alliance for Global Justice (last accessed Aug. 14, 2024), https://afgj.org/fsp.
[183] Our Mission, Alliance for Global Justice (last accessed Aug. 14, 2024), https://afgj.org/about/our-mission.
[184] 2023 Form 990, Alliance for Global Justice Corp, PROPUBLICA (Feb. 12, 2024), https://projects.propublica.org/nonprofits/organizations/522094677/202430439349301048/full.
[185] *Israel Designates "Samidoun" As A Terrorist Organization*, National Bureau for Counter Terror Financing of Israel (Feb. 28, 2021), https://nbctf.mod.gov.il/en/Pages/SamidounEN.aspx.
[186] Donate, Samidoun (last accessed June 25, 2024), https://samidoun.net/about-samidoun/; About Samidoun, Samidoun (last accessed June 25, 2024), https://samidoun.net/about-samidoun/.
[187] *Israel Designates "Samidoun" As A Terrorist Organization*, National Bureau for Counter Terror Financing of Israel (Feb. 28, 2021), https://nbctf.mod.gov.il/en/Pages/SamidounEN.aspx.
[188] Foreign Terrorist Organizations, U.S. Dept. of State (last accessed Aug. 14, 2024), https://www.state.gov/foreign-terrorist-organizations/.
[189] *Id.*
[190] Letters from The Hon. Jason Smith, Chairman, H. Comm. on Ways and Means to The Hon. Daniel Werfel, Comm'r of the IRS (Sept. 24, 2024), https://waysandmeans.house.gov/wp-content/uploads/2024/09/Tax-Exempt-Status-Revocation-Letters.pdf.
[191] Tom Winter, Simone Weichselbaum, and Chloe Atkins, *Pro-Hamas group that helped organize college protests is a 'sham charity,' Treasury says*, NBC (Oct. 15, 2024), https://www.nbcnews.com/news/us-news/-hamas-group-helped-organize-college-protests-sham-charity-treasury-sa-rcna175529.

Case Study: American Muslims for Palestine and AJP Educational Foundation, Inc.

Another American-based tax-exempt organization connected to illegal activity here in the U.S. is American Muslims for Palestine ("AMP"). AMP is a Virginia-based nonprofit network which claims to educate, organize, and mobilize Muslim-American communities, as well as other communities, to advance Palestinian rights.[192] In part through their tax-exempt 501(c)(3) organization called AJP Educational Foundation ("AJP") and its financially sponsored project, Students for Justice in Palestine ("SJP"), however, AMP is suspected of supporting illegal activity and has been one of the leading agitators in campus unrest this past year through SJP.[193]

Over the course of its investigation, the Committee discovered that AMP and SJP provided tangible support, including flyers, talking points, pamphlets, and other materials, to help support unauthorized and illegal encampments on college campuses across the country this spring.[194] For example, the day after the Hamas terrorist attacks in Israel, SJP chapters disseminated a "toolkit" which identified AMP and SJP as part of a "Unity Intifada" governed by Hamas' "unified command," encouraged teach-ins and training on how to organize a protest, and advertised a "National Day of Resistance."[195] Following the release of this "toolkit," colleges and universities across the country became hot beds for threats, violence, and discrimination, ultimately leading to dozens of arrests.[196] Along with providing tangible resources like talking points and flyers, AMP and AJP also financially sponsored SJP, helping to provide the funding necessary to organize illegal encampments and other events that have often resulted in violence and arrests.

While AMP and SJP have been helping incite violence, promulgate propaganda, and foment chaos across the country, they have also been under investigation for suspected ties to organizations previously associated with terrorist activity and possible financial links to

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[192] *Id.*

[193] Shimon Sherman, *Who is paying for the American campus protests?*, JEWISH NEWS SYNDICATE (May 3, 2024), https://www.jns.org/who-is-paying-for-the-american-campus-protests/; *see also* Will Carless and Romina Ruiz-Goiriena, *Amid campus protests, organizers with past ties to Hamas also emerge*, USA TODAY (May 22, 2024), https://www.usatoday.com/story/news/investigations/2024/05/22/gaza-student-protests-american-muslims-for-palestine/73775372007/.

[194] *Lawsuit Filed on Behalf of American and Israeli Victims of Hamas Oct. 7 Terrorist Attack Against AJP Educational Foundation, Inc. a/k/a American Muslims for Palestine and National Students for Justice in Palestine*, Holtzman Vogel (May 1, 2024), https://www.holtzmanvogel.com/news-insights/lawsuit-filed-on-behalf-of-american-and-israeli-victims-of-hamas-oct-7-terrorist-attack-against-ajp-educational-foundation-inc-a-k-a-american-muslims-for-palestine-and-national-students-for-justice-in-palestine.; *see also* Morgan Sweeney, *American Muslims for Palestine ordered to comply with Virginia AG records request*, WASHINGTON EXAMINER (July 17, 2024), https://www.washingtonexaminer.com/news/3086995/american-muslims-for-palestine-ordered-to-comply-with-virginia-ag-records-request/.

[195] Compl. For Damages and Jury Trial Demand, 42, *Parizer et al v. AJP Educational Foundation Inc. et al*, E.D. Va. (May 2024).

[196] Caitlin McLean, *MPD Clears GW Encampment, Arrests 33*, THE HOYA (May 8, 2024), https://thehoya.com/news/developing-mpd-clears-gw-encampment-arrests-33-students/; Shimon Prokupecz, et. al, *Over 100 people arrested as NYPD breaks up pro-Palestinian protest at Columbia University, law enforcement source says*, NCAA (April 18, 2024), https://www.cnn.com/2024/04/18/us/nypd-disperses-pro-palestinian-protest-columbia-university/index.html; Haley Sandlow, *Brown Students for Justice in Palestine talk organizing efforts, respond to Nov. 8 student arrests*, THE BROWN DAILY HERALD (Nov. 19, 2023), https://www.browndailyherald.com/article/2023/11/brown-students-for-justice-talk-organizing-efforts-respond-to-nov-8-student-arrests.

Hamas.[197] The Virginia Attorney General initiated an investigation of the organization, alleging that it may have used funds for impermissible purposes, including "benefiting or providing support to terrorist organizations."[198] Even without any potential ties to terrorism, however, AMP's activities make it difficult to understand what tax-exempt purpose the group serves.

As the above case studies show, American taxpayer funding is currently supporting terrorist organizations and violations of American law, and certain tax-exempt organizations appear to be lacking any charitable or socially beneficial purpose to justify a tax exemption. The Committee's findings that tax-exempt organizations are operating outside of their tax-exempt purposes and in violation of the law are not only concerning, but also amount to a violation of the American people's trust. Congress must consider ways to put an end to this abuse. Based on the Committee's findings, several recommendations are listed below.

C. Recommendations

Below are five recommendations from the Ways and Means Committee based on the Committee's investigative findings to date.

- Congress should enact legislation that was previously reported by the Ways and Means Committee and passed by the House, including H.R. 9495 and/or H.R. 6408. Both bills would help cut off funding for groups that provide material support for terrorism.

- Congress should enact other bills previously considered and passed by the Ways and Means Committee that would support this effort and build on the Committee's investigation including H.R. 8913, which would incentivize schools to prioritize enrolling American students, and H.R. 8914, which would give the IRS tools to hold tax-exempt colleges and universities accountable by imposing a significant tax penalty if they are found by a court of law to have violated a student's civil rights.

- Congress should also consider finding ways to incentivize colleges and universities to better protect students and secure their campuses. For example, many of the worst offenders this past year were the colleges and universities with the largest endowments in the country. It is worth exploring mechanisms that require colleges and universities to leverage their massive endowments to better secure their campuses. For example, Congress should consider legislation that changes the endowment formula and/or the endowment tax rate.

- Congress should consider enacting various policies, including one that would prohibit individuals who are associated with organizations that have been shut down due to ties or suspected ties to known terrorist organizations from organizing and starting a similar or identical tax-exempt organization under a different name. This would help close loopholes that groups like AMP and SJP have taken advantage of in the past.

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[197] *Id.*

[198] Michael Starr, *Court orders American Muslims for Palestine to give Virginia AG documents over alleged Hamas ties*, THE JERUSALEM POST (July 17, 2024), https://www.jpost.com/diaspora/antisemitism/article-810733.

- Congress should explore ways to ensure that tax-exempt organizations do not financially sponsor projects that do not further their tax-exempt purpose, organizational mission, or result in illegal activity. While many financial sponsorship relationships are genuine and beneficial for the country, others are used to shield bad actors from transparency and accountability. We must explore mechanisms to hold financial sponsors more accountable for illegal activity conducted by the projects they sponsor.

IX. Conclusion

The House-wide investigation has uncovered deeply troubling realities about how antisemitism has been allowed to fester unchecked, including in universities and institutions across the country, with little to no accountability or oversight to prevent its continued spread. The events of the past year have laid bare the systemic failures of many universities, other nonprofit organizations, public officials, higher education administrators, and the federal government in addressing antisemitism – a pervasive issue they can no longer ignore.

The findings expose a disturbing pattern of defensiveness and denial among institutions. Rather than confronting the severity of the problem, many institutions have dismissed congressional and public criticism and abdicated responsibility for the hostile environments they have enabled. This refusal to acknowledge or address the issue has allowed antisemitism to take root and thrive in spaces that contravene the values of this great nation.

The House-wide effort has culminated in a set of recommendations for schools, Congress, and the executive branch to consider. These actionable steps are designed to ensure that the rising tide of antisemitism is confronted and eradicated at its core. By holding institutions accountable and fostering an environment of responsibility, these measures aim to restore safety and respect for Jewish Americans across the country.

This report serves to summarize the House-wide effort in the 118th Congress, but we are committed to continuing this vital work. As we move toward the 119th Congress, we look forward to collaborating with the Senate and executive branch to combat antisemitism with the urgency and moral clarity this moment demands. Together, we will uphold the principles that define our nation and work to root out antisemitism from every corner of American society.

AN INTERNATIONAL ORGANIZATION DEDICATED TO PROTECTING THE RIGHTS OF ALL ANIMALS

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS

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April 1, 2025

Josh Gruenbaum
Commissioner
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U.S. General Services Administration

Via e-mail: josh.gruenbaum@gsa.gov

Dear Mr. Gruenbaum:

Thank you in advance for your time and for your dedication to improving how taxpayer money is allocated for biomedical research. I'm writing as a neuroscientist on behalf of People for the Ethical Treatment of Animals (PETA) to request that, as you and other members of the Joint Task Force to Combat Anti-Semitism review federal funding to Harvard University, you consider canceling Harvard's National Institutes of Health (NIH) funding for cruel and ineffective visual deprivation experiments on infant rhesus macaques.

The experiments, conducted at Harvard Medical School and supported by projects R01NS123778 and R01EY02567, have *already* received $15,469,436 in funding from NIH but have produced no meaningful benefit to humans. These experiments involve performing exceptionally harmful procedures on infant rhesus macaques that are not only unethical but also outdated and redundant. Hundreds of scientists have openly objected to these experiments on ethical and scientific grounds, but to date, the concerns of these outside scientists have been ignored.

After reviewing the information provided below, I think you will agree that these experiments no longer deserve federal funding and should be terminated immediately.

Useless Data and Irreversible Harms

The experiments in question, led by principal investigator Margaret Livingstone, involve permanently removing infant monkeys from their mothers at birth and subjecting them to various visual deprivation procedures. These procedures, shockingly, include forcing these newborn infants to wear helmets and goggles that create stroboscopic effects for the first 18 months of their lives. Other visual deprivation procedures to which these maternally deprived infants are subjected include forcing them to wear goggles that invert their visual input or alternatively occlude their right and left eyes for at least their first year of life. The eyelids of some monkeys in this laboratory were sewn shut for an entire year. After these monkeys have been removed from their mothers and their visual input has been disrupted, impeded, or warped, their skulls are then encased in an acrylic shell so

Entities
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

that experimenters can attach a head fixation device and implant electrodes into their brains.

It's well established that mother-deprived infant monkeys like those in this laboratory experience both immediate and long-term effects from this deprivation. Monkeys separated from their mothers exhibit excessive fearfulness and/or aggression,[1] produce excess stress hormones,[2] display abnormal reproductive behavior, and frequently rank at the bottom of the social-dominance hierarchy.[3] Maternally deprived macaques are more likely to engage in self-injurious behavior,[4] exhibit motor stereotypies indicative of frustration and stress,[5] experience abnormal sleep patterns,[6] and demonstrate increased startle and stress responses to threatening stimuli.[7] They are also more susceptible to infection.[8]

Additionally, maternal deprivation affects brain structure and function. Monkeys "hand-reared" in a laboratory setting exhibit altered serotonin pathway function[9,10] and cerebral blood flow[11] as well as altered levels of brain-derived neurotrophic factor and nerve growth factor critical for normal brain function.[12] Maternal deprivation also has long-term effects on brain morphology,[13] including in the cortical regions Livingstone is studying.[14] These substantive brain alterations not only reflect the atypical development these animals are being forced to experience but also influence the generalizability of Livingstone's own neurological data. As the purported purpose of these experiments is to selectively study the impact of visual deprivation on these animals' cortical and visual processing development, ignoring the additional neurological effects caused by maternal deprivation is problematic and potentially misleading.

These already emotionally and physically damaged monkeys are then forced to live in what can only be described as a visually confusing and terrifying world, with their vision continuously and ultimately permanently disrupted. Moreover, these sorts of visual deprivation procedures are known to cause permanent retinal damage (including retinal detachment in some species) and balance and gait abnormalities, in addition to the expected visual deficits and visual system aberrations the experimenters are trying to induce. In fact, brief stroboscopic conditions are frequently used as both chronic and acute stressors in animals in laboratories due to their long- and short-term effects on the animals' physical and psychological well-being.[15,16,17,18] The impact of 18 months of strobe lighting on the overall health of these monkeys is likely to be profound, but it was not taken into consideration when evaluating the harms induced by these experiments versus their purported scientific merits.

Redundant Experiments

The purported purpose of these experiments is to "explore how specific abnormal early visual experience changes neuronal selectivity." However, these sorts of visual deprivation experiments have been performed ad nauseam for the past 50 years in a host of animal species, including goldfish,[19] chickens,[20] rats,[21,22] songbirds,[23] frogs,[24] rabbits,[25,26,27] guinea pigs,[28] cats,[29,30,31,32,33] *and* nonhuman primates.[34,35,36,37] The only novel aspect of this $2 million project is the extreme length of time that the monkeys will endure strobe-, prism-, and binocular deprivation–rearing. The fact that, to date, no other experimenter has forced infant macaques to live under stroboscopic lighting conditions for the first 18 months of their lives doesn't make these experiments scientifically innovative; it simply makes them ethically unprecedented.

There are a multitude of projects using noninvasive methods with humans to study the impact of early sensory experience on neural and visual development. For example, research with humans who experience early transient congenital blindness,[38,39,40,41] amblyopia,[42] and visual impairments[43] has investigated the effects of abnormal early visual experience on the development of vision and

other senses, eye-tracking behavior, neural reorganization, and domain-specific visual abilities. Researchers have also studied the effect of short-term monocular deprivation in human volunteers and its effects on binocular rivalry,[44] visual evoked potentials,[45] and BOLD activity in the visual cortex[46] and have assessed the neurochemical mechanisms associated with plasticity in the visual cortex.[47] In addition to being human-relevant, these studies don't suffer from the numerous confounds introduced by maternal deprivation in the experiments performed in Livingstone's laboratory.

Conclusion

Given the cruelty inherent in the experiments performed under projects R01EY02567 and R01NS123778, their complete redundancy to the field, and the availability of modern, noninvasive methods, we think you will agree that they are not in line with your vision for what the government should fund. These projects should be discontinued before any more money is wasted or more baby monkeys are harmed.

I would be happy to meet with you to discuss this critical matter. Thank you again.

Sincerely,



Katherine V. Roe, Ph.D.
Chief Scientist
Laboratory Investigations Department

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Case No. 25-2231

In the United States Court of Appeals
For the First Circuit

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS - HARVARD FACULTY CHAPTER; AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS; INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF JUSTICE; LEO TERRELL, in the 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; CRAIG TRAINOR, in the official capacity as Acting Assistant Secretary for the Office for Civil Rights, U.S. Department of Education; ELIZABETH MERRILL BROWN, in the official capacity as General Counsel of the U.S. Department of Education; ROBERT F. KENNEDY, JR., in the official capacity as the U.S. Secretary of Health and Human Services; MICHAEL B. STUART, in the official capacity as General Counsel of the U.S. Department of Health and Human Services; JAYANTA BHATTACHARYA, in the official capacity as the Director of the National Institutes of Health; EDWARD FORST, in the official capacity as Administrator of the U.S. General Services Administration; JOSH GRUENBAUM, in the official capacity as Commissioner of the Federal Acquisition Service;

(*caption continued on following page*)

Defendants-Appellants.

On Appeal from the United States District Court for the District of Massachusetts; Judge Allison Burroughs, Case No. 1:25-cv-10910-ABD

JOINT APPENDIX
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(Counsel on following page)

TODD BLANCHE, in the official capacity as Acting U.S. Attorney General; LINDA MCMAHON, in the official capacity as the U.S. Secretary of Education; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS); NATIONAL INSTITUTES OF HEALTH; UNITED STATES GENERAL SERVICES ADMINISTRATION; BRIAN STONE, in the official capacity as Acting Director of NSF; JARED ISAACMAN, in the official capacity as Administrator of NASA; UNITED STATES DEPARTMENT OF DEFENSE; UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT; UNITED STATES DEPARTMENT OF ENERGY; UNITED STATES NATIONAL SCIENCE FOUNDATION; BROOKE L. ROLLINS, in the official capacity as Secretary of U.S. Department of Agriculture; UNITED STATES DEPARTMENT OF AGRICULTURE; SCOTT TURNER, in the official capacity as Secretary of HUD; NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; CHRISTOPHER A. WRIGHT, in the official capacity as Secretary of Department of Energy; PETER B. HEGSETH, in the official capacity as Secretary of Department of Defense,

Defendants-Appellants.

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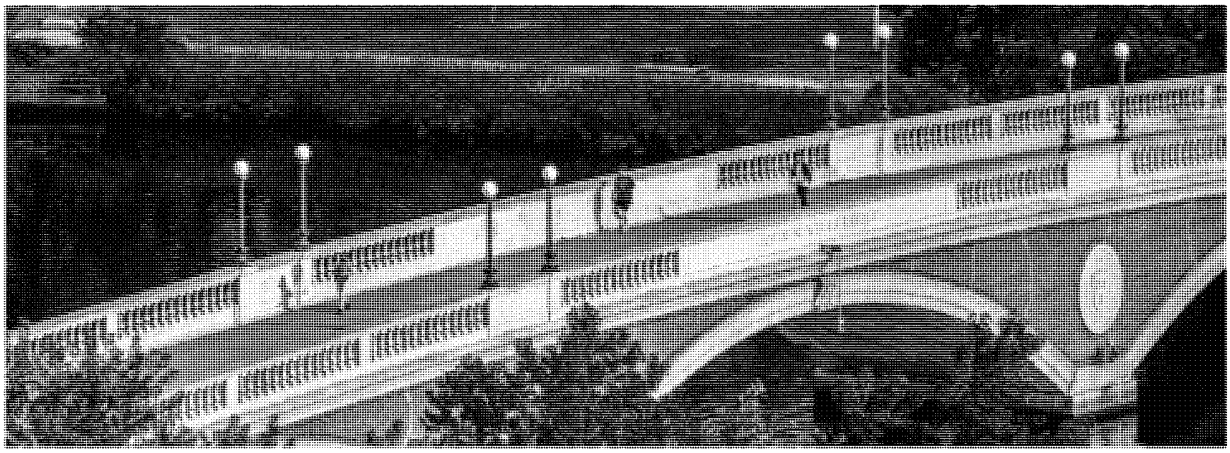
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Letter from Shane Kosinski, U.S. Department of Energy, to Alan M. Garber, Harvard (May 12, 2025), ENERGY AR3944 ..... JA804



FINAL REPORT

Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias

April 29, 2025

HARVARD UNIVERSITY

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Further information on the Task Force, including updates on the recommendations made in this report, can be found at https://www.harvard.edu/task-force-on-antisemitism/

A Note to Our Readers

We recognize that we are releasing this report at a particularly challenging time, and we have significant concerns that the important work that was entrusted to us will be undermined.

We want to be clear. The adoption of the recommendations of this report, born of the experiences of our Jewish and Israeli community, are of the utmost importance to us. So is the way they are adopted.

These significant reforms must be adopted through internal processes that have widespread buy-in within the Harvard community. We are concerned that external parties, even if well-intentioned, will seek to compel adoption of some of our proposed reforms. If they do so, they will make it more difficult for Harvard to fix itself.

The experiences set out in this report and its recommendations come from Harvard. So, too, must the resolutions and the reforms. Our Jewish and Israeli community deserves nothing less.

— *The Members of the Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias*

Introduction

Each year, a program at Harvard University hosts a forum in which student fellowship recipients share their stories in short speeches. In the 2023-24 academic year, one of these recipients, a Jewish Harvard student, planned to describe how their experiences as a grandchild of Holocaust survivors inspired their career goals. In prepared remarks shared with the forum's student organizers, the student speaker described how their grandfather survived the Holocaust by migrating to the then-British Mandate of Palestine, and ultimately helped tens of thousands of others find refuge in territory that is now part of the modern State of Israel. The student recounted what happened next:

> The [student] directors of the conference pulled me aside and said that I cannot mention my grandfather's rescue missions in my speech, because his rescue missions involve Israel. Nowhere does my speech mention the current war or Zionism. It is strictly about the Holocaust. [The two student organizers] told me that my family's Holocaust narrative is not "tasteful" and … I asked "what is not tasteful?" [One of the students] laughed in my face and said, "oh my God." This response was incredibly hurtful and inappropriate. They told me that my family history is inherently one-sided because it does not acknowledge the displacements of Palestinian populations, and I believe this accusation is an antisemitic double standard.

According to the student speaker, while the forum organizers eventually allowed the speaker to mention their grandfather's rescue mission, they insisted that the speaker omit reference to the British Mandate of Palestine as their grandfather's destination.

In many ways, this story epitomizes what we heard about the experiences of numerous Jewish and Israeli students at Harvard in the period after the October 7, 2023 attacks on Israel. Some Jewish students were informed by peers, teaching fellows, and in some cases, faculty, that they were associated with something offensive, and, in some cases, that their very presence was an offense. Perhaps the best way to describe the existence of many Jewish and Israeli students at Harvard in the 2023-24 academic year is that their presence had become triggering, or the subject of political controversy, and the students found themselves, as with the student above, on the wrong side of a political binary that provided no room for the complexity of history or current politics. Many Jewish Harvard affiliates were routinely asked to clarify that they were "one of the good ones" by denouncing the State of Israel and renouncing any attachment to it.

This is the Final Report of the Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias. When established in January of 2024,[1] then-Interim President Alan Garber charged the Task Force to:

> Examine the recent history of antisemitism and its current manifestations on the Harvard campus. It will identify causes of and contributing factors to anti-Jewish behaviors on campus; evaluate evidence regarding the characteristics and frequency of these behaviors; and recommend approaches to combat antisemitism and its impact on campus.

[1] The Task Force first convened under the name "Presidential Task Force on Combating Antisemitism," with "Anti-Israeli Bias" added in June 2024 to better reflect the Task Force's charge.

Our work was preceded by a letter from 33 Harvard student groups that held Israel "entirely responsible" for the October 7th Hamas attacks on Israel. The letter, which was made public as the Hamas invasion of Israel was still underway, caught Harvard's Jewish community in a moment of intense vulnerability and grief and created a horrifying split screen, as community members juxtaposed horrific videos of violence and assault on Israeli civilians, all while encountering media reports in which fellow Harvard community members appeared to be blaming the victims, whose blood was not yet dry, for their own deaths.

This event marked the beginning of what history may remember as the "American campus front" in the hostilities between Israel and Hamas beginning in October 2023 and, as of the date of writing, still ongoing. These hostilities have expanded to include conflicts in several neighboring countries in the Middle East. As students on all sides of the issue have organized demonstrations and sought support from outside groups, Harvard, like other elite universities, has faced a profound crisis.

Since Fall 2023, different factions at Harvard have fought to force various University leaders to make statements, invest, divest, hire, fire, doxx, un-doxx, discipline students and undiscipline them. Without a doubt, the 2023-24 academic year was one of the most challenging years in recent history in American higher education. Campuses found themselves struggling to understand how to handle wide differences of opinion across and within educational communities. By January 2024, the situation at Harvard was particularly difficult, as the institution contended with the sudden departure of its recently installed president and faced legal challenges alleging systematic antisemitism and anti-Arab bias within the University.

This current crisis would have been unimaginable just a few years ago. To illustrate the stark departure from past practices, we heard from a firsthand observer that, as recently as 2017, a co-president of the Harvard Undergraduate Palestine Solidarity Committee occasionally attended dinners at Harvard Hillel. While disagreements undoubtedly arose, this student and their Zionist peers engaged with each other as fellow members of a shared academic community — and as friends — recognizing the value of dialogue and understanding across differences. This period reflects a different era in intergroup relations at Harvard — one in which students appeared to take more seriously their good fortune in being at Harvard and the opportunities this afforded them to bridge divides and engage constructively with diverse viewpoints, even across well-known and deeply felt disagreements.

This report summarizes the findings of the Task Force's study of conditions at Harvard University. We gathered oral and written documentation between March and September 2024, and we devoted the rest of 2024 and beginning of 2025 to writing the report. Our work involved meeting with hundreds of students, faculty, and staff in listening sessions for specific segments of the campus community as well as private conversations with individuals. We also met with members of the wider Harvard community, including alumni. In our outreach, we spoke with non-Jews, American Jews, and Jewish and Arab citizens of the State of Israel within the Harvard community. Additionally, we reviewed a substantial volume of materials provided by Harvard affiliates and received valuable feedback from members of Jewish organizations both on campus and in the alumni community. The work of former President Claudine Gay's Antisemitism Advisory Group also proved beneficial.[2]

Our Task Force, comprised of faculty and students, views this report as a starting point rather than a definitive conclusion, laying the groundwork for wide-ranging recommendations essential in our view for the future of our campus community. We each come to this work with our own experiences here at Harvard, and while those may inform our individual perspectives, our work over the past year relies

[2] Harvard's Antisemitism Advisory Group was formed in October 2023 by then-President Claudine Gay in response to rising concerns about antisemitism on campus, particularly after the Hamas attack on Israel. Its stated purpose was to "work closely with [the president], guided by [the provost] and with the help of the School deans, to develop a robust strategy for confronting antisemitism on campus." The group's work concluded at the end of President Gay's tenure. While the Task Force that produced this report benefited from receiving the Advisory Group's report, the two groups are otherwise unrelated. The Task Force is a separate entity, established by a different president, with a distinct mandate and almost entirely different membership (only one member in common).

principally on the experiences of others. We are not dispassionate in these efforts. We have found many of the narratives we heard upsetting, at times deplorable, often heartbreaking, but we have sought in this report to share what we were told generally without overlay or gloss, leaving to the readers of this report their own conclusions about what has transpired over the past year at a university we cherish.

In keeping with our charge, we did not conduct our work as if we were a court or a jury. While our doors (and inboxes) were open to all, and we made extensive efforts to reach out and listen broadly, we do not assert that we heard from every person or perspective at Harvard on these issues. We listened carefully to the accounts and personal narratives shared with us and have presented them here as they were conveyed, recognizing the possibility of selection bias, among other limitations, inherent in our approach. While in some instances we received corroborating evidence for the narratives shared, we did not require such evidence. We do not claim that these experiences expressed in these narratives are universal or uniformly felt within the University. However, as detailed below, throughout countless interactions with community members during the course of our work, we encountered certain themes and patterns repeatedly. What we describe in this report reflects the experiences related to us by many members of the Harvard community through listening sessions, discussions with student groups, individual reports, and feedback from the open responses offered through an online survey.

As the Task Force went about its work, it was aware of historic continuities between the current moment and past crises that have affected the Jewish people. The lives of Jews in one part of the world have always been liable to affect Jews living elsewhere. When Jews at Harvard and elsewhere in 2023 placed posters and held rallies to raise awareness of Israelis held hostage, they were following the same religious and cultural prerogative to redeem hostages as the global Jewish community in the 17th century that banded together to rescue refugees from Ukrainian pogroms who had been taken captive and put up for sale in the slave markets of Istanbul.[3] Our Jewish community's concern for Israel was a continuation of a tradition of American Jewish philanthropic solidarity for persecuted Jews throughout the world and, in the 20th century, for the establishment and nurturing of a Jewish state. In 2023, Hamas' invasion of Israel led to a moment of intense vulnerability for Jews in America, thousands of miles away. Many Jews at Harvard felt this vulnerability with a particular intensity. Due to constant media coverage, Harvard became a focal point among many college and university campuses in the greatest wave of global antisemitism and anti-Jewish political mobilization since the 1930s. These challenges were deeply traumatic for many Jews both on and off campus. The events and experiences of this period on campus confounded the expectations of Harvard's Jewish alumni community, which had assumed that the largely robust and barrier-free Jewish life that they had known as students was a norm that would continue indefinitely. Many Jewish and Israeli students (Jewish and non-Jewish Israelis alike) recounted a year in which events in Israel and reactions to those events here constituted obstacles to their ability to engage fully in academic and co-curricular life at Harvard.

We learned through our work that the crisis of 2023 did not arrive in a vacuum. At the turn of the millennium, changes in American demographics and Harvard's admissions policies meant that by 2023 the Jewish student community was much smaller than it had been in the early 2010s. The discussion of Israel-Palestine on campus had also become much more extreme. In the 1980s and 1990s, pro-Israel organizers and pro-Palestinian organizers had disagreed strongly yet often worked together to build bridges and to imagine jointly a better future for the region. Those efforts started to fade in the 2000s amidst the Second Intifada and through the Israel-Hamas wars of the 2010s, and by the time Hamas crashed through the Israeli border fence in 2023 the conditions at Harvard (as in the Middle East itself) were very different.

[3] Teller, A., and Project Muse. *Rescue the Surviving Souls: The Great Jewish Refugee Crisis of the Seventeenth Century*. Princeton University Press (2020).

A new politics of some pro-Palestinian organizing appears to view bridge-building activities as a form of betrayal, and a new generation of student activists seems to have begun to perceive Israel as a symbol and vehicle of the evils of the United States and the rest of the Western world. As one Harvard student wrote to their classmates shortly after October 7th in an email we reviewed, the student could not reverse the partition of India that had traumatized their grandparents, but they could organize other students to help free Palestine. A central feature of this politics is arguably the notion that despite its military strength, Israel is nonetheless vulnerable and dependent, that it can be affected by marches on American campuses and divestment and boycott campaigns in a way that could not apply to, say, China, Russia, or America itself. It is precisely this sense of vulnerability that many Israelis and American Jews at Harvard felt so intensely in the aftermath of the October 7th attacks, and which often created a wide gap between how Jewish and Israeli students experienced campus protests and what some of the protestors told us they thought they were protesting for.

The protests of academic year 2023-24 appeared to have had diverse motives. For many students, including Jewish ones, sympathy with the Palestinians was a natural response to Israel's massive military response to the October 7th attacks and a rapidly mounting toll of death and destruction. This sympathy did not mean that each and every participating student was calling for Israel's violent downfall or hatred of Jews worldwide. Yet for some protestors, at times the anti-Zionism enunciated in the student protests crossed a line from a call for freedom and security for Palestinians and Jews alike to a stereotyped notion: that Israel is not a state, but rather a "settler colony" of white Europeans who have no real connection with the land they had stolen, that epitomized aggression, and was bereft of virtues. This view had support among segments of Harvard's faculty, staff, and students, including a small but vocal segment of Jewish students. It can also be found in some Harvard curricula and study abroad programs.[4] As we describe in greater detail in Chapter 4, some curricula, study abroad programs, and parts of degree programs have offered a disturbingly one-sided education on Israel-Palestine.[5] However, these programs are not the only places where problems have emerged. They may have received the bulk of the attention during the 2023-24 academic year, but at the end of the day they provide a window into a set of wider problems at the University and in academia writ large.

As we document concretely throughout this report, many Jewish students, staff, and faculty, as well as non-Jewish Israelis, often find this intensely politicized environment difficult to navigate. Many non-Israeli Jews told us they just prefer to avoid the topic of Israel, which is generally not a choice that Israeli students can make. A Harvard faculty member who works closely with students reported to us that some Jewish students choose to hide their identities on campus, which was something the faculty member could not have imagined would ever be the case at Harvard. Many of the most engaged Jews

[4] While this may seem surprising to the reader — it was to us before we began this work — the organizers of the programs that we discuss at greater length in Chapter 4 have published articles explaining their views and pedagogical goals, see e.g.: 1. "Touring Absences, Erasures, and Futures in the Unholy Land: A Religiously Literate Diasporic Reading of Palestine/Israel," Palestine/Israel Rev. Oct. 1, 2024; 1 (2): 313-342, https://scholarlypublishingcollective.org/psup/pir/article/1/2/313/390095/Touring-Absences-Erasures-and-Futures-in-the (an article from organizers of an Israel/Palestine-focused program at the Harvard Divinity School explaining their goal of training pro-Palestine activists); 2. "Social medicine education towards structural transformation in Palestine," Soc. Sci. & Med. vol. 361, 2024, https://www.sciencedirect.com/science/article/pii/S027795362400786X/pdfft?md5=6c1eb9b462216d207ced14742d8862fc&pid=1-s2.0-S027795362400786X-main.pdf (an article from organizers of programming at the FXB Center and the Harvard T.H. Chan School of Public Health); 3. https://link.springer.com/article/10.1186/s13031-024-00634-0 (an article from organizers of the FXB Center Palestine Program in Health and Human Rights (with co-authors) dismissing calls for "political neutrality" for humanitarian health centers at universities as "curtailing thought" in light of "genocide, colonialism and imperialism" and urging "unwavering demands for justice and disruptive action."); 4. https://pmc.ncbi.nlm.nih.gov/articles/PMC9790940/pdf/hhr-24-02-229.pdf. (an editorial from organizers of the FXB Center Palestine Program in Health and Human Rights).

[5] We wish to acknowledge that both Harvard Divinity School and Harvard T.H. Chan School of Public Health had decanal transitions during the 2023-24 academic year. The incoming deans inherited many of the challenges outlined in this report. Notably, at HDS, the program we consider most problematic, has since undergone a leadership change, suggesting a potential for considerable improvement.

on campus, who often have deep knowledge of the history of the region and, in many cases, a heartfelt commitment to Palestinian rights, also told us that they found dialogue on campus to be exhausting because their own histories and narratives were dismissed as either offensive or false.

Returning to the opening story about the student at the Harvard forum, the student organizers who reportedly refused to allow the sharing of a peer's family story allegedly did so in the name of inclusivity. In telling their fellow student that their family history was unspeakable at Harvard in 2023, these students were expressing an inability to deal with historical complexities, precisely the opposite of what a Harvard education should make possible. The message in our view seemed to be that the student's story of their family finding refuge in what is now the modern State of Israel cannot be spoken because to consider Jews as victims of persecution and to bring attention to the fact that the ancestors of many Israelis arrived as refugees would be to justify oppression. And, as such, a student's true story about their ancestor's heroic rescue of thousands of people becomes at best unspeakable, at worst a lie, and in either case the attempt to portray Jews and Israelis as anything other than malefactors is somehow a threat to others.

The hostility about which we heard has had significant consequences that are degrading to the University. Some Jewish students told us they turned down offers of admission at Harvard Schools. Some Jewish students completing PhDs said they decided to leave for private industry because of the perception and experience of academia being unfriendly to Jews. Some non-Jewish faculty told us that Jewish candidates turned down post-doctoral fellowships at Harvard. We also heard from Jewish medical school students that they shied away from residencies at Harvard's hospitals because of the deep politicization of the climate. We have heard from many dozens of non-Jewish students, faculty, and staff who were profoundly troubled at what they described as an intolerance that has crept into higher education and that is also on display at Harvard.

We heard a common question from a wide range of interlocutors: If Harvard cannot preserve a welcoming, pluralistic community of excellence for teaching and research, then who can? And what does the current state of higher education, particularly in the wake of the 2023-24 academic year, say about its future?

A question we have often been asked to consider is whether anti-Zionism is a form of antisemitism. Anti-Zionist students vow that they oppose Israel, not Jews. Zionist students usually grant that certain criticisms of Israel are not antisemitic but claim that opposing Israel as a Jewish state is antisemitic. Both statements require clarification.

Harvard students, like everyone in this country, have rights to freedom of conscience. Those rights include a right to think critically of Israel and to express that criticism, even in ways that people who identify as Israeli or Zionist may find discomfiting. The State of Israel, like other nations, engages in behaviors that members of our community may find objectionable, even deplorable, and students and others have the right to say as much, subject to the University's policies and rules. However, "criticism" does not justify intimidation, exclusion, bullying, or harassment of members of our community, nor does it justify disruption of the University's functioning. It is disingenuous to use a mild word like "criticism" to describe raucous, aggressive, and inflammatory protest activity on our campus. Nor is it mere "criticism" when Harvard faculty take Jewish students on study abroad trips to bear witness to alleged crimes the students are told they share in; as the organizers of a study abroad program offered at one School described it:

> [Jewish American students on the trip] became overwhelmed with their sorrow at how the Jewish tradition has become indistinct from a settler colonial nation-state project. They aspire to extricate themselves from such a conflation, which implicates them in atrocities.[6]

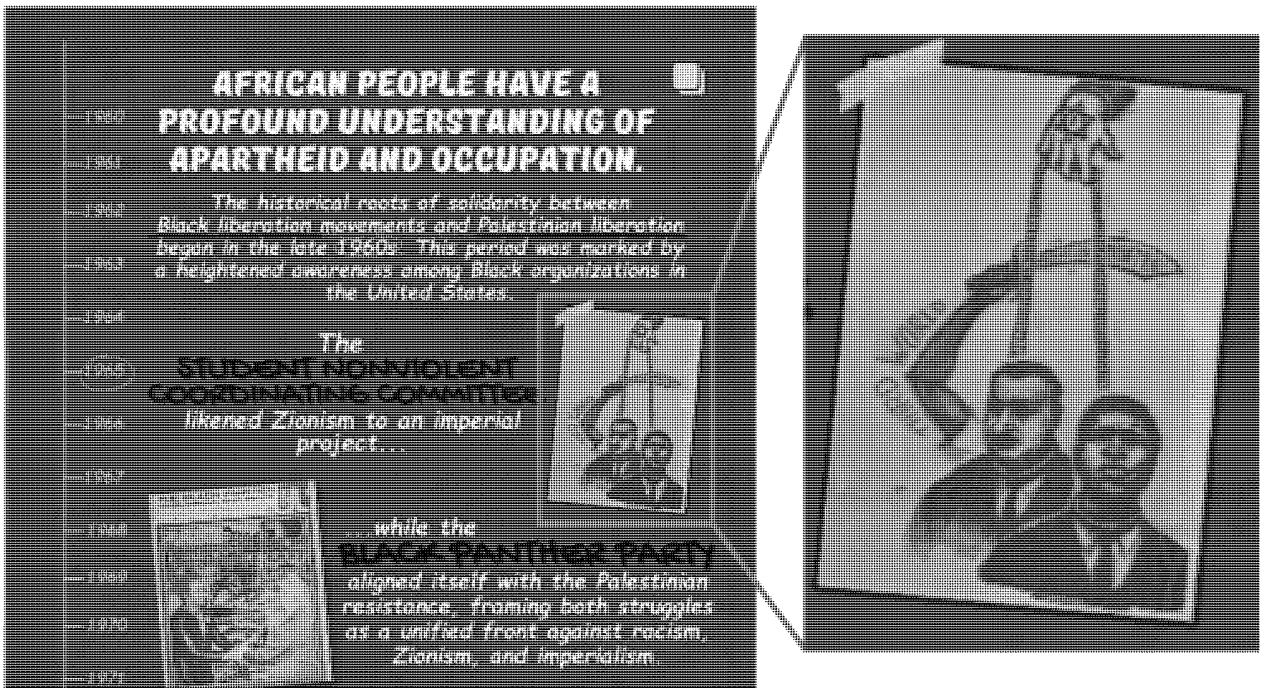
[6] See https://scholarlypublishingcollective.org/psup/pir/article/1/2/313/390095/Touring-Absences-Erasures-and-Futures-in-the (describing a Harvard study abroad sponsored by the Religion and Public Life program at the Divinity School).

This is describing a form of hereditary and collective guilt, where American Jews are guilty of alleged crimes committed in some cases generations ago by other people. In this formulation, American Jews are guilty of "atrocities" unless they distance themselves from the State of Israel. This is not simply "criticism of Israel" — except insomuch as "Israel" is the ancient sobriquet of the Jewish people.

Moreover, even if hostility towards Israel is not necessarily antisemitic, it is unacceptable when its expression violates our community's fundamental values. The exclusion of Israeli or Zionist students from social spaces and extracurricular activities; the posting of threatening messages regarding Israel on social media; the attempts to persuade Jewish students not to enroll or to continue their education at Harvard; and the failure of some of our instructors to teach about Israel/Palestine with academic breadth and rigor are shameful acts. The fact that their ostensible target is Israel and not Jews as a collective is irrelevant. Last but certainly not least, the slippage between "Israel" and "Jews" is widespread, as demonstrated by the increase since October 2023 in classic antisemitic beliefs among the American public and attacks against Jewish individuals and institutions throughout the world.

The ease with which "anti-Zionism" slips into what is effectively antisemitism can be illustrated by two events on Harvard's campus.

The first was an antisemitic cartoon circulated in February 2024 by groups of pro-Palestinian Harvard students, staff, and faculty on social media. The cartoon, depicting a white hand with a Jewish star holding a noose around the heads of a Black man (Muhammad Ali) and an Arab man (Gamal Abdel Nasser), came from 1960s Black student activism, and it was widely condemned as antisemitic by Black leaders at that time. In a joint statement in 1967, prominent civil rights activists Whitney M. Young Jr., A. Philip Randolph, and Bayard Rustin condemned the image as "filled with antisemitic venom."[7]



So why would antisemitic content from the 1960s re-appear on the social media feed of Harvard students and faculty in 2024? One answer may be that many campus activists do not know much about antisemitism, which makes it harder for them to "walk the line" between antisemitism and anti-Zionism. Another answer may be that antisemitism is still present and has in recent years continued to be used as

[7] "SNCC Attack Draws Attacks: Group Repeats Attack on Jews." *New York Amsterdam News*, August 19, 1967.

a political organizing tool in societies as different as the United Kingdom and Pakistan, and the parties involved are engaged in an ideological project to re-inject antisemitism into American politics in the hopes that doing so will weaken American support for Israel. We are not in a position to know which of these two causal forces or other factors is at work. Either way the consequences are unacceptable.

A second example came at Harvard's 2024 Commencement. The University invited a prominent humanitarian, Maria Ressa, to be the keynote speaker. After her invitation was announced, she was attacked on social media by a group of right-wing commentators, including some who were Jewish. We understand why she viewed the attacks as unfair. And we know she was aware of giving her speech on a campus that was, at the time of Commencement, in turmoil, as some pro-Palestinian protestors had been subjected to discipline that kept them from graduating with their class. Large numbers of students and faculty objected to those disciplinary measures. At Commencement, many graduates wore visible symbols of their pro-Palestinian politics. (Jeannie Suk Gersen, the John H. Watson, Jr. Professor of Law at Harvard Law School, memorably described the experience of Harvard's graduation this past year as being like looking at "representatives of rival armies," clad in stoles and other clothing signaling identity and tribal affiliation.)[8] As we explain in greater detail in Chapter 2, Ressa chose not to deliver prepared remarks that were meant to urge pro-Israel and pro-Palestine students to reconcile. Instead, she substituted new remarks praising the student protestors and delivered off-the-cuff comments that appeared to echo traditional conspiracy theories about Jews, money, and power. Why did a renowned humanitarian ad-lib seemingly antisemitic remarks against her Jewish critics at a highly scripted Harvard graduation ceremony? We do not know. To speculate, one answer may be that standing astride visible political opposition to Israelis may make it easier for a speaker to slip into political opposition to Jews and say hostile things about the Jewish people who had attacked her. In the Harvard audience she addressed, it may have seemed there was no cost to offending Jews. Elsewhere on Harvard's campus that week, a different graduation speaker claimed that Israel was committing genocide against people in the Democratic Republic of the Congo, underscoring the concerning climate surrounding discussions of Israel and Jewish identity at Harvard.

The more time we spent on this problem, the more we learned about how demonization of Israel has impacted a much wider swath of campus life than we would have imagined. Friend groups broke down in the wake of October 7th as students traded recriminations or, in some cases, just stopped speaking to one another on the assumption that they did not agree on important things. The bullying and attempts to intimidate Jewish students were in some places successful. We were informed that a Jewish student took a leave of absence after the chants from the protests shattered their sense of safety, and others with a wide range of opinions on Israel reported they largely withdrew from campus life. We met an Israeli graduate student who related being the subject of relentless bullying by pro-Palestinian activists who knew nothing of the student or their past or politics but were pressuring their friends to stop talking to this student. To our understanding, the activists did not have any kind of political conversation with the Israeli student that might have occasioned this shunning; they simply saw an Israeli as an enemy and treated this fellow student accordingly. One of the Israeli student's non-Jewish friends also told us of being personally impacted by the relentless harassment of the Israeli student, as the bullies proclaimed that they would not be friends with any student who was friends with a Zionist. As a result of this ordeal, both the Israeli student and the non-Jewish friend, who had no connection to or knowledge of Middle Eastern politics, said they struggled to participate in many aspects of their Harvard degree program.

In another revealing account, we were told that a few years ago — long before October 7th — an Israeli student in a Harvard degree program had been paired for group work with another student. The other student informed the faculty member that they had pro-Palestinian politics that required them to avoid normal relations, such as collaborating on a school group project, with an Israeli. This student asked the

[8] https://www.newyorker.com/news/daily-comment/speech-under-the-shadow-of-punishment.

faculty member for a new partner, noting that they had no objection to the Israeli student's personality and no critique of their academic work but that as a matter of political principle they would not work with the Israeli. The instructor granted the request.

This course had nothing to do with the Middle East. The instructor, we were told, decided to grant the request for a different work-partner because in their view a student who supported the cause of an oppressed group should not be forced to work with a student identified as a member of an "oppressor group." We believe that this example illustrates a yawning gap between the University's goal of an inclusive, pluralistic, and interactive community of learning and academic excellence and how it is being interpreted on the ground.

While Harvard publicly champions inclusion and pluralism, these values are not consistently upheld by all of Harvard's teachers, and, consequently, are not consistently encouraged among Harvard's students. This lack of common values is challenging for the University, which, as an entity committed to free inquiry, is not designed for policing and disciplining its employees or its students. Discriminatory incidents like these are hard to monitor, as the students who are victims of discrimination often prefer to avoid any kind of administrative process that they may fear is designed to protect the instructor, not the complainant.

For the record, we are not claiming here that Harvard's processes are unfair; however, they are often seen as obscure and very slow, and we understand why students say they sometimes are afraid, in seeking enforcement of policies and discipline, of what seems like a huge distraction that may be unlikely to yield a good result.

One faculty member expressed concern to the Task Force that:

> The general shift of power from regular faculty and to para-academic administrators has played an outsized role in the politicization and radicalization of academia and its intellectual and reputational decline. In the case at hand, it is hard to believe that years of one-sided programming by such appointees has not played a role in "hatred of the Jewish state" [becoming] the default position across campus.

While this perspective reflects the view of one faculty member, the Task Force acknowledges the potential influence of such a power shift on campus climate. In this regard, we heard from students expressing concerns about prejudiced behavior among some teaching fellows and junior personnel. Additionally, the Task Force has received reports alleging that some senior faculty members espouse anti-Israeli biases and express suspicion toward the Jewish community, suggesting their potential influence in shaping campus climate should not be disregarded.

In this report, we will outline severe problems that will be hard to solve. We provide a detailed description of the history of Jews at Harvard that may help illuminate some of the features that make this new era, which started in the 2010s, a break from the past. We depict the profound difficulties that many Jewish students report having encountered since October 2023.

We do not want to overstate the challenges, as Harvard also has much to be proud of and has a thriving, albeit diminished and stressed, Jewish community. But it is also clear that significant trends within the University seem at odds with the University's stated values (which were summarized in 2018 by the Presidential Task Force on Inclusion and Belonging), where pluralistic excellence is at the heart of what Harvard aims for:

> Harvard University aspires to provide education and scholarship of the highest quality — to advance the frontiers of knowledge; to equip students, staff, and faculty and academic personnel for fulfilling experiences of life, work, and inclusive leadership in a complex world; and to provide all members of our diverse community with opportunities for growth.

The 2018 statement goes on to maintain that achieving these goals requires affirming five values on campus: "respect for the rights, differences, and dignity of others"; "honesty and integrity in all dealings"; "conscientious pursuit of excellence in our work"; "accountability for actions and conduct in the community"; and "responsibility for the bonds and bridges that enable all to grow with and learn from one another."

This is what Harvard wants. Our final chapter on recommendations describes how Harvard can pursue its stated goals more fully and successfully. (In Appendix 1, we outline some improvements that the University and the Schools reported they have made in recent months.) We must undo an environment at Harvard where, as an Israeli Arab student told us:

> Instead of diversity moderating people, people become more extreme. One Palestinian student showed up [at Harvard], talking with Israelis. By the end [of their time at Harvard, the student] cut off ties with Israelis and posted [on social media] in favor of Hamas.

We heard similar statements from many other people, including faculty and staff who work closely with students. They saw Harvard as a place where, over time, many students' politics become more radical and where students become less tolerant of people who disagree with them. Faculty who work closely with students told us that in this generation, students too often feel they are carrying the weight of their identities, since they say that is how they sold themselves to Harvard in the application process. This positioning contributes to a kind of affective polarization that, we believe, Harvard has neither anticipated nor developed a set of tools to counteract. Reversing this polarization will require hard decisions and strong leadership. The Israeli Arab student we spoke with provided a suggestion that we think is crucial for moving forward:

> Harvard should change [its] admissions policy to reflect what campus should look like: people listening to each other.

We agree, and we think Harvard has sufficient influence within the world of higher education to lead the field into a better place. To be sure, we believe that the way forward will be very challenging. But the work is important and the vision of higher education that Harvard encapsulates at its very best is worth fighting for. During the course of the Task Force's work, we did see that better version of Harvard on display throughout the University as well. The University has summarized some of the actions they have taken since our Task Force released our Preliminary Recommendations in June 2024.[9] Here are a few examples:

- In our work, we found courses and programming at the Harvard Kennedy School of Government where students had meaningful and significant conversations about the Middle East, with guests representing a wide range of experiences and perspectives — for example, in the public conversations facilitated by Professor Tarek Masoud and in similarly wide-ranging, high-quality, and respectful conversations sponsored by the Weatherhead Center for International Affairs under the directorship of Professor Melani Cammett.
- We discovered classes at Harvard Law School that students praised for offering thoughtful discussion of contentious issues, such as a law of war class taught by Professor of Practice Naz K. Modirzadeh where veterans of the Israeli and American militaries and those who had lived through Middle Eastern conflicts as civilians had difficult and thoughtful exchanges on supremely challenging issues.
- Harvard College has, for its most recent admissions cycle, added a question for all applicants asking them to describe a time when they strongly disagreed with someone, about an idea or issue, how they communicated or engaged with this person, and what they learned from this experience.
- A Jewish Harvard College student organized an Israel-Palestine hotline, staffed by Muslim, Christian, and Jewish volunteers, that offers informative and nonpartisan answers to questions posed by the general public.
- The Edmond and Lily Safra Center for Ethics has been running the Intercollegiate Civil Disagreement Fellowship Program since 2020, which provides students with training in moderating conversations with peers on difficult subjects, and which also sponsors public dialogue events on controversial topics with speakers who represent multiple viewpoints.

[9] https://www.harvard.edu/task-force-on-antisemitism/#implementationupdates.

- The annual student-conceived and student-run Harvard College Israel Trek, founded in 2014, which has included Arab as well as Jewish Israeli student leaders from its inception, takes Harvard undergraduates to both Israel and Palestine, introduces them to Israeli and Palestinian political, cultural, and intellectual leaders, and encourages participants to think broadly and critically about their experience. There are many recorded testimonials from non-Jewish participants describing the trip as their "best experience at Harvard" and as what they imagined Harvard community and a Harvard education would be like.
- At Harvard Business School, the Jewish Students Association and the Middle East and North Africa Club co-sponsored a faculty panel on "Geopolitical Implications of the Israel/Gaza Conflict," with a student from each organization moderating. For their leadership and community contributions throughout the year, the co-presidents of both student organizations were recognized at the 2024 Commencement with the prestigious Dean's Award.
- Perhaps most encouraging of all, some students do continue to reach out substantively to one another across the differences that so often divide many others. Students at Harvard College launched a group that hosts conversations between Jewish, Israeli, Arab, Muslim and Palestinian students. This group, which formally started in 2022 prior to October 7th, worked with Harvard professors such as Arthur Segel and Michael Sandel to host notable Palestinian and Israeli guests. Additionally, some members of this group jointly visited Israel and Palestine. This student group continued meeting after October 7th and, despite political differences, established deep trust and got to know each other's backgrounds and perspectives.
- The President's Building Bridges Fund, created in response to interim recommendations of this Task Force and its sibling Task Force, was launched in Fall 2024. It made its first awards in Spring 2025, supporting student-initiated programming designed to encourage constructive dialogue across groups with fundamental areas of disagreement. These efforts will complement programming offered across the College and the graduate and professional Schools with similar objectives.

A more extensive list of illustrative examples from School and University initiatives appears in Appendix 1.

Examples like the ones above show Harvard at its best. Given the nature of our task, the remainder of our report mostly discusses what may be Harvard at its worst. But these examples show that there is another Harvard besides the one we describe, and that something different is possible. To be clear, we believe that Harvard's positives, including for Jewish students, far outweigh the negatives. But Harvard, by its nature, is never comfortable with anything but the superlative, and we approached our task with that yardstick in mind.

We also feel the need to re-emphasize that Harvard is home to a dazzlingly talented and thriving Jewish community that perseveres even in the face of challenges. Jewish Harvard affiliates often expressed to us their frustration that the public discussion of Harvard focused only on the negatives. We recognize that this report and the public discussion that we hope it sparks will be frustrating for some of them, but we believe this will begin a discussion that will lead to a better Harvard, and hopefully a better higher education, for all students.

Executive Summary

Our report is the product of a process that began when our Task Force started meeting in February 2024. After Spring Recess, the Presidential Task Force on Combating Antisemitism and anti-Israeli Bias convened some 50 listening sessions that reached approximately 500 students, faculty, and staff. The listening sessions took place over a period of two months. After the completion of the sessions, the Task Force worked in subcommittees on the history of the Jewish experience at Harvard; current Jewish student life; University policies and procedures on complaints, protest, and discipline; and the particular challenges at the locationally distinct Longwood Medical Area. Our Task Force also featured two subcommittees formed jointly with our colleagues on the Presidential Task Force on Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias. One joint subcommittee designed and implemented a University-wide survey of student, faculty, and staff opinion about their sense of belonging and comfort expressing their identities and political views. The other joint subcommittee drew up proposals to foster a more pluralistic environment conducive to respectful engagement and disagreement — something that both Task Forces believe to be imperative.

The subcommittees worked over Summer and early Fall 2024 before submitting their reports to the Task Force co-chairs, who drew on them along with other materials when writing this final report.

Background

To understand the events at Harvard in Fall 2023 and thereafter, it is helpful to appreciate them against the backdrop of changes within pro-Palestinian organizing strategies and the University and its students. These changes were already present long before October 7th, but the Hamas attack and its aftermath appear to have accelerated and intensified pre-existing trends.

1. Changes in Pro-Palestine Organizing

In the history section in Chapter 1, we cover the history of pro-Palestinian organizing at Harvard University along with the history of the University's Jewish community, as the two are highly intertwined. As we show, pro-Palestinian organizing at Harvard used to look quite different than it does today. When Dina Abu-Ghaida '91 co-founded the Palestine Solidarity Committee on campus in 1990, she created a group that aimed for engagement with sympathetic Jewish organizations on campus and a two-state solution. During the 1980s and 1990s, it was not unusual for pro-Israeli and pro-Palestinian students on campus, as well as their supporters, to hold joint events that very much reflected and supported the Oslo peace process of the time. This is not to say all was well — we document several incidents of intense disagreement between students over the Israeli-Palestinian conflict — but the issue was characterized by engagement and joint work towards justice, freedom, and security for both Israelis and Palestinians.

This hopeful environment began to sour in the 2000s, as the Second Intifada and the Israeli military response to it shattered the Oslo peace process and moderates in both Israel and Palestine lost power. In 2005, pro-Palestinian activists worldwide founded the Boycott, Divestment, Sanctions (BDS) movement, which condemned the kind of joint programming that had characterized earlier periods at Harvard as

"normalization." The BDS movement quickly migrated into American higher education, where pro-Palestinian organizers (including at Harvard) urged their universities to divest endowment assets from Israel and companies seen as supporting either the Israeli settlement enterprise in the Occupied Territories or, in some cases, Israel as such.

Further changes in the campus atmosphere regarding Israel came in the 2010s, partly in response to what was a disastrous decade for the Palestinian cause and for the lives of many Palestinians. The period was punctuated by periodic violence between Israel and Palestinian militant groups, especially in Gaza, resulting in the deaths of thousands of Palestinians. The political process that Oslo had set in motion, and that optimists hoped would lead to Palestinian statehood, collapsed. In its place, Israel began making one-off peace deals with regional Arab powers under the U.S.-sponsored Abraham Accords, putting the Palestinians in peril of disappearing into a region that appeared to be losing interest in their plight and a world that appeared to view the Palestinians as "inconvenient." If in the 1990s, many Palestinians dreamed of an independent state with a capital in East Jerusalem, the acceleration of the Israeli settlement movement over the 2010s appeared to leave the Palestinians closer to losing the land they continued to hold than regaining any territory lost in the Israeli-Arab wars of the 20th century. In our work, the spillover from the Abraham Accords onto the Harvard campus was notable for not only bitterness on the part of pro-Palestinian students, but also the optimism of Arab students from the Gulf states that had recently normalized relations with Israel. Some of these students were excited about the possibilities of peace between Israel and the Arab world and expressed deep sympathy in discussions with the Task Force for what they saw as the unfair treatment of Jewish students at Harvard.

In partial response to the collapse of the path of peace in the late 2010s, pro-Palestinian organizing on campus took on a more aggressive tenor. Gone were the unity events with Israeli and Jewish students that were common 20 years before, and what replaced them were protests, arguably far more aggressive, that aimed to build awareness for the Palestinian cause in many corners, including at Harvard. As universities are always being re-invented by new students, the current generation participating in pro-Palestinian advocacy may or may not have an understanding of how the political movement was changing, but these changes are observable over time in the history section we present in Chapter 1.

This new era of pro-Palestine organizing has brought new tactics to the table. One tactic focuses on identifying and leveraging organizations and structures that were susceptible to pro-Palestinian messaging and could be mobilized against Israel. Initially, scholarly associations were a common target of this tactic. For example, around 2010 a group of anti-Israel academics worked to take control of the board of the American Studies Association with the apparent goal of (among other things) issuing a statement supporting the boycott of Israeli universities.[10] At Harvard, such tactics were echoed by activists in the local graduate student labor union who, after October 7th, issued their own statement condemning Israel, prompting the resignation of many Jewish members and their allies. Similarly, as we will describe in Chapter 4, some Harvard instructors appear in recent years to have used courses and academic programs at certain Harvard Schools as focal points for a particular type of pro-Palestine politics and activism.

A second tactic that some pro-Palestinian organizers have adopted is trying to inject discussion of the Palestinian cause wherever possible and to use disruptive tactics to raise awareness of the cause. At Harvard, student lifecycle events that are meant to build a common civic identity as Harvard students (such as

[10] We know much about what transpired at the American Studies Association because one of us closely followed and wrote about the case brought by several ASA members against the ASA and its directors for alleged violations of corporate law in the adoption of a BDS resolution. See e.g. https://www.wsj.com/articles/anti-israel-activists-subvert-a-scholarly-group-1512337924. Emails and other documents turned over in discovery indicated that an anti-Israel activist joined the nominating committee in 2010 and then worked over the course of several years to add pro-Palestine activists to the leadership of the ASA. Emails indicate that the activists seeking election to the board wrote to each other about the importance of hiding from members their plans to support a boycott of Israeli universities, and other documents and testimony suggest that member voting was manipulated to increase the likelihood that the BDS resolution would (appear to) pass.

First-Year Convocation at Harvard College, and residency "Match Day" at Harvard Medical School) have become sites of pro-Palestinian protests as protestors seek to inject "the question of Palestine" into areas of student life. At a student-led conference in 2024, pro-Palestinian students at one School ensured that Palestine was a major topic, and the pro-Palestinian "virtual tote bag" given to participants contained an "action toolkit." (This School's leadership responded admirably to this event, acting promptly and decisively to remove the irrelevant material and re-focusing the event on its intended purpose.) Some faculty at Harvard and elsewhere have sought to support and inspire students to engage in these types of protests by excusing them from class, by signaling support with symbolic clothing, or by saying so directly or indirectly. As we discuss in Chapter 4, we found evidence that certain faculty were injecting highly partisan discussions of the Israeli-Palestinian conflict and of American Jewish groups in courses that had no direct connection with these subjects, apparently even before October 7th.

These tactics seem to reflect a type of politics of protest, and an echo of the dire state of the Palestinian cause in the Middle East. Because of the principle of academic freedom, faculty also have unusual power over their classrooms and over students, and thus there may be a relatively low cost to using part of their authority in the service of pro-Palestinian organizing, whereas a mid-level manager at a major company could risk summary termination if they engaged in political organizing at work.

At their most extreme these tactics tend to reflect a conceptual framework that can be summarized as follows: Israel is not a sovereign state so much as a "settler colony" created and sustained by Western colonial powers and that, for all its military strength, can be broken and dismembered. As Harvard Out of Occupied Palestine (HOOP), a pro-Palestinian student group at Harvard that is not recognized by the University, said on October 8, 2024, a year after the Hamas invasion of Israel, "[Israel] is a genocidal regime [that] has exposed itself as an illegitimate state with no concern for life, its very foundation being the dehumanization and subjugation of Palestinians, aided and abetted by our own government's and University's callous disregard for Palestinian life … Make no mistake: The Zionist entity is crumbling and grasping for regional war as its only path towards survival."

Pro-Palestinian activists often target what they see as key planks in Western support for Israel:

1. the belief that Israeli Jews have a historic connection to the territory of the modern State of Israel;
2. a view of Israel as a Western liberal democracy; and
3. the post-Holocaust social prohibition on antisemitism, whether expressed as outright Jew-hatred or the denial of the State of Israel's legitimacy.

The apparent hope is that, over time, by attacking the connections between Israel and Israelis and the United States, they believe — echoing the words of HOOP — the "Zionist entity [will] crumbl[e]."

This political project is often advanced through activism in universities, including Harvard. In our work, we found this activism negatively affecting the academic mission of Harvard in three ways:

1. Some across academia, including at Harvard, have been engaged in a broad effort to show (as an article recently assigned to students in an elective course at one School said) that the relationship between modern Jews and any origin story in the territory of the British Mandate of Palestine is ahistorical.[11] A cluster of academics elsewhere promote this theory, disputing any link between the Jewish population in the ancient Middle East, Jews in the modern Western world, and the Land of Israel (as it is known in the Jewish tradition). This polemical literature is contradicted by scholarship demonstrating longstanding connections between ancient Middle Eastern and modern Jewish populations as well as the religious concepts, charitable networks, and migration flows that have long

[11] See pages 158-159. We note that the article was assigned in one semester of the class in 2022. The instructor removed it from the assigned reading in future versions of the course after a student complaint prompted an internal review of the course by the School's education committee.

connected Jews to the Land of Israel, distinct though those bonds may be from modern Zionism. However, some have succeeded in turning this subject into an academic debate, and faculty assigning these materials may do so without also assigning readings that offer differing perspectives.

2. Some across academia, including at Harvard, are engaged in an effort to convince Americans (both Jewish and non-Jewish) that Israelis are only "Western" in the sense of being colonial masters and rapacious oppressors. At one School, there seems to have been a sizable volume of programs over the past few years accusing Israelis of engaging in willful mass killing, with limited context about how relations between Israel and Hamas-run Gaza deteriorated to the point that such violence is possible and what actions Hamas fighters may have taken to prompt Israel's military conduct in Gaza. The deaths and carnage that the School's events discuss are very real, and the horrific civilian death toll in Gaza since late 2023 dwarfs the already disastrous casualty figures from prior Israel-Hamas conflicts in the 2000s and 2010s. This sort of totalizing rhetoric, however, according to which Israelis exist only as abstract figures intent on genocide, risks stymieing in-depth understanding of Israeli politics, policy, and society, as well as an understanding of Hamas and Palestinian politics.

   This rhetoric can be, moreover, particularly harmful when applied to Israeli students at Harvard, whose own views about the political situation in Israel/Palestine, we should note, vary widely.

   A deeply troubling application of this strategy we have heard about across Harvard is an attempt by student activists to drive Israeli students (and Jewish students who feel connected to Israel) out of student life. This often takes the form of "shunning." Israeli Jewish students complained to our Task Force of great difficulties participating in student organizational and club life, for example, and told us alarming stories of people walking away from them mid-conversation as soon as it came up that they were from, for instance, Tel Aviv. As American Jews at Harvard often have Israeli immigrant heritage or other connections to Israel, this type of organizing often undermines the ability of Jewish students to participate in Harvard's learning environment. We also learned of Israeli Muslim and Israeli Christian students and staff who experienced social discrimination because of their Israeli national identity.

   An Israeli Arab student told us:

   > You get used to social discrimination from [the] first day at Harvard by people of Arab descent. People refusing to speak to you. Not even pretending to be nice. Some people pretend to be nice and end conversation in [a] polite manner when they find out [I am] Israeli and then don't talk to [me] again.

   Faculty in some parts of Harvard also expressed fear that their colleagues would not vote to appoint a Zionist or an Israeli to a faculty position in their departments.

   We came to understand that this effort by some students to block Israelis at Harvard from building bridges and friendships could be seen as an attempt to practice what pro-Palestine activists have termed "anti-normalization." Across Harvard, non-Jewish students unconnected to Israel told our Task Force that they had come under social pressure to end friendships with Israeli students. American Jewish students told us similar stories, where they felt pressure to condemn Israel to prove they were "one of the good ones" (meaning, an "anti-Zionist Jew"), and faced social consequences when they refused. This is best understood as an attempt to deny the humanity of Israelis, by treating them as pariahs unworthy of respect as fellow humans rather than fellow Harvard affiliates.

3. There is an ideological effort underway to weaken the post-World War II social consensus that antisemitism is a form of bias, like anti-Black racism or xenophobia, that society should stigmatize and guard against. In the US, this effort has taken the form of pushing mainstream Jewish organizations out of progressive coalitions as "unworthy interlocutors" on civil rights issues.

Harvard's campus may be particularly susceptible to this trend. While the University has expressed a growing institutional commitment to combating bias, antisemitism has historically been absent from the forms of prejudice addressed in student orientation programs and other platforms where Harvard communicates its values; we understand that efforts to rectify this deficiency are underway. This omission may stem from a misperception that Jewish success at Harvard negates the existence of antisemitism. But other factors may also contribute to this gap.

Jewish students told us stories of Harvard-run "privilege trainings" where they were told that they were deemed to be privileged not only by dint of being identified as White but also because of their Jewishness, which allegedly endowed them with an even higher level of privilege. This discourse creates absurd situations in which Jewish students from working class backgrounds are told by authority figures that they are oppressing classmates from much wealthier backgrounds and with stronger preparation for academic and social life at Harvard. These sorts of exercises are deeply poisonous and risk creating barriers between students who often naturally seek to connect through common interests.

We also encountered an effort by some to redefine antisemitism in a way that drains the term of meaning. For example, while we were writing this report a prominent Jewish leader on campus made public statements about what this person saw as antisemitism in a University program. We then received complaints from Jewish and non-Jewish Harvard affiliates that essentially inverted the accusation, claiming that the prominent Jewish leader was antisemitic and that the program the individual had criticized was the only unit on campus in their view fighting antisemitism. This position changes antisemitism from a serious bias worth combating into an accusation that is strategically deployed in order to obfuscate legitimate concerns. Similarly, 500 Harvard affiliates wrote a letter in Fall 2024 condemning an outside Jewish organization's scheduled antisemitism training session at Harvard. Such a pre-emptive response towards anti-bias education would be hard to imagine if the topic were bias against any other group.

In practice, we found that Jewish Harvard affiliates do not think in terms of clear, formal definitions of antisemitism: they were likely to complain about antisemitism when they felt that people were treating them differently because they were Jewish. For example, when other students (Jewish or not) told them that what they were experiencing was not antisemitism, Jewish students often felt this negation of their actual experiences and perceptions as a form of bias that was inconsistent with the prevailing anti-bias framework that prioritizes "lived experiences" and "discriminatory impact." Some Jewish students experienced this dissonance, frequently and acutely, as a widespread and sometimes institutionalized double standard.

Many Jewish Harvard affiliates expressed that implementing any or all three of the above-mentioned strategies — denying spiritual and historical connections between Jews and historic Palestine, presenting Israel entirely within a framework of rapacious settler-colonialism, and refusing to consider Jews to be members of a historically vulnerable minority group — constituted antisemitism, which we define in this report as an identity-based bias that has kept Jewish Harvard affiliates from fully participating in Harvard's educational, co-curricular, and social life. Many perceived attempts by others to revise their history or to introduce unfounded "debates" about established facts — not legitimate subjects of academic discourse — as forms of antisemitism. Even many non-Israeli Jews (and at this point in Harvard's history it is likelier that a higher percentage of Harvard's Jewish students have some Israeli connection than ever before) often view attempts to demonize Israelis as one-sided and antisemitic. Notably, we spoke with both Zionist and anti-Zionist Jewish students who expressed discomfort with, and identified elements of antisemitism in, the pro-Palestine protest movement on Harvard's campus.

During the 2023-24 academic year, some Jewish staff, faculty, and students felt that injecting the Israeli-Palestinian conflict into unrelated contexts and events at Harvard was effectively an attempt to make them feel uncomfortable or exclude them from educational, co-curricular, or social programs. As previously

mentioned, many Jewish students described being pressured by classmates to condemn Israel, with some also feeling pushed to wear clothing that signified solidarity with pro-Palestinian and anti-Israeli efforts. Some Jewish staff described feeling pressured by pro-Palestinian coworkers to take political positions they found uncomfortable yet also feeling uneasy refusing when confronted by groups of coworkers. And many Jewish Harvard affiliates expressed profound dislike for being told they cannot label something antisemitic when they experience it as such.

Similarly, both Israeli Jews and Arabs experience anti-Israeli bias, defined in this report as an identity-based bias that has kept Harvard affiliates with Israeli nationality or background from fully participating in Harvard's educational, co-curricular, or social life. It is a form of national origin discrimination.

During our work, we were aware of three formal definitions of antisemitism developed or endorsed by NGOs over the past two decades. The first, developed by the European Monitoring Center on Racism and Xenophobia, was crafted, in the words of the American Jewish Committee, as a "'working definition' to help government and civil society monitors as well as law enforcement in their work."[12] Made public in 2005, it was endorsed 11 years later by the International Holocaust Remembrance Alliance and is now commonly known as the IHRA definition. Two others were published in 2021 in *Nexus White Paper: Understanding Antisemitism at its Nexus with Israel and Zionism* and the *Jerusalem Declaration on Antisemitism*. As we carefully reviewed the situation at Harvard, speaking with hundreds of individuals and poring over the historic record of the position of Jewish and Israeli students at Harvard, and recognizing that no one definition can be applied to all contexts, the Task Force opted to prioritize faculty, staff, and students' actual experiences over definitions developed by outside parties. When members of the Harvard community experience hateful conduct and exclusion, the problem is the conduct and the exclusion — not whether it maps onto a lengthy definition of antisemitism or any other form of bias.

As we were completing this report, Harvard University settled two lawsuits. The settlement conditions included Harvard's recognition for certain purposes of the IHRA definition, aligning with IHRA's 2019 acceptance by the US Department of Education's Office for Civil Rights for the purpose of Title VI enforcement.[13] While this Task Force was not involved in the settlement negotiations, we hope this development encourages greater investment at Harvard in building a more robust pluralistic atmosphere, and enhancing opportunities for substantive study of antisemitism, the history of Israel, and the Middle East.

Jewish and Israeli affiliates also told us that they felt their experience on campus was unique, and that no other group was constantly told that their history was a sham, that they or their co-religionists or co-ethnics were supremacists and oppressors, and that they had no right to the protections offered by antibias norms. Many Jewish students told us they feel that they are objects of suspicion. Some Jewish students with historical literacy complained that the world was full of "ethnostates" created in the first half of the 20th century through partition and population transfers, but only one was the focus of intense activist attention (usually without reference to examples that would place the Israel/Palestine conflict in any kind of context). We are not aware of any other group on campus that is subject to social exclusion as part of an intentional campaign by political organizers. One Jewish graduate student who had been at Harvard as an undergraduate years before told us that "Jews are now being treated like Republicans were when I was in college," which of course points to another problem with which elite universities have been struggling.

We observed that some Jewish students in programs at the Harvard Schools ostensibly most committed to social justice seemed to struggle to navigate environments they perceived as systemically antisemitic. This struggle appeared particularly acute when they encountered what they believed to be one-sided programming that portrayed Israelis as uniquely villainous. Indeed, a Jewish student at one School, recently interviewed by

[12] American Jewish Committee, "The Working Definition of Antisemitism: What Does it Mean, Why is it Important, and What Should We Do With It?" https://www.ajc.org/the-working-definition-of-antisemitism
[13] https://www.insidehighered.com/news/quick-takes/2024/05/02/house-passes-new-bill-codify-antisemitism-definition

The New York Times, expressed surprise upon rereading some of her work from the 2023-24 academic year for her professors at HDS. She was dismayed by how insensitive her writing had been to the Israeli perspective. According to the article, she said that "anti-Zionist views seem built into some classes."[14]

The three strategies described above, which many members of our community consider to be antisemitic, present significant challenges for universities that aim to empower faculty and student creativity. While the Task Force shares the view that courses at Harvard should strive for both creativity and academic integrity, efforts to assure quality control may encounter resistance from faculty and staff justly concerned about censorship and threats to academic freedom. However, an academic venue such as a publication or class is no guarantee of integrity. The proliferation of scholarly journals creates opportunities for motivated actors to publish polemics without adhering to objective standards of evidence. While this outlet for creativity represents a core strength of academia, it can also undermine academic integrity. Moreover, if a faculty member teaching a course unrelated to Israel/Palestine incorporates derogatory references to "Israelis" and "Zionists," as we were told happened at multiple Harvard Schools over the course of the 2023-24 academic year, the University is likely to respond with some frustration, even exasperation, but may, nonetheless, strive to defend the academic freedom of its instructors.

These strategies also may place the universities in a highly vulnerable position, because "Israel" is not an abstract idea — it is a real country that exists, whose citizens are students, faculty, and staff on American campuses, including at Harvard. Universities relate to those Israeli community members not through the prism of political questions about the biblical narrative or settler colonialism but instead through the laws that require universities to ensure an educational environment free of national origin discrimination. Politically driven research and one-sided programming present brand and reputation risks that American universities need to take seriously. Whenever student governments in various Harvard Schools have voted to call for a boycott of Israel or to end student exchange programs, numerous Israeli and Jewish students have written to the Task Force about what they feel is an act by some students to protest the existence of other students in their own community.

2. Changes in the University and its Students

Key features of Harvard, as it was on the eve of October 7, 2023, help us better understand what happened to Harvard after October 7th and why. In Fall 2023, Harvard was in many ways in a state of flux, undergoing multiple changes that altered life on campus:

- Harvard's student body globalized over the course of the early 21st century. As the University expanded both internationally and across a wider range of high schools and regions within the United States, incoming Harvard students probably had less familiarity with Jews than they did in, say, 1990. There are few Jews outside of Israel and major American, European, and Latin American cities.
- The students at the University often had their education and personal development significantly disrupted by the COVID-19 pandemic.
- In its conversations with staff, the Task Force learned that the COVID-19 pandemic, particularly the safety measures in place at its peak — such as suspending in-person classes and shifting to online learning — probably disrupted continuity and institutional memory across Harvard's student organizations. This period appears to have greatly impacted extracurricular life, leaving a void of experience with established norms and expectations that continued to affect student organizations into the 2023-24 academic year.
- Over the past few years, Harvard College students have, we were told, become more likely to segregate, socially and residentially, into narrowly defined identity groups and to engage in in-group policing than

[14] See https://www.nytimes.com/2024/12/14/us/college-campuses-gaza-conversations.html.

in the past, which some faculty and staff who interact intensively with College students believe is a source of polarization.

- In 2017, Harvard College reportedly rescinded admissions offers to several prospective students due to their alleged involvement in sharing racist, antisemitic, and sexually offensive messages on social media.[15] This action, we were told, led some students to believe that the College and other parts of the University would continue to monitor and take action against similar expressions of prejudice on social media within the student body.
- While social media is not a new phenomenon at this point, its pervasive presence means that, compared to previous generations of students, a far greater portion of students' exchanges of thoughts and opinions now occur outside of Harvard's classrooms and other traditional campus spaces.
- In our work, we observed that many students expected the various equity, diversity, inclusion, and belonging (EDIB) offices created in the Central Administration and the Schools in the last decade to resolve instances of identity-based bias, which then led to frequent appeals for intervention and classification regarding a wide range of student grievances. We found that some students may have had an inflated view about the EDIB office's authority and capacity to address such matters.
- The University's 2021 creation of an Anti-Bullying Working Group[16] — tasked with recommending University-wide policies and procedures to address potentially abusive and intimidating misconduct, recommendations that later informed the 2023 Non-Discrimination and Anti-Bullying (NDAB) Policies — may have inadvertently led some students to misunderstand the University's capacity to address a wide range of student concerns that, while important, fall outside the scope of these policies.
- Beginning in the mid-2010s, University leaders increasingly commented on matters of public controversy — including geopolitical developments and U.S. social and political issues — even when those matters were not directly related to the University's core functions of research, teaching, and learning. These statements, which took various forms, may have fostered an expectation among some members of the Harvard community that the University would always take their side on political and social matters of concern to them.[17]
- In the Task Force's view, University leaders made significant concessions in response to various protest campaigns throughout the 2010s, including, for example, those advocating for fossil fuel divestment. The relative success of these earlier protest movements — compared to the pro-Palestinian protest movement in Fall 2023 — may have fueled both a degree of hope and then frustration among pro-Palestinian protestors, who may have perceived these past successes as a potential roadmap for their own efforts.[18]

In addition to these broader University trends and developments, several others specific to Jewish life at Harvard emerged during our conversations:

- Though the University does not collect statistics on the religious affiliation of students, the Task Force, based on a variety of factors, surmises that the Jewish population at Harvard in Fall 2023 was probably considerably smaller than in previous decades.

[15] Rebecca Heilweil, "Harvard Rescinds Admissions To 10 Students For Offensive Facebook Memes," Forbes, June 5, 2017,
[16] https://communitymisconductpolicies.harvard.edu/.
[17] In April 2024, the Institutional Voice Working Group, co-chaired by Professors Noah Feldman and Alison Simmons, was formed by then-interim President Alan Garber and then-interim Provost John Manning to address when and how Harvard should speak on public matters. This group's core recommendation, accepted by University leadership, was that Harvard should exercise restraint in issuing official statements on matters outside its core functions of research, teaching, and learning. As a result, this behavior will presumably now be different.
[18] See e.g. https://www.thecrimson.com/article/2024/8/30/rakesh-khurana-photo-essay, about then-College Dean Rakesh Khurana trying to quiet a crowd to create space for a moment of silence in honor of victims of police violence.

- Given broader demographic changes within the American Jewish community, as well as the University's increasing globalization, the Task Force infers that among Jewish students at Harvard, a larger proportion than in previous decades may have Israeli nationality, be Israeli-Americans, have family in Israel, or have studied in Israel as part of high school or gap-year programs.
- As pro-Palestinian student organizers and their sympathetic peers have assumed a more visible role on Harvard's campus in recent decades, their activism has become increasingly disruptive, including more frequent interruptions of University events, such as the College's First-Year Convocation. This development has contributed to some Jewish students feeling alienated from central aspects of student life.
- Two academic programs at Harvard Schools, detailed in Chapter 4, stand out as focal points for concerns about one-sided approaches to Israel/Palestine topics within their coursework, experiential learning offerings, and, in one case, a degree program.
- In the three years preceding October 7, 2023, the Task Force found, there was a scarcity of instruction on the history and politics of Israel/Palestine at the University, aside from the two academic programs mentioned in the previous bullet, which students who spoke with us criticized for presenting one-sided or distorted perspectives.
- During the latter half of the 2010s, in the view of some in the Harvard community, anti-Israel bias had become normalized, especially within politically progressive spaces. This normalization, we were told, put pressure on Jewish students to disavow Israel and are especially difficult for Jewish students with progressive politics who wanted to inhabit those spaces. Norms about non-discrimination and equal treatment among Harvard students appear to have faded, or at the very least, we were told there is an "Israel exception" to those rules (or an equally pernicious notion that anti-discrimination norms apply unevenly to Harvard affiliates based on supposed relative privilege).

While we cannot make a causal claim about any of the changes at Harvard, it is notable that October 7th arrived on a campus with growing animosity against Israel and suspicion, if not downright hostility, towards Israelis, Jews, and others sympathetic to Israel.

This Executive Summary continues below with brief overviews of Chapters 1-5, offering a concise introduction to the report's key findings and recommendations. However, for a full and comprehensive treatment of the topics, readers should refer to the chapters themselves.

Chapter Overviews

OVERVIEW

Chapter 1
Historical Context: the Jewish Experience at Harvard up to October 7, 2023

The origins of the crisis that Harvard currently faces precede October 7, 2023. During the 1960s, longstanding barriers to the admission of Jews to Harvard fell away, and for a half century Harvard had by all accounts a large and flourishing Jewish student body. This is the Harvard that many of our Jewish alumni attended and remember with great affection. Heated campus debates about Israel/Palestine go back to the 1980s, but until a few years ago, students with differing political perspectives on the issue were in conversation and did not on the whole demean each other. Because of that ongoing dialogue and fundamental sense of community, most Jewish students at Harvard continued to feel at home on campus.

In the mid-2010s, Harvard's atmosphere began to change. The Israel/Palestine issue became more divisive and polarizing within the campus community. In the early 2020s, there were signs of decline in constructive conversation, respectful disagreement, and mutual respect between students regarding many issues, including Israel/Palestine. And after October 7th, our Harvard community fell apart.

Chapter 1 of this report draws upon substantial research to trace the rise and fall at Harvard of respectful engagement regarding Israel/Palestine, how these processes have affected our Jewish students, and how we can learn from them in order to repair what our colleague Professor Ali Asani, one of the co-chairs of the Task Force on Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias, has called "Harvard's broken community."

In this chapter, we also demonstrate how, after several decades of relatively healthy interactions between students with differing views regarding Israel/Palestine, certain negative trends developed in the 2010s and 2020s:

- Growing polarization, "anti-normalization" with regard to Israel, and diminished willingness to seek compromise positions.
- Targeting of pro-Israel events, learning opportunities, and campus guests.
- Intensified debate about defining antisemitism and determining the line between discomforting and hateful speech.
- Growing acceptance of stances once seen as outside mainstream debate.
- Social exclusion of some Jewish students and a resulting reluctance on their part to fully express Jewish or Israeli identities or pro-Israel views.
- Complaints of alienation and marginalization on the part of some Jewish students with pro-Palestinian sympathies.
- Growing reliance on the University to manage and protect against offensive behavior.

Underneath all of these developments was a notion of a "Palestine Exception" to free speech on campus. This term, which was popularized by a Palestinian NGO in 2015, alleged widespread censorship, self-censorship, and chilling of critical discourse about Israel. Some Harvard students and faculty claimed that the Palestine Exception operated on campus, when in fact, as this report shows in detail, at Harvard over the past decade pro-Palestinian perspectives have been frequently offered in University programs and centers, courses, and events. These perspectives rarely made room for nuanced and in-depth understanding of Israel.

The academic climate at Harvard during the 2010s and 2020s reflected social and political changes on a national level. We believe, however, that Harvard must not be passive in the face of such changes. The University, in our view, has the ability — and indeed the responsibility — to restore and re-imagine the best aspects of earlier forms of student interaction regarding difficult political issues.

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Chapter 2
Historical Context: Harvard Since October 7, 2023

A Harvard Kennedy School of Government study showed that, during the 2023-24 academic year, Harvard had the second-highest number of days with protest activity among major U.S. universities. While most of Harvard's peer institutions experienced approximately 40 days of protest, Harvard saw roughly 70 — though still less than one-third of Stanford's total. Chapter 2 narrates the events of that tumultuous year at Harvard with concluding remarks about the situation in Fall 2024. The chapter's major points are as follows:

- Over the course of the Fall 2023 term, the Central Administration faced widespread criticism from many Harvard affiliates and alumni for what they saw as its lack of a firm or effective response to the Hamas massacre and the ensuing pro-Palestine protests on campus, which were frequent and raucous. Many Jewish and Israeli students reported experiencing social shunning, verbal abuse, intimidation, and bullying. In November 2023 there were reports of pro-Palestine activists disrupting classes in Harvard Yard. The defacing of hostage posters around campus with antisemitic slogans in January 2024, and the posting in February of a classic antisemitic cartoon on social media by the Harvard Undergraduate Palestine Solidarity Committee and the African and African American Resistance Organization — along with the resharing of it by Harvard Faculty and Staff for Justice in Palestine — kept many Jewish students on edge.
- After the resignation of President Claudine Gay in early January 2024, the University, under the leadership of then-Interim President Alan Garber, began to take measures to strengthen policies regarding protest. Turmoil continued, however, culminating in a three-week encampment in April and May. It resulted in no violence or arrests and was one of the shortest-lived in the country. Yet the penumbra of the year of disturbances was apparent at Commencement, where hundreds of graduates staged a mass walkout. They were protesting the imposition of disciplinary measures on 13 seniors — barred from graduating with their class for their alleged participation in the encampment. Moreover, there were two controversial Commencement Week addresses (one at Commencement itself) whose remarks appeared to engage with antisemitic themes. Controversies about student discipline continued into the summer. In July, administrative boards at the College and various Schools eliminated or reduced penalties that they had imposed on undergraduate and graduate students in connection with various protests and related events of the previous year, and in the same month the Harvard Corporation conferred degrees on 11 of the 13 seniors whose degrees had been withheld.
- During Summer 2024, the University administration issued revised policies[19] regarding the use of campus grounds and buildings. Additionally, it announced that the University Committee on Rights and Responsibilities would engage in standardized fact-finding procedures for disciplinary cases involving more than one unit. These measures signaled the administration's awareness of the need to institute major reforms in Harvard's policies regarding protest and its disciplinary procedures.

[19] https://evp.harvard.edu/campus-use-rules?utm_source=SilverpopMailing&utm_medium=email&utm_campaign=EVP%20Campus%20Use%20Announcement%208.1.24%20(1).

Fall 2024 lacked the large-scale protests that had marked the previous year. Pro-Palestinian activism mainly took the form of silent demonstrations in the University's libraries,[20] though there were scattered instances of vandalism on campus[21] and the posting of swastika stickers near Harvard Hillel's Rosovsky Hall.[22] Notably, the College's First-Year Convocation, which pro-Palestinian demonstrators had interrupted for several consecutive years, proceeded smoothly in September 2024. This relative quiet on campus, however, concealed ongoing tensions within our community that manifested themselves throughout the Fall 2024 term and in the first weeks of the Spring 2025 term.

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Chapter 3
Findings

In Chapter 3, we summarize what the Task Force learned about the alienating and hostile atmosphere that many Jewish and Israeli students at Harvard described experiencing, particularly in the 2023-24 academic year.

The Task Forces on Combating Antisemitism and Anti-Israeli Bias and Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias collaborated on an online survey, conducted between May and August 2024. This survey attracted some 2,295 responses from students, faculty, and staff, with likely high levels of participation among Jewish, Israeli, Muslim, and Arab affiliates relative to their numbers within the Harvard community.[23] The survey revealed extensive levels of discomfort, alienation, and fear among students who identify with one or more of these categories.

In virtually every category, Jewish students reported more negative experiences than their Christian or atheist/agnostic peers, though Muslim students reported even greater negative experiences than Jewish students. It is not the goal of this Task Force, nor of the parallel Task Force on Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias, to engage in a contest to prove which group has suffered more. Rather, like our sibling Task Force, we aim to understand how the students within our Task Force's purview have perceived events over the past year, identify the sources of their pain, and use that knowledge to formulate strategies for fostering a sense of community and mutual respect at Harvard.

Among Jewish students, substantial numbers reported having the following feelings to at least some extent:

- Not at home at Harvard (39%).
- Physically unsafe (26%).
- Mentally unsafe (44%).
- Unsupported in their well-being at Harvard (49%).

[20] Max J. Krupnick, "Silent Study-Ins: Harvard Library Protests Challenge University Regulations," *Harvard Magazine*, November 14, 2024.
[21] Michelle N. Amponsah and Joyce E. Kim, "Windows Smashed, John Harvard Statue Vandalized in Act of 'Palestinian Resistance,'" *The Harvard Crimson*, October 9, 2024.
[22] "Stickers of Swastikas on Israeli Flag Posted Around Harvard Square, Police Say," *Boston Globe*, October 15, 2024.
[23] The survey was distributed to faculty, staff, and students using various channels that ranged from emails with an embedded survey link to sharing with relevant affinity groups and mentions in *The Harvard Gazette* and *The Harvard Crimson*. The intent was to complement the listening sessions and provide a convenient and anonymous survey that could be taken by Harvard campus community members who were impacted by and/or had views on the issues related to the two Task Forces' mandate. Since this population is not readily identifiable a priori, and also because the survey was not administered or marketed as a University-wide survey (such as the 2019 Pulse survey), it is not as feasible to provide accurate response rates. While we do provide relative demographic coverage comparisons to the 2019 Pulse survey, the Task Force joint survey is best viewed as a way to incorporate more opinions from those community members who wanted to weigh in on their experiences on campus and observations during the Fall 2023 to Summer 2024 period.

- Uncomfortable expressing their beliefs or opinions to people "whose political views may be in conflict with mine and/or go against my sense of identity/nationality" (46%).

By comparison, students who identify as neither Jewish nor Muslim reported significantly lower percentages when asked the same questions as above — 21%, 12%, 24%, 33%, and 32%, respectively. In other words, Jewish students were twice as likely as their non-Jewish, non-Muslim peers to feel unwelcome and unsafe at Harvard.

Responding to a slightly differently worded question, even larger percentages of Jewish students (67%) expressed discomfort sharing their opinions in general, with that number rising to 73% when it came to expressing political opinions. Students who are neither Muslim nor Jewish were 20 percentage points less likely to express such discomfort.

Almost 60% of Jewish students reported experiencing "discrimination, stereotyping, or negative bias on campus due to [their] views on current events," and only 25% believed that there was no "academic or professional penalty" at Harvard for expressing their views.

The survey's quantitative findings were further corroborated by qualitative data collected during a series of listening sessions held between March 21 and May 20, 2024. Members of our Task Force held approximately 50 sessions, engaging with more than 500 members of the Harvard community. While most participants were students, there were also some staff- and faculty-focused sessions as well as a session with Resident Deans.

These listening sessions were tailored to different segments of the Harvard community. Sessions were held for undergraduate students in the College as well as for students in Harvard's 12 graduate and professional Schools. Additional sessions were organized within undergraduate students' residential Houses and with various Jewish student groups, such as Hillel and Chabad.

In these sessions, the participants' views were documented via typed notes in which all identifying features of the speaker were anonymized except for the nature of their affiliation (e.g., undergraduate, graduate student, faculty, staff, School). Participation in the sessions was lively, with many, most, or all participants sharing their views. Our documentation of the sessions therefore reflects the contributions of hundreds of individuals.

Several major themes emerged from the listening sessions:

- Substantial numbers of Jewish students feel that since October 7th they have lived in an increasingly hostile atmosphere in their residences, classes, organizations, and clubs, as well as in the public spaces of Harvard Yard and the Science Center Plaza.
- Many Israeli students have felt particularly victimized, often in the form of social shunning.
- Fear of encountering hostility has led some Jewish students to conceal their Jewish identity from classmates.
- Certain Harvard Schools, departments, institutes, centers, and instructors were described as promoting or tolerating anti-Israeli critiques that blend into animosity towards Jews.
- Many students described administrative responses to student complaints as unclear and unconscionably slow.
- There were widespread perceptions that anti-Israeli and anti-Jewish expression are tolerated in a way that hostile rhetoric towards other groups would not be; that some of Harvard's offices for Equity, Diversity, Inclusion, and Belonging have not taken antisemitism seriously; and that discipline against students who engaged in bullying, harassment, and intimidation has been lax.
- Social media has worsened the well-being of many Jewish students by enabling the rapid and repeated production of cruel and hateful messages, often anonymously.
- Some Jewish students who identify as anti-Zionist report the same sort of bullying and shunning that other Jewish students describe encountering from pro-Palestinian students.
- Harvard lacks relevant courses and programming to address the campus climate and discuss events in Israel/Palestine in a constructive, informed, and non-threatening way.

OVERVIEW

Chapter 4
Case Studies from Harvard's Schools

Chapter 4 examines instances where administrators and faculty at certain Harvard Schools seemingly fell short in their responsibility to uphold principles of open inquiry, civility, and respectful disagreement within specific courses, programs, and events. The chapter focuses on four Schools, and presents accounts and illustrative case studies based on feedback from students, faculty, and staff who reported experiences of antisemitism and anti-Israeli bias, particularly during the 2023-24 academic year. These experiences manifested as:

- Ostracism of many Zionist and Israeli students that adversely affected their participation in both classroom and co-curricular settings.
- Politicization of instruction or academic settings that effectively made a specific view on the Israel-Hamas conflict a litmus test for full classroom participation and ended up disparately impacting many Jewish and Israeli students.
- Politicized instruction that mainstreamed and normalized what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias.

The chapter identifies a lack of rigorous academic oversight in program design and instruction, particularly for courses taught by non-ladder faculty, as a contributing factor. The Task Force expresses concern that the prestige associated with teaching at Harvard might be leveraged to advance partisan agendas, potentially compromising academic integrity, and contributing to a climate of hostility and exclusion.

The chapter concludes by calling for:

- Increased leadership and supervision from ladder faculty for courses and programming offered by centers, including faculty participation in related events.
- Realignment of center missions to prioritize advancing the frontiers of knowledge, with governance structures refocused on academic integrity.
- Cultivation of respect for viewpoint diversity and a norm of respectful engagement, relation, and cooperation, even with those with whom we vehemently disagree.
- An expectation that programming engaging controversial subjects will feature viewpoint diversity.
- Increased depth of high-caliber scholarly expertise on campus concerning the modern Middle East, including Israel/Palestine.

Chapter 4 underscores the urgent need for Harvard to uphold its core values and ensure a learning environment free from bias and discrimination, where all members of the community feel safe, respected, and empowered to thrive. The chapter provides specific examples from our work that illustrate these points.

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Chapter 5
Conclusions and Recommendations

In Chapter 5 of the report, we call for comprehensive, integrated, and sustained changes in how the University operates.

First, we call for changes in admissions and student life that align with the report of the Joint Task Force Subcommittee on Pluralism. This subcommittee emphasizes:

> The promotion of a culture of pluralism, defined as recognizing the diversity of identities and ideologies on campus; respecting, relating, and cooperating with one another; and connecting personal and campus civic values to advance our educational and research mission. These campus civic values are anchored in the University's Values Statement advancing respect for the rights, differences, and dignity of others; honesty and integrity in all dealings; conscientious pursuit of excellence in our work; accountability for actions and conduct in the community; and responsibility for the bonds and bridges that enable all to grow with and learn from one another.

To achieve these goals, we specifically call for changes in:

- **Admissions** We believe classes at Harvard should consist of students who are eager to contribute to a learning community grounded in open inquiry and mutual respect.
- **Early student experiences** Early student experiences, especially for undergraduates, should focus on establishing norms that reflect Harvard's aspirations for its learning community.
- **Academics** Students deserve a classroom experience that embodies the desired learning community — one free from antisemitism, anti-Israeli bias, and all other forms of discrimination — and supported by enhanced course opportunities offered by Harvard's Schools and faculty.
- **Academic offerings** Academic offerings should provide significantly more plentiful and diverse opportunities for the study of Jewish civilization, antisemitism and the Holocaust, Israel, and the Israeli-Palestinian conflict.
- **Co-curricular activities and residential life** Student organizations need support and guidance to ensure their activities do not have antisemitic or anti-Israeli impacts, so they can effectively contribute to the kind of learning community Harvard aspires to beyond the classroom.
- **Building a pluralistic community** To foster a campus culture of pluralism at Harvard, a central hub should be established.
- **Religious life** We believe that faith can be an important source of support for Harvard's students and an integral part of the learning community, and that steps can be taken to strengthen this aspect of campus life.
- **Administrative infrastructure** A robust administrative infrastructure is needed to support, coordinate, and sustain the efforts outlined above. This infrastructure should include substantive, equitable disciplinary procedures to the greatest extent possible, across Harvard's Schools.
- **Complaint mechanisms** Complaint mechanisms should be aligned across Harvard's Schools to the greatest extent possible, and should be easily accessed, user-friendly, efficient, and capable of generating publicly reportable aggregate data.

We also call for changes that touch on governance issues to strengthen ladder faculty oversight of educational programs and instructor training across Harvard's Schools.

As noted above, Harvard has recently entered into legal settlements and resolutions. While these are still very new, we note that they may address — and potentially even obviate the need for — some of the recommendations set forth in this report. Additionally, the University has publicly summarized some of the actions it has taken since our Task Force released its Preliminary Recommendations in June 2024.[24]

Finally, we urge the University and its Schools to take on the mantle of moral leadership in the fight against antisemitism and anti-Israeli bias. We are deeply concerned that these forms of bigotry are becoming increasingly normalized in academia, particularly within what seem to be highly politicized disciplines such as public health, medicine, and education. Harvard has a responsibility to actively counter this trend and serve as a model for higher education institutions nationwide.

[24] https://www.harvard.edu/task-force-on-antisemitism/#implementationupdates.

Full Report

CHAPTER 1

Historical Context: the Jewish Experience at Harvard up to October 7, 2023

Introduction

Questions regarding what constitutes antisemitism and the overall situation for Jewish students at Harvard came to the forefront after the Hamas attack on Israel on October 7, 2023. The attack had an immediate and profound effect on our campus. On October 8, a statement from the Harvard Undergraduate Palestine Solidarity Committee, along with more than 30 other student organizations, held "Israel responsible for all unfolding violence …. The apartheid regime is the only one to blame."[25]

The statement triggered harsh backlash, which took the form of online denunciations, doxxing, and public criticism from alumni and the national media. The administration's responses to ensure student safety amid threats and harassment were widely seen as insufficient. The campus atmosphere grew tense, featuring polarizing events, accusations of both antisemitism and Islamophobia, and considerable distress among many Jewish students. Voices on one side demanded more decisive actions by Harvard to address antisemitism, while those on the other side argued that claims of antisemitism were being used to suppress critiques of Israel.

Events at Harvard after October 7th did not emerge from a vacuum. Rather, we saw an acceleration of trends within our community dating back to the early 2000s. These trends stand in sharp contrast with how the Israeli-Palestinian conflict had previously been represented at Harvard and how previous generations of Harvard's Jewish students had experienced campus life.

This chapter traces the history of the Jewish community at Harvard from the early 20th century up to the end of 2023. It focuses on the years since the 1980s, when the Israeli-Palestinian conflict began to visibly influence campus life. The chapter examines Jewish social and organizational life at Harvard, interactions between Jewish and non-Jewish students, and the effects of social and cultural changes on the national level on campus dynamics and Harvard's Jewish community. One primary focus is to understand how Jewish student life at Harvard has been influenced by the Israeli-Palestinian conflict. We have relied upon primary sources like *The Harvard Crimson* and materials from the Harvard University archives, along with interviews with alumni and secondary sources on admissions and student life.

[25] "Joint Statement by Harvard Palestine Solidarity Groups on the Situation in Palestine," *The Harvard Crimson,* October 10, 2023. https://www.thecrimson.com/widget/2023/10/10/psc-statement/

Summary and Overview

After auspicious beginnings in the late 1800s, Harvard's Jewish community experienced significant challenges in the 1920s with the imposition of admissions quotas. Although the number of Jews at Harvard increased after World War II, only in the 1960s did Harvard fully overcome its exclusionist past and admit Jews on a prejudice-free basis. The full opening of Harvard to Jews, the incorporation of Radcliffe into Harvard, and the growth in admission of Black students were coterminous, suggesting that the position of Jews at Harvard was directly related to that of other historically marginalized groups, e.g., women and Black Americans.

The period from the 1960s until the 2010s was a golden age for Jews at Harvard. They constituted a substantial percentage of the undergraduate student body (between 20 - 25%), and based on what we heard, encountered little prejudice and were well-integrated into everyday campus life. Harvard Hillel provided a welcoming and warm environment for Jewish students. Major events in the Middle East like the 1967 and 1973 Arab-Israeli wars were discussed on campus, but they did not evoke intense activism.

In the 1980s the First Lebanon War and First Intifada catalyzed an escalation in student activism at Harvard. Comparisons between Israel and apartheid South Africa became more common. Critiques of Israeli policies, however, rarely employed antisemitic rhetoric. Both sides in these debates invited controversial speakers to campus, but there were also sincere attempts to engage in reasoned dialogue and to propose limits of valid criticisms of Israel.

Activism on both sides increased in the 1990s, mirroring both the growing violence in the Middle East and — conversely — the peace efforts that occurred in this decade. There were robust debates on campus about balancing free speech and harassment, informed by University-wide attempts to manage such tensions by publishing guidelines for free speech on campus. Pro-Palestinian activism grew with the establishment of the Palestine Solidarity Committee (PSC) and increased activity by the Society of Arab Students (SAS). Despite these tensions, there were efforts to foster dialogue and reconciliation, including joint events between Hillel and the SAS and broader campus initiatives. Tensions between Black and Jewish students also surfaced, notably in controversies involving speakers like Anthony Martin and Leonard Jeffries, yet conciliatory efforts persisted through organized discussions and mutual activities.

Discourse on the Israeli-Palestinian conflict heightened further in the 2000s, shaped significantly by escalating violence in the region and controversial international events. Student activism intensified with groups like Hillel, SAS, and Harvard Students for Israel (HSI) organizing vigils, rallies, and discussions. When accusations of antisemitism surfaced, they were articulated publicly by faculty such as Lawrence Summers, Ruth Wisse, and Alan Dershowitz, rather than the student groups themselves. Students typically aimed to clarify that their critiques focused on policies rather than Israel's legitimacy. Efforts at dialogue continued despite divisions, with separate and joint events highlighting attempts at understanding. Prominent debates included a controversial divestment campaign and its subsequent rebuttals, raising questions about the fine line between criticism of Israel and antisemitism. Despite these tensions, there were also moments of constructive engagement through student-led dialogues and initiatives aimed at finding common ground.

A gradual though significant change in the experience of Jewish students at Harvard began around 2010. Discussions about Israel and Palestine became increasingly confrontational. While some efforts to foster dialogue persisted, student activism became more assertive, directly challenging Israel-related activities on campus. Organizations like the PSC and Harvard Out of Occupied Palestine (HOOP) led protests against Israeli products like SodaStream and Sabra hummus, and disrupted events hosted by pro-Israel

groups.[26,27] Campaigns for divestment and the boycotting of trips to Israel, such as Birthright and Harvard College Israel Trek, also intensified. Consequently, conversations about antisemitism grew more contentious, with frequent debates over when criticism of Israeli policies crossed into antisemitism. While early voices warned that confrontational tactics were polarizing debates, these assertive approaches became more normative over time, diminishing opportunities for balanced discussions. Controversial events like Israeli Apartheid Week further highlighted the divided campus climate. A pro-Palestinian discourse equating Zionism with racism and likening Israel to Nazi Germany was deeply disturbing to many Jewish students. Efforts to find common ground and appreciate differing perspectives waned, reflecting broader social and political dynamics that influenced campus activism during this period.

Over this same time, the number of Jewish students at Harvard declined, most likely due to changes in admissions practices that sought greater racial and ethnic diversity. The decline in Jewish enrollments exacerbated feelings of vulnerability among Jewish students, especially those who identified with progressive politics and felt unwelcome in progressive-oriented campus clubs and activities unless they disavowed attachments to Israel.

Harvard's campus met the October 7th attack in an already divided state. Following the attack, pro-Palestinian activism surged. The Harvard PSC and more than 30 other student groups attributed blame for the violence solely to Israel, provoking significant backlash including online denunciations and doxxing. The administration faced criticism for perceived inadequate responses to threats and harassment against students. In mid-October, a PSC panel condemned Israel without presenting counterarguments, further inflaming campus debate. Social media posts expressing violent hostility to Israel and threats to Jews contributed to Jewish students' distress.[28,29] In early November, Harvard President Claudine Gay's condemnation of the "from the river to the sea" chant as antisemitic received mixed reactions.[30] Protests and criticism persisted throughout November, culminating in increased unrest and safety concerns. In late 2023 and early 2024, the climate intensified with ongoing protests, contentious events, and disciplinary actions. President Gay faced scrutiny over allegedly insufficient responses to antisemitism, and in January 2024 Harvard was sued for failing to act appropriately against antisemitism on campus, and Title VI complaints about anti-Arab, anti-Muslim, and anti-Palestinian bias were filed to the US Department of Education.[31,32] Pro-Palestinian activism continued, with significant protests and controversial imagery exacerbating feelings of marginalization among many Jewish students.[33]

[26] "HUDS Suspends Purchases from Israeli Soda Company," *The Harvard Crimson*, December 17, 2014. https://www.thecrimson.com/article/2014/12/17/huds-soda-stream-suspend-purchase/
[27] "Harvard Out of Occupied Palestine Protests Sabra Hummus in Harvard Yard," *The Harvard Crimson*, February 9, 2022. https://www.thecrimson.com/article/2022/2/9/students-protest-sabra-hummus/
[28] "Harvard Asks Sidechat to Enforce Content Moderation as Jewish Students Decry 'Vicious' Antisemitism," *The Harvard Crimson*, January 22, 2024. https://www.thecrimson.com/article/2024/1/22/sidechat-antisemitism-enforce-moderation/
[29] https://www.adl.org/resources/article/hamas-attack-draws-cheers-extremists-spurs-antisemitism-and-conspiracies-online
[30] "More than 100 Harvard Faculty Sign Letter Criticizing President Gay's Censure of Pro-Palestine Slogan," *The Harvard Crimson*, November 15, 2023. https://www.thecrimson.com/article/2023/11/15/faculty-condemn-president-gay-statement/
[31] "Harvard Students Allege Anti-Palestinian Discrimination in Complaint to U.S. Ed Department," *The Harvard Crimson*, January 30, 2024. https://www.thecrimson.com/article/2024/1/30/antipalestinian-discrimination-education-complaint/
[32] "Jewish Students Sue Harvard University, Allege 'Severe' Antisemitism on Campus," *The Harvard Crimson*, January 12, 2024. https://www.thecrimson.com/article/2024/1/12/harvard-lawsuit-campus-antisemitism/
[33] "As Harvard Warns of Disciplinary Action, Groups Apologize for Antisemitic Image," *The Harvard Crimson*, February 20, 2024. https://www.thecrimson.com/article/2024/2/20/harvard-antisemitic-image-apology/

Over the past 10 to 15 years, several common themes affecting the experience of Jewish members of the Harvard community have emerged:

Growing polarization and diminished willingness to seek dialogue, compromise, and understanding of opposed positions As activism adopted more assertive stances rejecting compromise, and opposing "normalization" of Israel, over the past decade, moderate positions received less support. It became significantly more difficult for Jewish students with nuanced views to feel their perspectives were respected or welcomed.

Targeting of pro-Israel events and guests Regular disruptions, protests, and calls to boycott pro-Israel activities like Birthright and Israel Trek presented challenges for students wanting to engage with those opportunities or express support for Israel's right to exist.

Intensified debate about defining antisemitism and determining the line between discomforting and hateful speech As discussions about when criticism crosses that line became more contentious, Jewish students came to feel that their concerns were not taken seriously by peers, faculty, and administrators.

Growing acceptance of stances once seen as outside mainstream debate Assertive tactics and rhetoric rejecting compromise between opposing viewpoints became more widely accepted and normalized.

Social exclusion of Jewish students and their reluctance to fully express Jewish/pro-Israel identities As compromise became more difficult and dissent risked social consequences, some Jewish students reported growing pressure to censor themselves. Concurrently, Orthodox Jewish students felt that their personal safety was jeopardized by visible signifiers of their identity like a kippa (yarmulke).

Complaints of alienation and marginalization on the part of Jewish students with pro-Palestinian sympathies These students felt rejected by Hillel, Chabad, and other Jewish spaces. These students struggled to find a community that fully embraced their views and identities.

Growing reliance on the University to manage offensive behavior and provide protection Over the years, as campus debates became more heated and instances of targeted behavior became more commonplace, students increasingly looked to the University administration to intervene and ensure a safer environment. Students expected the University to address hate speech, provide clear guidelines on acceptable discourse, and enforce measures to prevent harassment and discrimination. The need for administrative support grew as students sought institutional backing to shield them from offensive actions and rhetoric.

Events in the Middle East likely have influenced the tone of campus activism around the Israeli-Palestinian conflict and debates about antisemitism at Harvard, but it is a mistake to imply a direct correlation between what has happened "there" and "here." Certainly, Harvard has seen periods of relative congruence between increased intensity of conflict in the region and campus activism. During the period of the Oslo Accords in the 1990s, Harvard students and faculty often engaged in constructive and peaceful dialogue, reflecting a broad hope for regional peace. Similarly, during the Second Intifada in the early 2000s, heightened violence in Israel and the Palestinian territories was mirrored by increased polarization and activism on campus. However, there were also instances of incongruence: during the 2000s, despite significant violence and turmoil in the Middle East, political discourse at Harvard sometimes remained respectful and focused on inclusive debate. Additionally, even in times of faltering peace efforts or rampant violence, student initiatives sought to foster understanding and dialogue (e.g., after the assassination of Israeli Prime Minister Yitzhak Rabin in 1995). While students certainly responded to events occurring in the Middle East, the tone and forms of engagement should not be assumed to be wholly analogous to dynamics in the region.

The National Context

Changes in Jewish student experiences at Harvard reflect national trends. Several broad social movements emerging in the early 2000s affected dynamics on campus. The Boycott, Divestment, Sanctions (BDS) movement, which was founded in 2005, ushered in a confrontational style that differed from previous

forms of pro-Palestinian activism on campuses. In 2011, the Occupy movement inspired students with its emphasis on direct action and public confrontations, further shaping the tenor of campus engagement. Over the 2010s, postcolonial approaches in the humanities and interpretive social sciences were routinely applied to the Israeli-Palestinian conflict as an example of a settler-colonial movement subjugating or expelling an indigenous people. This way of thinking discouraged engagement with people who had attachments to Israel.

Another contextual factor is the generational shift in students' sensitivities. Jonathan Haidt and Greg Lukianoff have pointed to the rise of fragility, emotional (rather than intellectual) reasoning, and a polarized "us vs. them" mentality among college students, all of which began to significantly shape campus dynamics around 2013-2014.[34] These changes have been mirrored in the increasingly divisive environment at Harvard, where discussions about Israel and the Palestinians have become more contentious and uncompromising. Haidt and Lukianoff also pointed to a culture of safetyism precipitating the decline of open debate on campus. This cultural shift helps explain why assertive activism has gained traction and Jewish students, regardless of their positions on Israel, have felt more insecure. While some have criticized Haidt and Lukianoff for focusing on group psychology and neglecting the sociopolitical dimensions of problems on college campuses,[35] the processes they describe align well with the decline in constructive interaction and rising divide between students at campuses nationwide.

A related phenomenon is the rise over the past three decades of affective polarization — that is, the intensification of hostility and intolerance as political emotions, influenced by social media and the COVID-19 pandemic. This phenomenon has affected young people more than their elders and has risen more rapidly in the United States than in most other Western countries.[36] Affective polarization has influenced many aspects of student interaction, including activism on a wide variety of issues beyond Israel/Palestine.

Sociologists Amy J. Binder and Jeffrey L. Kidder have discovered growing differences between the ways student groups on the left and on the right develop their strategies and tactics. Binder and Kidder show that conservative students are finding less purchase on campus due to largely unsympathetic administrators and faculty, and ultimately rely on external organizations for support, where they can also translate their campus activism to a post-graduation career. While most pro-Israel students at Harvard do not identify as conservative, many of them have become frustrated by a perceived lack of sympathy on campus and are relying instead on outside funding and networks to bolster their activism.

Conversely, progressive students often have better access to campus resources and can gain on-campus success more easily (e.g., renaming buildings, establishing cultural centers) but have less external support. Thus, over the past several decades, progressive activism has tended to remain confined to campuses, while conservative activism has tended to provide more career pathways after graduation.[37] These strategic differences in approach, depending on support structures and institutional contexts,

[34] Greg Lukianoff and Jonathan Haidt, *The Coddling of the American Mind: How Good Intentions and Bad Ideas are Setting up a Generation for Failure* (New York: Penguin Press, 2018).
[35] E.g., Howard A. Doughty, "The Coddling of the American Mind: How Good Intentions and Bad Ideas Are Setting Up a Generation for Failure," (Ottawa: The Innovation Journal, 2018); Jonathan Marks, "Bad Therapy: The Coddling of the American Mind: How Good Intentions and Bad Ideas Are Setting Up a Generation for Failure," Commentary 146, no. 2 (2018).
[36] Noam Gidron, James Adams, and Will Horne, *American Affective Polarization in Comparative Perspective* (New York: Cambridge University Press, 2020); Elizabeth C. Connors, "Social Desirability and Affective Polarization," Public Opinion Quarterly 87, no. 4 (2023), 911–34; Christian Staal Bruun Overgaard, "Perceiving Affective Polarization in the United States: How Social Media Shape Meta-Perceptions and Affective Polarization," Social Media + Society 10, no. 1 (2024). https://journals.sagepub.com/doi/full/10.1177/20563051241232662
[37] Amy J. Binder and Jeffrey L. Kidder, *The channels of student activism: how the left and right are winning (and losing) in campus politics today*, ed. Jeffrey L. Kidder (Chicago and London: The University of Chicago Press, 2022).

mirror some aspects of the interplay of support and opposition that characterizes activism around the Israeli-Palestinian conflict at Harvard. Indeed, in a controversial June 2024 op-ed, Dean of Social Science Lawrence D. Bobo observed:

> Modern student protest appears less and less likely to target major non-University events, businesses, or government bodies. Rather, they're comfortably situated in the confines of college campuses, directing demands for change at university administrators and boards of directors.[38]

The changing composition of student bodies may also partially explain the growing polarization on campus around the Israeli-Palestinian conflict. Over the past thirty years, colleges throughout the United States have diversified their student bodies, partly to reflect demographic changes in the country, and in part to redress past discrimination against underrepresented minorities. Students of Middle Eastern, South Asian, and African heritage have been in the forefront of support for the Palestinian cause nationwide.

Striving for Belonging: Jewish Life and Challenges at Harvard, 1900-1979

The early to mid-20th century saw significant growth and institutionalization of the Jewish presence at Harvard. Despite the imposition of quotas intended to limit Jewish admissions, Jewish students established a strong sense of community by creating and expanding organizations dedicated to their support. Groups such as the Harvard Menorah Society and Harvard-Radcliffe Hillel became central to Jewish identity and communal life.

Although the formal quotas disappeared after World War II, Jewish students continued to experience some antisemitic discrimination. Jewish students responded in contrary ways; some felt a need to assimilate, while others aimed to strengthen their Jewish identity. During the 1960s and 1970s, antisemitism diminished markedly, and Jewish students became fully integrated into the University community.

Israel and the Arab-Israeli conflict entered Harvard's discourse in the late 1940s, sparking diverse reactions ranging from fervent support to pointed criticism of Israel. Debates about the wars of 1948, 1967, and 1973 typically centered on Cold War dynamics and other geopolitical concerns. They rarely linked conflicts in the Middle East or critiques of Israel with negative judgments of Jewish students, who in turn had little concern about attachment to Israel serving as a source of antisemitism.

From the Era of Quotas to a "Golden Age" for Jews at Harvard

In the early 20th century, an influx of Jewish immigrants highly valuing education led to growing numbers of Jewish students at top universities like Harvard. By 1925, Jews made up more than a quarter of Harvard's student body. While some Christian administrators, faculty, and students appreciated Jewish academic dedication, others held negative stereotypes. Antisemitism had risen nationwide since the start of World War I. National anxieties surrounding immigration led Ivy League institutions to adopt restrictive admissions practices in order to maintain social homogeneity amidst demographic changes.[39]

By the 1920s, most Jewish applicants to Harvard were American born, but they were also seen as stamped by an East European immigrant background and undesirable social traits. In response, President A. Lawrence Lowell pursued policies to limit Jewish admissions through selective admission processes that

[38] Lawrence D. Bobo, "Faculty Speech Must Have Limits," *The Harvard Crimson*, June 15, 2024. https://www.thecrimson.com/article/2024/6/15/bobo-faculty-speech-limits/

[39] Strauss, Valerie. "Analysis | a Brief History of Antisemitism in U.S. Higher Education," *Washington Post*, November 14, 2023. https://www.washingtonpost.com/education/2023/11/13/how-restricting-jews-created-modern-college-admissions/

emphasized criteria that could disadvantage them, such as character assessments and interviews, which were more subjective than academic qualifications alone.[40] These practices brought the percentage of Jews at Harvard down to a range of between 10 - 15%. Moreover, Jews admitted to Harvard were expected to conform to standards of gentility set by elite Protestant society. Radcliffe was different, as it was about one-fifth Jewish during the 1930s. Radcliffe also had a substantial Catholic population, and most of its Jewish and Catholic students were commuters. They were not part of the male, Protestant, and affluent elite that comprised Harvard's core constituency.

The implementation of quotas for Jewish students at Harvard in the early 20th century sparked significant debate both within and outside the University. Alumni expressed disappointment and support. Within the student body, quotas stimulated intense discussion. Jewish students who felt targeted advocated for admissions based on merit alone rather than attributes like religion or ethnicity. The faculty and administration were also divided on this issue. Some supported the president's stance, viewing the quotas as a pragmatic response to worrying social and demographic changes in American society. Others, however, strongly opposed the quotas, arguing that they compromised academic integrity and fairness.[41]

Despite quotas and other challenges, the Jewish organizational presence at Harvard experienced significant growth and diversification over the first half of the 20th century. Before World War I, Harvard's Menorah Society provided students with a place to celebrate their cultural identity and history, to educate members about Judaism, and to provide a supportive community.[42] The Menorah Society spawned the intercollegiate Menorah Association, which by 1917 had chapters throughout North America and published a periodical devoted to Jewish history and thought, *The Menorah Journal*.[43] The Menorah Society demonstrated the vibrancy and commitment of Harvard's Jewish community despite the challenges it confronted in the interwar era.

In 1941, the Harvard Hillel Foundation was established to provide more structured programming for Jewish students. Over time, as Hillel expanded its campus involvement, it hired full-time leadership and acquired additional space in Harvard Square. As the postwar years saw growing numbers of Jewish students, Hillel became an important place for fostering a sense of connection and belonging on campus. Its expanded facilities and dedicated staff helped many new students find friendship, guidance, and spiritual enrichment during their time at the University. Hillel organized cultural and religious programming like Shabbat dinners and holiday celebrations to connect Jewish students with their heritage and each other.[44]

In its founding documents, combating antisemitism was not mentioned as a key aim of the new organization.[45] Nevertheless, Hillel sent delegates to a Seminar on Anti-Semitism for Student Leaders at Andover Newton Theological School in 1945. The seminar offered suggestions for addressing issues facing Jews on campus, e.g.:

> Make a survey of your campus to find out the people holding offices in campus organizations, the extent to which offices are open to all groups on campus.

[40] "Retrospection: President Lowell's Quotas," *The Harvard Crimson*, March 26, 2015. https://www.thecrimson.com/article/2015/3/26/retrospection-president-lowells-quotas/
[41] Nitza Rosovsky, *The Jewish Experience at Harvard and Radcliffe* (Cambridge, MA, 1986).
[42] "Menorah Society Will Meet: Intercollegiate Quinquennial Convention to be Held in New York," *The Harvard Crimson*, December 19, 1917. "MENORAH SOCIETY TO GIVE FIRST SHOWING OF 'ADAM'," *The Harvard Crimson*, February 18, 1930.
[43] Pearl K. Bell, "The Harvard Menorah Society," in Rosovsky.
[44] Henry Rosovsky, "From Periphery to Center,"; Maurice L. Zigmond, "The Early Days of Hillel," ibid.
[45] Society Harvard-Radcliffe Hillel, "Records of the Harvard-Radcliffe Hillel Society, 1943-1994," manuscript.

> Discover the reactions and feelings of key students to "social distances". Enlist the help of your sociology or psychology faculty for this. You'll need it! ...
>
> Promote interest groups on your campus built up on lines other than religion or race.[46]

These goals reflected a desire for the integration into campus, the promotion of access for Jewish students, and the breaking down of social barriers. Reminiscences of alumni who were at Harvard during the interwar years also speak of a patrician and exclusionary atmosphere. No Jew, even the most aristocratic and wealthy, was admitted to a final club. (Sherman Starr '46 was accidentally invited to a final club interview because no one could tell that he was Jewish from his name.). "No Christian ever came to my room — nor did I go to any Christian's room," recalled the future judge Charles Wyzanski, Jr. '27, JD '30.[47] Albert Cohen '38 had grown up in a neighborhood where "antisemitism was very unsubtle" and "tended to be loud, verbal and physical."[48] At Harvard, there was a chasm between him and the "Gold Coast" students from wealthy families. Robert Riesman '40 took it for granted that Jews had no access to prestigious activities like writing for the *Crimson* or the *Harvard Lampoon*. He found camaraderie with Gentiles in the dramatics society and in boxing. At Radcliffe, Jewish women like Pearl Andelman Brown '34, Hadassah Waldman Blocker '35, and Lucille Gray '39 had generally good relationships with their Catholic counterparts, who were commuters like themselves, but they had their share of encounters with antisemitic administrators.[49] At this time Harvard's Jewish students did not expect, let alone demand, equal treatment and opportunity. Leonard Wolsky '44, MD '46 went into Harvard knowing he would have to work harder than Gentile students.

After World War II, Harvard began to overcome its aversion to admitting Jewish students. Henry Rosovsky, who received a doctorate in economics from Harvard in 1959 and in 1973 became Harvard's first Jewish Dean of the Faculty of Arts and Sciences, claimed that the common fight by all Americans against Hitler caused Harvard to "welcome … us with open arms, as students and teachers in all its varied faculties."[50] Nonetheless, shortly after the end of the war Provost Paul Buck was worried about the influx into Harvard of "sensitive, neurotic boys" from heavily Jewish public high schools in New York City and New Jersey. The 15% quota from the Lowell era was relaxed, but the Harvard admissions office feared that wealthy Gentile youth would choose to attend Yale or Princeton if Harvard was seen as admitting too many Jews. This ongoing prejudice flew in the face of postwar expansion throughout America of legislation mandating fair employment and fair education practices as well as the 1947 United States presidential commission denouncing quotas on Jewish and Black Americans. By 1952, Harvard's freshman class was one-quarter Jewish, but the Dean of Admissions, Wilburt Bender, was not at ease with these numbers, warning that if admissions were based on intelligence alone, there would be too many Jews at Harvard.[51] In 1960, about three-fourths of applicants from the heavily Jewish secondary schools Bronx Science and Stuyvesant were rejected, while only 30% applying from elite boarding schools like Andover and Exeter were turned away.

Ongoing discomfort experienced by Jews at Harvard after 1945 is described by the future journalist Anthony Lewis '48, who recalled Boston and Cambridge as antisemitic environments and Harvard as a place with few Jewish professors. In general, he wrote, Jews were still not "wholly at ease." Joan Bolker '60 (MAT '62, Ed.

[46] "FINDINGS: SEMINAR ON ANTI-SEMITISM held at Andover Newton Theological School, Newton Center, Mass. February 9-11, 1945," in Harvard-Radcliffe Hillel, "Records of the Harvard-Radcliffe Hillel Society, 1943-1994."
[47] Rosovsky, 86.
[48] Ibid, 91.
[49] Ibid, 89-91, 93.
[50] Ibid, 56.
[51] Jerome Karabel, *The Chosen: The Hidden History of Admission and Exclusion at Harvard, Yale, and Princeton* (New York: Houghton Mifflin, 2005), 253.

D.) wrote in the *Chronicle of Higher Education* (Nov. 13, 1979): "When I first came here, my being a Jew made me feel outrageously, uncomfortably different … There was much in the college … that made me feel that way." Nonetheless she wrote of the possibility to "come through Harvard, to live in comfort in one's own skin, as one of one's own people."

In a senior thesis from 1961, Elliott Gershon interviewed 27 self-identified Jewish students and asked them about their sense of what being Jewish meant, their ideological beliefs, and their interactions related to their Jewish identity. Many of Gershon's respondents expressed a desire for assimilation and appreciated that Harvard did not emphasize their Jewish identity, which made their campus experience feel undifferentiated from that of other students. However, a smaller group of respondents articulated an awareness of antisemitism as a salient threat and a general sense of being different from other students because they were Jewish. The students' perception of antisemitism seemed to encapsulate both direct discrimination and subtler forms of social exclusion or stereotyping. Fourteen students reported experiencing direct discrimination because they were Jewish, and 19 anticipated encountering antisemitism in the future, although they generally viewed such instances as isolated rather than pervasive. Despite these concerns, most students found the Harvard environment largely congenial, with minimal emphasis on their Jewish identity compared to other campuses perceived as more hostile, such as Princeton.[52]

During the postwar years, one source of concern about antisemitism was the invitation of controversial speakers to campus. In early 1948, the right-wing extremist Merwin K. Hart '04 was brought to campus by the Free Enterprise Society. During his speech, Hart made several remarks that undeniably showcased his antisemitic views, including assertions that "an international Jewish organization" wielded significant influence over the Truman administration, the Marshall Plan, and the United Nations. His controversial opinions sparked outrage. A *Crimson* article criticized Hart's "untenable, enigmatic nature" and his defense of Franco Spain.[53] The Harvard Liberal Union (H.L.U.), led by Frederic D. Houghteling '50, expressed disappointment in a letter criticizing the Free Enterprise Society for its poor judgment and lack of due diligence. Houghteling rejected the Society's claim that Hart's economic views could be seen in isolation from his fascistic and antisemitic ideologies, emphasizing that "bringing him here despite their knowledge of his record, they were adding to his prestige and thus aiding him in his undercover warfare against the principles of democracy."[54] A decade later, the White supremacist and segregationist speaker David Wang was invited by the Liberal Union and the Young Republican Club to speak at Harvard. Wang's rhetoric, often conveyed through poetry, included virulently racist and antisemitic views. For instance, he claimed that "Rooshun filth [is] worse than talmudic filth."[55]

The use of religious spaces on campus was another issue that affected Jews' sense of inclusion on campus. In Spring 1958, controversy erupted at Harvard over the prohibition against using Memorial Church for non-Protestant ceremonies. The issue became public when it was revealed that a Jewish couple had been prevented from marrying in Memorial Church a few years earlier. Psychology Professor Jerome S. Bruner criticized the Church's policy, arguing that it contradicted the inclusive spirit of the University.[56] In an April 15, 1958 letter to the *Crimson*, Bruner wrote, "I cannot avoid the feeling that matters of sectarian religious doctrine have been put ahead of concern for the Harvard community." He argued that Memorial Church had become a "symbol of disunity," undermining Harvard's solidarity.[57]

[52] Elliot S. Gershon, "The Experience of Being Jewish in Harvard Students" (Senior Thesis, Harvard University, 1961).
[53] "Hart in the Right Place?" *The Harvard Crimson*, February 5, 1948.
[54] "Answers to Free Enterprise Society." *The Harvard Crimson*, February 7, 1948.
[55] "Wang Speaks In Cambridge February 14: Avid Racist Heckled After Penn Speech," *The Harvard Crimson*, February 22, 1958.
[56] Charles J. Wells, "Opening the Doors to a Pluralistic Church," *The Harvard Crimson*, June 1 2008.
https://www.thecrimson.com/article/2008/6/1/opening-the-doors-to-a-pluralistic/
[57] Jerome S. Bruner, "THE SECULAR TRADITION," *The Harvard Crimson*, April 15, 1958.
https://www.thecrimson.com/article/1958/4/15/the-secular-tradition-pto-the-editors/

Opponents of opening the Church to non-Protestant services, such as philosophy professors Raphael Demos and Donald C. Williams, defended the Church's traditional usage. In an April 21 letter to the *Crimson*, they wrote, "A church is not a cafeteria in which all religions may be served to all comers," highlighting concerns about maintaining religious sanctity.[58] However, the Harvard Corporation decided to open Memorial Church to private services for all non-Protestant religions, stating that "the Harvard community is today a mixed society."[59] This decision generated further debate, with supporters like Bruner advocating for a "secular university" and opponents like Williams arguing that such a move diluted religious traditions. The decision marked a significant shift towards religious inclusivity and pluralism on Harvard's campus.[60]

Harvard put antisemitism aside only in the 1960s and early 1970s as part of the transformative movements that integrated women into Harvard and saw substantial increases in the admission of Black Americans to Harvard College. In 1963, Radcliffe women began to receive Harvard degrees, and the two institutions formally amalgamated in 1975. In 1960, less than 1% of Harvard's freshman class was Black; a decade later, it was 8%. As Jerome Karabel has written, by the mid-1970s there was no more formal discrimination against women or Jews at Harvard.[61] The connection between the improvement of the positions of Black and Jewish students at Harvard was embodied by Henry Rosovsky. According to Larry Summers, under Rosovsky's deanship of the Faculty of Arts and Sciences (FAS) (1973-84), Harvard finally completed "the transition from being a WASP redoubt to being a truly open gatherer of extraordinarily talented future leaders."[62] In 1969, Rosovsky had concurred with Black student activists about the need for a degree-granting program in Afro-American Studies. Six years later, when Rosovsky was Dean, the W. E. B. Du Bois Institute for Afro-American Research (later incorporated within the newer and larger Hutchins Center) was founded. And in 1978 Rosovsky oversaw the establishment of the Center for Jewish Studies (CJS) at Harvard University under the directorship of Professor Isadore Twersky.

CJS coordinated a wide range of courses related to Judaism offered across various departments, including History, Near Eastern Languages and Cultures, Philosophy, Literature, and Government. Prior to the 20th century, the study of Hebrew and Judaism at Harvard had been limited and was taught from a Christian perspective. The appointment in 1925 of Harry Austryn Wolfson '11 (MA '12, PhD '15) as the inaugural Lucius Littauer Professor of Hebrew Literature and Philosophy marked the founding of Jewish Studies at Harvard (and indeed in the United States, as he was the first scholar to hold a chaired position in Jewish Studies). The establishment of CJS marked a major expansion of Jewish Studies at Harvard. As an academic unit catering to the entire student body, CJS was of benefit to more than the Harvard Jewish community, but its courses, lectures, and other activities strengthened Jewish students' knowledge of their tradition and comfort with their Jewish identity.[63]

[58] Raphael Demos and Donald C. Williams, "On the church issue," *The Harvard Crimson*, April 21, 1958.
[59] "Religion: God & Man at Harvard," *TIME*, May 5, 1958. https://time.com/archive/6800797/religion-god-man-at-harvard-2/
[60] Wells, "Opening the Doors to a Pluralistic Church." Beyond Harvard's community, figures from the surrounding community occasionally caused controversy and compromised Jewish Harvardians' sense of security and belonging. Father Leonard J. Feeney was once a prominent Catholic poet and a popular figure among Harvard and Radcliffe students. He founded St. Benedict's Center in 1943. Originally established as an information center for Catholic students, it became the home of "the Slaves of the Immaculate Heart of Mary," a group known for its virulently antisemitic stance. In his publication, *The Point*, Feeney claimed that Harvard was corrupted by "an enemy far more dangerous than McCarthy—the Jews in attendance there." He also suggested that President Pusey was brought in to "pry the Jews loose gently." In addition, Feeney denigrated Harvard as "a place filled with sissies and psychotics, a breeding ground of depravity, disloyalty, and despair." Feeney's stance reached a breaking point in 1953 when the Vatican excommunicated him and his followers for heresy. In 1958, Feeney and his group, numbering approximately 50 individuals, departed from Cambridge. Bernard M. Gwertzman, "Father Feeney Attacks College, Buildings, Jews, Time Magazine," *The Harvard Crimson*, March 29, 1954. John E. Mcnees, "Father Feeny Quits Cambridge; St. Benedict's Center Up for Sale," ibid., January 17, 1958.
[61] Karabel, 483.
[62] *The New York Times*, November 16, 2022. https://www.nytimes.com/2022/11/16/education/henry-rosovsky-dead.html
[63] Nitza Rosovsky, "The Center for Jewish Studies," in *The Jewish Experience at Harvard and Radcliffe* (Cambridge, MA: Harvard University Press, 1986).

That feeling of comfort was expressed by David Guberman '71 JD/MBA '74 (75) who related that although most of his friends were Jewish, being Jewish was "unremarkable" and "not an issue" at Harvard at the time. Marc Granetz '78, JD '86 "reveled in the sheer number of Jews at Harvard" in both the College and at Harvard Law School. On occasion he encountered swastikas in men's bathrooms and heard antisemitic comments, "but for the most part Harvard [was] a place where Jews [felt] much less like a minority."[64] Students were largely united by opposition to the Vietnam War; anti-war solidarity coalesced with a strong American economy and excitement about the achievements and promise of the civil rights movement. Jewish students engaged with Hillel and the Havurah movement (small, intimate prayer and social communities influenced by 1960s counterculture). They also became involved in the Student Struggle for Soviet Jewry, which had been founded in 1964, and in journalistic ventures like the newspaper *Genesis 2*.

The Arab-Israeli Conflict and the Harvard Community Up to 1979

Anthony Lewis' testimony about his time at Harvard mentioned the founding of Israel in 1948 as marking a divide in Jewish self-awareness and self-confidence on campus. David Guberman's testimony described the relief and joy that Jewish students felt across the University after Israel's victory in the 1967 Six-Day War: "Just as Israel was a natural, albeit special, fact of our existence, so was being Jewish." Nor did Israel present a problem for Jewish students who wanted to feel fully accepted at Harvard. Discussions of Israel and the Arab-Israeli conflict in the 1960s and 1970s were engaged and multifaceted, but they were relatively subdued compared to the fervent debates of later years. The intensity of discourse did not remotely match that surrounding civil rights or the Vietnam War.

Debates on Harvard's campus went back to the early 1950s, when, at a Law School Forum in October 1952, columnist Dorothy Thompson and Boston attorney Faris Malouf criticized Israel for being financially supported by American dollars and condemned the Balfour Declaration as "the most double-faced document ever issued by anyone."[65] In response, the prominent attorney Bartley Crum and Rev. Karl Baehr defended Israel's existence and actions. Crum argued that Israel could potentially be "the greatest friend the Arabs ever had" and urged them to accept a cooperative and beneficial relationship.[66] In 1964, Elmer Berger, an anti-Zionist leader and executive vice-president of the anti-Zionist American Council for Judaism, accused Israel of seeking to be recognized as a normal nation while leveraging Zionism to gain international sympathy. Berger believed this approach fostered suspicion and hostility among Arab nations and called for Israel to clarify its position on the global stage, arguing that the United States needed to judge Israel "either as a Middle Eastern state or as a humanitarian venture, but not as both."[67]

Harvard students responded to the June 1967 war between Israel and its neighbors with a mixture of support for Israel, criticism of Arab leaders, and little examination of the war's potential ramifications. Several articles in the *Crimson* highlighted the resolve of Harvard and Radcliffe students who joined the Israel Summer Work Program to support Israeli agriculture and industry during the war. Susan A. Kotlier '70, noted, "It is not a romantic cause…but a matter of conscience" to aid Israel during its time of need.[68] A year after the war, however, Yehudi Lindeman offered a more critical assessment of the war, noting

[64] Rosovsky, 105.
[65] "Dorothy Thompson Debates Israel's past at Law Forum," *The Harvard Crimson*, October 11, 1952.
[66] Ibid.
[67] "Anti-Zionist Leader Accuses Israel Of Creating Tension in Middle East," *The Harvard Crimson*, January 10, 1964.
[68] Anne De Saint Phalle, "Area Students to Aid Israeli Harvest; Volunteers Will Ease Manpower Crisis," *The Harvard Crimson*, June 5, 1967. https://www.thecrimson.com/article/1967/6/5/area-students-to-aid-israeli-harvest/. See also David Blumenthal, "Israel: Three Voices of Ayeleth: Second of two parts," *The Harvard Crimson*, October 19, 1967. https://www.thecrimson.com/article/1967/10/19/israel-three-voices-of-ayeleth-pthere/

Palestinian disillusionment and anger over living under an oppressive occupation. Lindeman painted a somber picture of coexistence marked more by tension than by attempts at mutual understanding.[69]

The relative absence of Palestine from Harvard student discourse in the mid to late 1960s may seem surprising given the emergence at the time of a new left movement that was notably more outspoken and radical than preceding leftist groups. This new wave was emblematic of a generation of students galvanized by the election of President John F. Kennedy and the gradual loosening of McCarthy-era constraints on radical politics. The Students for a Democratic Society (SDS) at Harvard and nationwide epitomized this New Left. The movement resonated deeply within the student body, eventually attracting large crowds to anti-Vietnam War protests.[70]

SDS at Harvard aimed to change American society through participatory democracy and "direct action" on a variety of pressing issues such as labor rights and civil rights.[71] Unlike previous movements that relied on structured leadership, SDS fostered an egalitarian atmosphere with democratic decision-making processes. Despite their radical stance, the group refrained from endorsing violence.[72] When "Proud Eagle Tribe," a revolutionary women's organization, bombed the Center for International Affairs (CFIA), SDS strongly criticized the act despite their criticism of CFIA.[73] Nevertheless, the SDS' activism often brought them into direct conflict with University authorities. One of the most intense confrontations occurred on April 10, 1969, when more than 400 police officers forcibly removed several hundred students occupying University Hall. The raid resulted in the arrest of between 250 and 300 students, with nearly 75 sustaining injuries.[74]

Despite the high level of anti-war and civil rights activism on campus, there was minimal public outcry regarding the Israeli occupation of the West Bank and Gaza following the Six-Day War in 1967. While SDS and other groups were vocal about Vietnam and domestic socio-political issues, the plight of Palestinians did not appear prominently on their agenda. This silence could be attributed to a variety of factors, including low numbers of students from the Global South and a primary focus on Vietnam.[75]

Not unlike the Six-Day War, public responses at Harvard to the 1973 Yom Kippur War — while involving debate on the ramifications of the war and some pro-Israel activism — were muted in comparison with responses to the Israeli-Palestinian conflict in following decades. Several Harvard faculty members, including Nathan Glazer, Seymour Martin Lipset, and Martin Peretz, signed statements advocating for increased support for Israel, expressing concerns about Israel's security, and calling for a comprehensive peace involving all parties in the conflict.[76] However, there were also calls for understanding and addressing Palestinian grievances. A student journalist named Renate Lehmann wrote

[69] Yehudy Lindeman, "Bogeymen in the Mid-East," *The Harvard Crimson*, April 9, 1968.
[70] Daniel J. Singal, "SDS — Harvard's New Left — Feels 'Underprivileged' In Generation Which Prizes Making Own Decisions," *The Harvard Crimson*, June 3, 1966. https://www.thecrimson.com/article/1966/6/3/sds-harvards-new-left-feels-underprivileged-in/
[71] Ibid.
[72] For example, in 1969, a splinter group called the "Revolutionary Youth Movement (RYM)" apparently "broke into the Center for the Study of International Affairs (CIA) [sic] painted the walls with slogans signed SDS, put up a banner identified with SDS, beat up someone, and threw rocks through the windows of the secretaries' offices." SDS denied responsibility for this attack. Beth Harvey, "SDS Not Involved," *The Harvard Crimson*, September 27, 1969. https://www.thecrimson.com/article/1969/9/27/sds-not-involved-pto-the-editors/
[73] "CFIA Bombed," *The Harvard Crimson*, June 17, 1971. https://www.thecrimson.com/article/1971/6/17/cfia-bombed-pat-1238-am-on/. See also "Explosion goes off on Harvard campus," *The New York Times*, October 14, 1970.
[74] "Police Raid Sit-In at Dawn; 250 Arrested, Dozens Injured. Pusey Says Decision Reached at 10 p.m.," *The Harvard Crimson*, April 10, 1969. https://www.thecrimson.com/article/1969/4/10/police-raid-sit-in-at-dawn-250/
[75] Richard Blumenthal, "SDS Shifting From Protest to Organizing," *The Harvard Crimson*, June 15, 1967. https://www.thecrimson.com/article/1967/6/15/sds-shifting-from-protest-to-organizing/
[76] "Several Faculty Members Ask Increased Support for Israel," *The Harvard Crimson*, October 20, 1973. https://www.thecrimson.com/article/1973/10/20/several-faculty-members-ask-increased-support/

movingly about the Palestinians' plight, and this view resonated among parts of the Harvard community, although it was framed as an acknowledgment of the suffering of both sides rather than a unilateral condemnation of Israel.[77] During the war, student activism was overwhelmingly supportive of Israel, taking the form of student volunteering and fundraising.[78]

Conclusion

Throughout the early to mid-20th century, the Jewish presence at Harvard grew and became institutionalized despite the imposition of quotas and ongoing antisemitism. Organizations like the Harvard Menorah Society, Harvard-Radcliffe Hillel, and the Center for Jewish Studies played pivotal roles in fostering a sense of community and belonging for Jewish students. By the 1970s, although antisemitism did not disappear altogether, Jewish student life flourished. Discussions around Israel and the Arab-Israeli conflict were present but did not yet bring that conflict to the campus itself, nor did Jewish students feel that they were victims of antisemitism in the form of anti-Israeli critique.

Israel/Palestine at Harvard During the 1980s: Regional Escalation and On-Campus Tension

The 1980s saw violence increase between Israel and its neighbors, in particular in the Occupied Palestinian Territories and in Lebanon. The escalation in the Middle East also impacted campus debates over Israel, Palestine, and antisemitism. Among the key developments in this period were:

- The 1982 Israel-Lebanon War, which began as Israel — responding to repeated cross-border attacks by militant groups — invaded Lebanon with the stated aim of expelling the Palestinian Liberation Organization (PLO) from the country. The Israeli siege of West Beirut in Summer 1982 and the Sabra and Shatila Massacre of Palestinians in September of that year — executed by Christian Phalangists and backed by Israeli forces — garnered severe censure both internationally and within Israel.
- The first Palestinian uprising — the First Intifada — erupted at the end of 1987 with widespread strikes, demonstrations, and civil disobedience across the West Bank and Gaza. Palestinians also attacked Israeli military targets and Jewish civilians. The Israel Defense Forces (IDF) responded harshly with mass arrests, teargas, and live ammunition.
- Terrorist attacks by Palestinian militant groups spanned the decade and the globe.

Debates at Harvard grew more polarized over this period compared to preceding decades. Student and faculty on both sides organized protests and panels. Despite the increased politicization of the campus, however, discussions of Israel/Palestine tended to focus on specific policies and events rather than champion or condemn an ideological stance. Students and faculty alike distinguished between criticism of Israel's actions and targeting Israel as a whole. Efforts at understanding different perspectives through respectful — if heated — dialogue were prominent and appeared in the form of exchanges in the *Crimson*.

[77] Renate Lehmann, "The Dispossessed in Palestine: The Disinherited: Journal of a Palestinian Exile by Fawaz Turki, New York: Monthly Review Press, 1972," *The Harvard Crimson*, August 7, 1973. https://www.thecrimson.com/article/1973/8/7/the-dispossessed-in-palestine-pbbbefore-the/. Peter Shapiro, "The Middle-East: Do The Arabs Really Want Peace?," *The Harvard Crimson*, February 7, 1974. https://www.thecrimson.com/article/1974/2/7/do-the-arabs-really-want-peace/

[78] Nicholas Lemann, "Answering Israel's Call," *The Harvard Crimson*, October 19, 1973. https://www.thecrimson.com/article/1973/10/19/answering-israels-call-pbradley-bloom-75/. "Harvard Begins Israeli Fund Drive In the Wake of New Mideast Conflict," *The Harvard Crimson*, October 10, 1973. https://www.thecrimson.com/article/1973/10/10/harvard-begins-israeli-fund-drive-in/

While antisemitic incidents did occur at Harvard and in Cambridge, Jewish students did not speak of a general pattern of antisemitism, intimidation, or exclusion. Activism targeted particular speakers or initiatives, not the legitimacy of engaging with opposing views. Students whose sympathies lay primarily with Israel or the Palestinians both attempted to acknowledge complexity and find common ground amid disagreement. Allegations of antisemitism were at times associated with debates over the Israeli-Palestinian conflict but came as well within a different context, that of relations between Black and Jewish students.

The Early 1980s: Responses to the Lebanon War and the Sabra and Shatila Massacre

The Lebanon War, and in particular the Sabra and Shatila Massacre, deeply affected students and communities around Harvard's campus. In the aftermath of the events in the refugee camps in Beirut, several protests and rallies were held.

On September 22, 1982, around 300 people gathered at Holyoke Center for a candlelight vigil organized by the Boston-based Lebanon-Palestine Crisis Coalition. The vigil condemned the "butchery" of Palestinians in Lebanon by Israeli forces and called for an end to US aid to Israel.[79] Meanwhile, about 15 members of the Spartacus Youth League held a smaller protest outside of the Freshman Union, also decrying Israel's involvement in the killings in Lebanon. A counter-protest of about 75 ensued.[80]

Palestinian students at Harvard in particular saw the events in personal terms: Bishara Bahbah, a graduate student from East Jerusalem, referred to the situation in Lebanon as "Holocaust II" and noted that his sister in Beirut had gone missing when Israeli forces surrounded the city.[81] George Bisharat, the president of the Arab Students Society, said there was "deep outrage" among Harvard's Arab community against the Phalange (a Lebanese Christian political party and paramilitary organization), Israel, and the US.[82] Two days later, the Harvard-Radcliffe Zionist Alliance and the Boston-based Lebanon-Palestine Crisis Coalition held rival demonstrations outside the Holyoke Center. Protesters from the Zionist Alliance told the *Crimson* that they themselves were distraught about the events in Lebanon, but they objected to the use of these events to challenge Israel's right to exist and the constant comparison of Israel with the Nazis through references to "genocide".[83] The *Crimson* noted the outrage among Israelis in response to the massacre, and called for an Israeli withdrawal from Lebanon,[84] whereas a dissenting opinion accused the IDF of complicity with the massacre.[85]

In campus debate, some students tried to distinguish between Prime Minister Begin's administration and Israel itself. Organizers of a rally at the Harvard John F. Kennedy School of Government (HKS) protesting an address by the Israeli Ambassador to the US, Moshe Arens, wrote to the *Crimson*:

> Concurrently [to Arens' speech] there will be a vigil outside of Harvard students, faculty and employees who support an equitable and just peace in the Middle East. We wish to make very clear

[79] Adam S. Cohen, "Anti-Israeli Protest Draws 300 To Candlelight Vigil at Holyoke," *The Harvard Crimson*, September 22, 1982.
[80] Ibid.
[81] Bahbah eventually became national chairman of "Arab Americans for Trump." Bishara A. Bahbah, "Arab and Muslim Americans could hand Trump a victory," *The Times of Israel*, June 30, 2024. https://blogs.timesofisrael.com/arab-and-muslim-americans-could-hand-trump-a-victory/
[82] Adam S. Cohen and John D. Solomon, "Conflicting Rallies Highlight Lebanon," *The Harvard Crimson* 1982. https://www.thecrimson.com/article/1982/9/24/conflicting-rallies-highlight-lebanon-pwith-two/. Bisharat eventually became a UC Law San Francisco professor and a prominent supporter of the BDS movement. E.g., George E. Bisharat, "Israel Is Committing War Crimes," *Wall Street Journal*, January 10, 2009. https://www.wsj.com/articles/SB123154826952369919?mod=googlenews_wsj
[83] Cohen and Solomon, "Conflicting Rallies Highlight Lebanon."
[84] "Time to Question," *The Harvard Crimson*, September 29, 1982.
[85] Michael S. Terris, "Beyond Questions," *The Harvard Crimson*, September 29, 1982.

> from the outset that this is not an anti-Israeli rally — on the contrary, it is because of our strong commitment to the secure existence of the state of Israel that we must join the over 400,000 Israelis — both Jews and Arabs — who joined the Israeli Peace Now movement (a movement led by Israeli army reserve officers) in expressing their revulsion, as loyal Israelis, to their government's role in the brutal Phalangist massacre of Palestinian civilians at the Shatila and Sabra refugee camps in Beirut.[86]

Some signers of a faculty petition asking for US aid to Israel to be cut back expressed similar sentiments. Approximately 50 Harvard professors joined more than 450 academics signing this nationwide petition.[87] Harvard historian John Womack Jr. said that they "don't want a cut off all aid… [but rather] to stop aid that Congress itself decides is promoting the aggressive policies" in Lebanon, and Harvard Divinity School (HDS) professor Harvey G. Cox said that his signature "is definitely not an anti-Israel statement" but is "supporting the anti-Begin people in Israel".[88]

The Sabra and Shatila Massacre continued to preoccupy the Harvard community, especially once the Israeli Commission of Inquiry for the events, the Kahan Commission, published its conclusions in February of 1983. George Bisharat '86, the president of the Harvard Arab Student Society, strongly criticized Israel's actions in Lebanon, citing the findings of the Kahan Commission report on the Sabra and Shatila massacres.[89] Conversely, William Marks '83 counter-argued that Bisharat committed "many factual errors through omission and distortion."[90] Eric Stecket '84 then wrote a letter defending Israel and claiming that Bisharat suffered from "muddled thinking."[91] Antony Blinken '84 noted that critiques of Israel do sometimes verge on being "venomous" and "hateful, "such as comparisons of Israelis to Nazis. However, he recognized that some criticism comes from Jews who support Israel.[92]

Comparisons Between Israel and South Africa

During the 1980s tensions arose between Black and Jewish student organizations over how to address the ongoing conflict. The early 1980s saw growing debates about the military and economic ties between Israel and an increasingly isolated South Africa. In 1983, Jesse M. Fried '86 critiqued a planned U.N. conference examining alleged ties between Israel and South Africa.[93] He argued that at the U.N. "anything associated with Israel's existence — from her founding ideology of Zionism to the manner in which she carries out public works projects — tends to prove an acceptable target." Fried claimed that Israel's economic ties to South Africa were relatively small, and that many other countries had stronger economic links yet faced less scrutiny.[94] Later that year, a two-part article by Errol T. Louis '84 presented a different image of close military and economic ties, including extensive arms sales, between Israel and South Africa.[95] Louis suggested that these ties played a role in propping up South Africa's apartheid system. He wrote, "should

[86] Joseph M. Schwartz and Thomas Canel, "Oppose Begin, Not Israel," *The Harvard Crimson*, October 19, 1982. For more about Ahrens's visit see Robert Levey, "Israeli rules out annexing of W. Bank," *The Boston Globe*, October 20, 1982.
[87] Muriel Cohen, "Professors ask halt in US aid to Israel," *The Boston Globe*, November 16, 1982.
[88] Martin F. Cohen, "Professors' Petition Asks U.S. To Cut Back Aid to Israel," *The Harvard Crimson*, November 18, 1982. Eight faculty members also took out a full-page advertisement in *The New York Times* protesting actions by the Israeli government that they said suppressed the academic freedom of Palestinian universities. Their representatives said this action was meant to raise awareness, and they had no further plans at this time. "Petition," *The Harvard Crimson*, April 5, 1983.
[89] George E. Bisharat, "Questioning Israel's Morality," *The Harvard Crimson*, March 5, 1983.
[90] William Marks, "Israel's Morality," *The Harvard Crimson*, March 8, 1983.
[91] Eric Stecket, "Defending Israel," *The Harvard Crimson*, March 19, 1983.
[92] Antony J. Blinken, "Israel's Saving Grace," *The Harvard Crimson*, September 23, 1982.
[93] UN Centre against Apartheid, "International Conference on the Alliance between South Africa and Israel, Vienna, 11 to 13 July 1983," (New York: UN, October 1983).
[94] Jesse M. Fried, "The Same Old Song," *The Harvard Crimson*, May 27, 1983.
[95] Errol T. Louis, "Close Ties," *The Harvard Crimson*, December 1, 1983.

Israel not successfully separate herself from the apartheid state, it may in the long run risk sharing the fate of South Africa."[96]

Louis's article received some support, with Robert A. Watts '84 praising Louis for "making it clear to all who oppose the apartheid regime in South Africa that they must also begin to oppose the foreign and military policies of Israel, the strongest ally of the white supremacist government."[97] However, the article also prompted rebuttals.[98] Jordan B. Millstein '85 questioned the evidentiary basis for Louis's claims and conclusions. He wrote, "Louis … puts together a list of alleged economic and military connections between Israel for its ties with the racist state [and] attempts to justify singling out Israel over other countries for having these relations. This justification fails miserably as his evidence disappears in a cloud of unproven assertions."[99] The controversy continued in the *Crimson* throughout the 1980s.[100]

Tensions increased in 1989 around plans for a conference on "Apartheid's Arc and the Palestinian Uprising," to be held at the Harvard Divinity School.[101] Associate Dean Timothy Cross denied access to the space, citing logistical reasons related to renovations requiring power shutdowns on the proposed date. This decision rekindled the debate in the *Crimson*. Some students and faculty argued the conference should have been allowed in the interest of open discussion and free speech. Others felt comparisons between Israel and apartheid South Africa were misleading and intended to delegitimize Israel rather than enable an honest debate.[102] While one student argued that equations of Israel and South Africa amounted to a form of "Jewish McCarthyism," others maintained the need for open-ended debate allowing speech from various viewpoints.[103]

Debates Over Antisemitism and Criticism of Israel

These conversations raised questions about whether criticisms of Israel's policies, as well as more general anti-Zionist stances, amount to antisemitism. Alan Dershowitz argued that the 1980s had seen "the most pervasive and dangerous proliferation of anti-Semitism in history." While acknowledging that a recent bombing of a Paris synagogue had been attributed to neo-fascists, Dershowitz identified "leftist anti-Semitism" as posing the greater threat. Speaking at Hillel, he claimed the "old poison" of antisemitism had been "rebottled" and relabeled as "anti-Zionism" by leftist groups. Dershowitz singled out the Soviet Union as a major source of this "new propaganda." He said various leftist groups, including some Black, pro-Palestinian, and pro-Iranian organizations, were promoting their causes by attacking Israel. Dershowitz also condemned the UN General Assembly for "sanctioning anti-Zionism under international law" and suggested resolutions critical of Israel would pass the Assembly regardless of their factual veracity.[104]

[96] Errol T. Louis, "Too Close for Comfort," *The Harvard Crimson*, December 2, 1983.
[97] Robert A. Watts, "Israel & South Africa: 'Remarkable'," *The Harvard Crimson*, December 10, 1983.
[98] E.g., Jonathan David, "'Questionable'," *The Harvard Crimson*, December 10, 1983.
[99] Jordan B Millstein, "'Half-Truths' About Israel," *The Harvard Crimson*, December 14, 1983.
[100] Charles T. Kurzman, "No More Excuses," *The Harvard Crimson*, February 10, 1984.
[101] L. Humphrey Walz, "Harvard Divinity School Backs Away from Examination of Israel-South Africa Ties," *Washington Report on Middle East Affairs*, no. January (1990). https://www.wrmea.org/1990-january/harvard-divinity-school-backs-away-from-examination-of-israel-south-africa-ties.html
Joshua M. Sharfstein, "Talking Israel and South Africa," *The Harvard Crimson*, November 1, 1989; Edmund R. Hanauer, "Defending Chomsky's Views on Israeli Policies," *The Harvard Crimson*, November 29, 1989.
[102] Lori E. Fein, "Don't Legitimate Propaganda," *The Harvard Crimson*, November 2, 1989; Ivan Dominguez and Louis Green, "Israel-S.Africa," *The Harvard Crimson*, November 4, 1989; Glen I. A. Schwaber, "Delink Israel and South Africa," *The Harvard Crimson*, November 16, 1989.
[103] Daniel B. Baer, "Israel's Next Plan of Attack," *The Harvard Crimson*, November 7, 1989.
[104] "Anti-Semitism Threat," *The Harvard Crimson*, October 4, 1980.

This sentiment was shared by at least some students. Allen S. Weiner '82, for example, published an article discussing how the Israel-Lebanon conflict in 1982 had increased tensions and anti-Israel/antisemitic sentiments. He argued that at least some criticism of Israel stemmed from underlying antisemitic views:

> Many might balk at the claim that political condemnation of Israel signals the presence of anti-Semitism. Of course, the relationship is by no means categorical — many Jews and Judeophiles themselves, for example, have vehemently attacked Tel Aviv's foreign policy in recent months. And the idea that anti-Semitism could warp people's views on political issues seem distant to most. It's easy to forget that only 40 years ago, one of the most civilized nations on the globe carried out the systematic slaughter of six million people out of pure anti-Semitism. The frequent and sometimes offhand mention of the Holocaust obscures how real, timely, and savage hatred for Jews can be. Hitler's genocide has become just another landmark event, and when someone mentions it, instead of gasping "The Horror!" we chronicle it with the Norman Conquest, the Reformation, and other distant historical happenings.[105]

Scott A. Rosenberg '81 wrote in response that Weiner conflated different identities and groups, such as Jews and Zionists, Israelis and their government. For Rosenberg, equating criticism of Israel and antisemitism injects "extremist rhetoric" into the debate over Israel, Palestinians, and Lebanon. According to Rosenberg, much criticism of Israel is based on legitimate concerns about the policies of then-Prime Minister Menachem Begin's government. Rosenberg also chided Weiner for using "self-pity" in his article, saying that while it may be difficult being Jewish, it has been much harder recently for Palestinians and Lebanese impacted by the conflict.[106]

The Poster Wars

Debates over the Israeli-Palestinian conflict played out through "poster wars" on Harvard's campus in the 1980s. Tensions over text and imagery on material distributed by opposing student groups spurred heated debate over the accuracy and appropriateness of speech.

In April 1981, opponents and supporters of American aid to Israel distributed competing leaflets around Harvard's campus. Members of the Harvard-Radcliffe Zionist League (HRZL) responded to leaflets criticizing unconditional US aid to Israel that had been distributed by a group calling itself the Committee of Concerned Americans (CCA). The CCA leaflets stated that American aid had "subsidized Israeli policies that are stumbling blocks to peace." In response, HRZL members including Rona G. Shapiro '83 and Peter A. Bronstein '82 held an "emergency meeting" where they drafted pro-Israel pamphlets entitled "Israel Represents Our Best Interests in the Middle East." The pamphlets aimed to "inform people how important Israel is to American foreign policy," according to Bronstein. When asked, CCA representatives refused to provide information about the nature and views of their organization.[107]

In March 1988, the Harvard-Israel Public Affairs Committee (HIPAC) began posting pro-Israeli fact sheets around campus to provide context for news coverage of the Palestinian uprising against Israeli occupation of the West Bank. However, Adam Sabra '90, president of the Society of Arab Students (SAS), called the posters "almost racist" and criticized their assertions that the conflict in Lebanon showed "Arab intolerance toward non-Islamic religious groups" and the "impossibility of a [Palestinian Liberation Organization] democratic, secular state."[108] Dina Abu-Ghaida — future co-founder of the Palestine Solidarity

[105] Allen S. Weiner, "Behind the Mask," *e Harvard Crimson*, November 8, 1982, https://www.thecrimson.com/article/1982/11/8/behind-the-mask-pbibt-hasnt-been/

[106] Scott A. Rosenberg, "A Matter of De nition," *e Harvard Crimson*, November 18, 1982.

[107] Jacob M. Schlesinger, "Leaflet Conflict Outside Yard Centers on U.S. Aid to Israel," *The Harvard Crimson*, April 4, 1981.

[108] Spencer S. Hsu, "Pro-Israeli Posters Stir Debate," *e Harvard Crimson*, March 10, 1988.

Committee at Harvard — asked "What has to happen for them to understand us [Palestinians]? ... Yet again, the Jews and the Arabs seem not able to talk to one another."[109]

HIPAC apologized "for the poor wording of the remark" about Arab governance, and highlighted that "the purpose of these pamphlets is not to promote controversy or stifle debate, but to encourage meaningful intellectual discussion on the subject."[110] The SAS then posted fact sheets of their own, including one listing Palestinian grievances and one depicting an Israeli soldier slapping an unarmed Palestinian woman.[111] When challenged by pro-Israel students, the SAS clarified they opposed only the Israeli occupation, not Israel's existence, and depicted scenes solely from occupied lands. The SAS insisted that they sought open discussion rather than condemnation and accused pro-Israeli students of employing "hackneyed arguments" and "accusations prey[ing] on base assumptions."[112]

The Late 1980s: Debates Expand to Local Politics

When the first Intifada flared, debate about Israel intensified both at Harvard and in Cambridge. In Fall 1988, a debate emerged over "Question 5" on the Cambridge ballot for forthcoming elections. Question 5 called for US Representatives to vote "in favor of a resolution calling upon Congress to stop all expenditure of US funds for Israel's occupation of the West Bank and Gaza." The resolution also demanded that Israel end its violations of Palestinian human rights and advocated the establishment of an independent Palestinian state "with peace for all states in the region, including Israel."[113]

The issue sharply divided opinion. Michael "Trig" Tarazi '89, president of the SAS, supported Question 5, saying "The United States does determine what is going on when they give $45 billion to one side in a conflict and not the other."[114] However, others like Ellen L. Chubin from Americans for Peace in the Middle East opposed it, arguing the referendum "simplifies a very complex situation." She said, "I think the phrase 'peace in the Middle East' was distorted in the question", adding that most voters likely agreed with the question's peaceful-sounding intentions, but also "didn't go so far as to analyze the specific program that was proposed."[115] A debate was held between James J. Zogby of the Arab-American Institute and Alan Dershowitz, with both sides accusing the other of bias. The debate, held in the Science Center, was closed to the public and limited to members of the Harvard Community and invited guests. It included hisses and shouts from audience members, along with insults between Zogby and Dershowitz.[116] Question 5 was endorsed by faculty like biologists Ruth Hubbard, Richard Lewontin, and George Wald and historian Everett Mendelsohn, who wrote that "having campaigned against racism in our country, apartheid in South Africa, the iron fist of Pinochet, the atrocities of the Khomeni regime and against funding of Contra terror and death squads in Central America, [they] cannot turn a blind eye to the oppression visited upon the Palestinian people as they try to end Israeli occupation."[117]

[109] Hsu, "Pro-Israeli Posters Stir Debate."
[110] Glen I. A. Schwaber, Joseph Enis, and Laura E. Fein, "HIPAC," *The Harvard Crimson*, March 14, 1988.
[111] Matthew M. Hoffman, "Posters Spur New Debate Over Israel," *The Harvard Crimson*, April 6, 1988.
[112] Trig Tarazi et al., "No Anti-Israel Campaign," *The Harvard Crimson*, April 13, 1988.
[113] Madhavi Sunder, "Aid to Israel Debated; Forum Closed to Public," *The Harvard Crimson*, November 4, 1988. The referendum came under attack from Jewish groups who claimed Israel is being singled out compared to its neighboring countries. Phillip van Niekerk, "Middle East issues come to ballot box," *The Boston Globe*, September 20, 1988.
[114] Sean P. Mclaughlin, "Congress Members Lead Opposition to Question 5," *The Harvard Crimson*, November 1, 1988. Tarazi ultimately became a legal adviser to the PLO. Michael Tarazi, "Two Peoples, One State," *The New York Times*, October 4, 2004. https://www.nytimes.com/2004/10/04/opinion/two-peoples-one-state.html?searchResultPosition=7
[115] Kelly A. Matthews, "Cambridge Votes Yes on 5," *The Harvard Crimson*, November 9, 1988.
[116] Sunder, "Aid to Israel Debated; Forum Closed to Public."
[117] Ruth Hubbard et al., "Condemning Oppression," *The Harvard Crimson*, November 5, 1988.

On November 8, Cambridge residents voted on Question 5. It narrowly passed by a margin of 19,173 to 17,441.[118] Supporters like Tarazi saw this as the "first time anything questioning Israel's politics has passed on the grass-roots level."[119] Others like Jonathan Savett '90 lamented the tenor of the debate on campus and expressed the wish that the community continue "discussion — exchanges of opinions through letters, yes, but better yet through personal contact, and even better yet everyone should take a break from opinion-ramming and just concentrate closely on what actually happens during the coming weeks."[120]

Antisemitic Incidents on Campus and Beyond

Over this decade, antisemitic incidents like threatening graffiti and vandalism against Jewish structures appeared sporadically on Harvard's campus and in the surrounding area. For example, in 1980, Hillel posters in Pennypacker Hall dormitory at Harvard were defaced with swastikas and antisemitic graffiti, according to Rabbi Ben Zion Gold, who noted that "prejudices are part of the human situation" and such incidents "hurt many segments of this country."[121] In 1982 and 1983 swastikas occasionally appeared on the Jewish Law Students Association's (JLSA) bulletin boards and announcements. JLSA member David M. Mirchin speculated that " a lot of the inhibitions about being insensitive to Jews that existed for a long time after World War II no longer exist," and that "In a certain way, anti-Semitism is okay."[122] In 1984, Ellen Resnick discovered that her mezuzah had been removed from her door at Currier House. She was disturbed by the possibility that a member of the Harvard community deliberately removed it due to antisemitic sentiment. She found it particularly troubling that this could have happened during the Christmas season, which historically has been a time of increased ill will towards Jews in Europe. Resnick said Harvard deserves its reputation for tolerance, but this "subtle gesture" showed an "appalling and unacceptable private prejudice" that she had not previously observed. She worried that if such sentiments remain private and hidden, manifesting only in isolated acts, it would be difficult to rationally challenge them.[123]

This increase in antisemitic incidents was part of a regional trend. In 1982, a sukkah built by Yale students in New Haven was destroyed by vandals, though Judah Shechter '85 dismissed the idea of active antisemitism, suggesting it was "probably just drunken vandalism."[124] In the same year, a sukkah at Brown University was vandalized in what administrative assistant Sharon E. Cohen considered "a deliberate and partially anti-Semitic act."[125] Boston University experienced several other instances of anti-Jewish graffiti and vandalism.[126]

As disturbing as these events were, the reaction from students known for being highly critical of Israel was supportive of their Jewish classmates. In 1983, 16 student organizations (including the Arab Student Society, the Black Law Students Association, and the Third World Coalition) issued a statement condemning an antisemitic incident at Harvard Law School (HLS):

> A couple of weeks ago, swastikas, the symbol of Hitler's Third Reich, were scrawled across three posters advertising Jewish activities at Harvard Law School. Last fall, someone etched a swastika into the Jewish Law Student Association Bulletin Board. As members of the Harvard Law School

[118] Matthews, "Cambridge Votes Yes on 5."
[119] Ibid.
[120] Jonathan Savett, "Question 5," *The Harvard Crimson*, November 19, 1988.
[121] Stacey L. Mandelbaum, "Pennypacker Meets To Discuss Recent Anti-Semitic Graffiti," *The Harvard Crimson*, November 13, 1980.
[122] "Swastikas," *The Harvard Crimson*, March 3, 1983.
[123] Ellen Resnick, "Bigotry," *The Harvard Crimson*, January 23, 1984.
[124] "Sukkah Destroyed," *The Harvard Crimson*, October 16, 1982.
[125] "Jewish Structures Vandalized At Three Ivy League Schools," *The Harvard Crimson*, October 23, 1982.
[126] "Anti-Semitism," *The Harvard Crimson*, December 8, 1987.

> Community, we are outraged by these abhorrent expressions of anti Semitism. We join together in condemning the intolerance and hatred that motivated these acts of vandalism.[127]

Controversial Visitors on Campus

Some of the more fervent debates of the 1980s emerged around controversial speakers, both on the Palestinian and the Israeli side. A 1983 visit by Hassan Abdul Rahman of the PLO at HLS sparked significant tensions. While initial reporting suggested that pro-Israel students attempted to prevent the talk from taking place, William Marks '83 argued that around 200 students demonstrated "to oppose the PLO's tactics and ideology, not to prevent Rahman from speaking."[128] Organizers of the event critiqued the news coverage of the event as an endorsement of PLO tactics, arguing that Abdul-Rahman's invitation "represents no statement of approval or disapproval of the aims and methods of the PLO, about which the respective organizations have differing views. But it does represent our firm affirmation of the right of representatives of the PLO to engage in direct dialogue with the American public, and to represent its aspirations and policies in its own terms."[129]

Rona Shapiro '84 of the Harvard-Radcliffe Zionist Alliance expressed dissatisfaction with how the talk by PLO official Hassan Abdul-Rahman was carried out. She argued Jewish students were not given adequate notice and questions from the floor were not allowed, "stacking the cards" against alternative viewpoints. About the atmosphere at the talk, she wrote:

> I arrived with my appropriate placard and screamed my position while inside. Rahman and his supporters screamed theirs. Our individual identities were subsumed in our flags and titles, leaving no room for a common ground or the search for one. What we witnessed instead was a debate of hatred. I would argue that we learn very little from such screaming, that we merely reinforce established prejudices.[130]

Shapiro proposed that a series of co-sponsored speakers from different perspectives could have fostered mutual understanding.[131]

However, members of the Hillel Steering Committee claimed that the heckling "was not a planned part of the protest but stemmed from the emotional pride of the anti-PLO students" and admitted that "the audience should have ideally exercised more self-control."[132] Furthermore, the Committee pointed out that their objection was to Rachman and the PLO specifically, but not to Palestinian rights:

> During the protest outside the marchers held signs that said "Palestinians — Yes, PLO — No" and the only full round of applause that Rachmun received followed his remarks that the rights of all people in the region should be respected. We protested the PLO's maximalism and rejectionism, not the human rights of Palestinians. The two should not be confused. The Middle East problem is horribly complex and no simple solutions will solve it, and there is no room for an organization predicated on the destruction of Israel.[133]

[127] American Indian Law Students Association et al., "Anti-Semitism," *The Harvard Crimson*, March 4, 1983.
[128] William Marks, "'Anti-Jewish'," *The Harvard Crimson*, April 29, 1983.
[129] George E. Bisharat, "Rahmun's Speech," *The Harvard Crimson*, May 4, 1983.
https://www.thecrimson.com/article/1983/5/4/rahmuns-speech-pbto-the-editors-of/
[130] Rona Shapiro, "Stacked Cards," *The Harvard Crimson*, April 29, 1983.
https://www.thecrimson.com/article/1983/4/29/stacked-cards-pbto-the-editors-of/
[131] Ibid.
[132] Jeffrey R. Mendelsohn et al., "Another View," *The Harvard Crimson*, May 4, 1983.
https://www.thecrimson.com/article/1983/5/4/another-view-pbto-the-editors-of/.
[133] Ibid.

The Committee expressed the wish for better dialogue and understanding between the sides on campus: "We must not allow an artificial division to develop between the groups who protested and those that sponsored the speech … Misunderstandings grow all too easily in an environment of mutual ignorance. To avoid this, we must be willing to talk and listen to each other as students and as peers."[134]

In 1984, the Harvard Black American Law Students Association (BALSA) also hosted a panel discussion featuring a representative from the Palestinian Liberation Organization (PLO). When Jewish students from the Jewish Law Students Association (JLSA) attended, outnumbering BALSA members, the BALSA moderator Muhammad Kenyatta refused to recognize any questions from White or Jewish students.[135] This led professors Martin Kilson and Orlando Patterson to argue that BALSA had violated norms of free speech and fairness. They wrote:

> The ugliness of Mr. Kenyatta's behavior, cowardly acquiesced in by Afro-American students associated with BALSA, is especially shocking, in light of Black Americans long and bitter experience with racist victimization and brutalization. It is hard to believe that Mr. Kenyatta's and BALSA's knowledge of this experience is so shallow and unsophisticated that they could transform the occasion of the PLO's UN representative's talk into one of the vilest assaults on the norms of fairness and free speech to occur at Harvard in many years.[136]

Along with Alan Dershowitz, Kilson and Patterson asked President Derek Bok and HLS to condemn and censure Muhammad Kenyatta and BALSA.[137] BALSA defended the event as private, in order to minimize counterprotests, though they acknowledged inviting JLSA to observe. They rejected the notion that inviting a PLO representative was tantamount to supporting terrorist acts.[138] Kilson continued arguing that discussion of Palestinian issues at Harvard must respect norms of fairness and free speech.[139]

Tensions rose further in 1985 when a letter criticized the Harvard Radcliffe Black Students Association (HRBSA) for having invited a Libyan official to a conference on campus, describing it as an "outrage" given Libya's oppression.[140] The letter accused Black students of supporting Muslim oppression of Jews by sympathizing with Palestinians. Accusations of "Black racist intellectual anti-Semitism" were levied against HRBSA. Joachim Cario Santos Martillo-Ajami '78 argued Jewish groups should deny assistance to all Black groups until HRBSA "cleans up its act."[141]

Jewish and Israeli speakers were also a source of controversy. In 1985, Meir Kahane threatened to sue Harvard Hillel if he was not allowed to speak on campus. Kahane, who advocated expelling Israel's Arab citizens, was told he was not welcome at Hillel due to the organization's refusal to engage with the racist and violent views of Kahane's Jewish Defense League. However, Hillel later changed its decision, allowing Kahane to enter the building and speak.[142]

Four years later, pro-Palestinian demonstrators protested the presence of Israeli Major General Amram Mitzna as a fellow at Harvard's Center for International Affairs (CFIA). Mitzna had overseen Israeli military operations in the West Bank from 1987-1989. The protesters, organized by the Cambridge

[134] Ibid.
[135] "Minority Priority," *The Harvard Crimson*, April 26, 1984.
[136] Martin Kilson and Orlando Patterson, "Condemnation," *The Harvard Crimson*, April 25, 1984.
[137] Ibid.
[138] Black Law Students Association, "HJLSA: Wrong," *The Harvard Crimson*, April 28, 1984.
[139] Martin Kilson, "BLSA," *The Harvard Crimson*, May 1, 1984.
[140] Mohammed Abdul-Assiz, third secretary to the Libyan mission, had been invited to the Third World Conference on Human Rights, which took place in February 17, 1979. Sarah M. Mcgillis, "Third World Conference Criticizes U.S.," *The Harvard Crimson*, February 17, 1979. https://www.thecrimson.com/article/1979/2/17/third-world-conference-criticizes-us-pspeakers/
[141] Joachim Cario Santos Martillo-Ajami, "Anti-Semitism," *The Harvard Crimson*, April 2, 1985.
[142] Gil Citro, "Hillel to Allow Talk By Uninvited Rabbi," *The Harvard Crimson*, November 7, 1986.

Coalition for Palestinian Rights, accused Mitzna of human rights abuses and considered him a "war criminal."[143] HIPAC argued that criticism of Mitzna, seen as a moderate in Israel, was unfounded and that denying him the fellowship would amount to censorship.[144] The anti-Mitzna protesters said their goal was to get Mitzna to leave Harvard, end US aid for alleged "Israeli oppression," and pressure Israel to stop "atrocities" in the occupied territories. Counter-protesters said the Coalition aimed to impose censorship and discourage dialogue.[145]

Being Jewish and Zionist at Harvard

During the late 1980s, debates around Jewish identity and support for Israel were at times fierce. In a November 1989 op-ed in the *Crimson*, John Larew '91 criticized what he termed "Zealots," whom he defined as American Jews who supported Israel unconditionally and rationalized alleged human rights violations. Bemoaning the "poster wars" on campus, he described "Zealot" behavior thus:

> Once during my first year, a Palestinian student posted a sign on the entryway bulletin board that showed an Israeli soldier beating an unarmed Palestinian woman with the butt of his rifle. Within hours, a Jewish student in the entryway had torn the poster down. When the Palestinian confronted her about the incident, the Jewish student responded, "I'm sorry, but I just couldn't bear to see it there." During my sophomore year, I saw a similar reaction in Winthrop House. Another bulletin board, another poster, the same photo. Someone had written across the photograph in huge letters: "BULLSHIT!" The gesture was more pathetic than vexing. Some poor student wore ideological blinders so thick that he or she dismissed an indisputable photographic record of Israeli brutality as "bullshit." Those who took Psychology 1 may recognize this phenomenon as the mental defense mechanism known as "denial." The facts conflict with their beliefs, therefore the facts do not exist.[146]

In response, Donald Seeman '89 argued that Israeli policymakers often faced a difficult choice between "evils" and felt a military occupation, though "evil," was preferable to threats against Israel's existence from groups like the PLO.[147] Glen I.A. Schwaber '91 rebutted Larew in a letter affirming his support of Israel and accusing Larew of twisting the words of others to suit his arguments.[148]

More general questions about Jewish identity and integration into campus also emerged in the late 1980s. In 1989, Jonathan S. Cohn criticized the newly formed Jewish fraternity Sigma Alpha Mu at Harvard. In an article called "Life Isn't a Kosher Deli", Cohn argued the fraternity went against Harvard's goal of diversity, saying it promoted the idea that "Jews should only socialize with other Jews."[149] In response a student of South Asian background wrote that Cohn's criticism was unfairly harsh and "hinted at antisemitism." It presented student-driven social organization as a wellspring of diversity, not an obstacle to it. In this view, minority students have a natural need to engage with others from their own backgrounds as part of their integration into broader social networks.[150]

Amidst the flare-ups of tension regarding the Israeli-Palestinian conflict came attempts to facilitate respectful exchanges of perspectives on the topic. In 1984, Harvard hosted an Israeli-Palestinian symposium organized by Professor Herbert C. Kelman, who had been working on Israeli-Palestinian

[143] "News Briefs," *The Harvard Crimson*, September 28, 1989.
[144] "Israeli General Sparks Protest: Demonstrators Divided on Mitzna's Fellowship at CFIA," *The Harvard Crimson*, October 7, 1989.
[145] Ibid.
[146] John L. Larew, "Israel's Worst Best Friends," *The Harvard Crimson*, November 29, 1989.
[147] Donald Seeman, "Israel Chooses the Lesser of Two Evils," *The Harvard Crimson*, November 30, 1989.
[148] Glen I. A. Schwaber, "The Defense of Israel Is No Vice," *The Harvard Crimson*, December 2, 1989.
[149] Jonathan S. Cohn, "Life Isn't a Kosher Deli," *The Harvard Crimson*, October 11, 1989.
[150] Madhavi Sunder, "Need to Go National?," *The Harvard Crimson*, October 17, 1989.

issues for over a decade. The symposium brought together a high-level delegation from Israel, including Knesset member Yossi Sarid, the leader of the delegation and a prominent dove in Israel's Labor party. On the Palestinian side, the delegation included Professor Walid Khalidi, a renowned scholar and founder of the Institute of Palestinian Studies in Beirut, as well as scholars from the West Bank and Gaza.

Israeli journalist Dalia Shehori, who attended the symposium, saw it as "one of the most encouraging gatherings ever" in the history of Israeli-Palestinian conferences. Shehori noted Professor Khalidi's relief upon accepting the political framework presented by Sarid. Shehori saw the symposium as "a reminder that there are still in Israel people who hold the right direction" toward peace.[151]

In November 1989, Palestinian academic and activist Taysir Aruri spoke at Harvard's Jefferson Hall. Aruri, who had been deported from the West Bank by Israeli authorities earlier that year, told the 80 attendees that residents in Israel, the occupied territories, and the broader Middle East increasingly supported a resolution involving two independent states. Aruri, who was touring the US sponsored by Amnesty International, noted that the Intifada had shifted attitudes toward a separate Palestinian state and changed the dynamics of the Israeli occupation. He believed that under a peace agreement, the independent Palestinian state and Israel could develop economic and diplomatic ties that would benefit both peoples. The Progressive Jewish Alliance and Harvard's Society of Arab Students organized the event.[152]

In December 1989, Arab and Jewish students at Harvard sought to find common ground and ease tensions through open discussion. Students from, among other groups, the New Jewish Agenda and the American-Arab Anti-Discrimination Committee came together for a conference in Boylston Hall, After splitting into small groups, participants reconvened for a larger discussion. They agreed the best path forward was through education — creating a joint task force to increase understanding between their communities. Ideas proposed included hosting lectures at local high schools and pairing Jewish and Arab-American community members. The students also discussed jointly lobbying the US government to redefine its aid to Israel. "I think it's something very helpful, the fact that 40 Jews showed up to talk about this issue," said Majed Tomeh of the American-Arab Anti-Discrimination Committee.[153]

Conclusion

Debates around the Israeli-Palestinian conflict at Harvard in the 1980s reflected the rising tensions and polarization occurring regionally during the period. The discourse on campus featured debates over specific Israeli policies and attempted to distinguish appropriate criticism from a blanket delegitimization of Israel and criticism of the PLO from discussion of Palestinian rights. While tensions occasionally flared between Jewish and Arab student groups, efforts also emerged to develop understanding through dialogue.

While concerns about antisemitism did arise during the 1980s, they did not dominate the public discourse surrounding Middle East discussions. Instead, many speakers critical of Israel strove to distinguish their critiques of specific policies from broader condemnations of Israel as a whole. Individuals and groups were often careful to clarify their points if there was a risk of misinterpretation. The decade saw a concerted push toward informed debates that sought to draw clear lines between policy critique and antisemitic rhetoric.

[151] Dalia Shehori, "Mid-East at Harvard," *The Harvard Crimson*, February 27, 1984.
[152] Francesca E. Bignami, "Middle East Peace Possible," *The Harvard Crimson*, November 21, 1989.
[153] "Arab and Jewish Groups Talk of Common Ground," *The Harvard Crimson*, December 4, 1989.

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Jews at Harvard in the 1990s: Tension and Dialogue with Pro-Palestinian and Black Student Groups

> TO THE EDITORS
>
> February 26, 1994
>
> We were shocked and appalled to hear of the horrific tragedy that occurred yesterday when an Israeli settler brutally massacred more than 40 people in a mosque in Hebron. The killings occurred during the holy month of Ramadan and were directed against innocent people in prayer. It is hard to conceive that one human being is capable of such unthinkable evil. We extend our deepest condolences to the families of those murdered and to the entire Arab and Islamic community. We pray for a world free from such violence.
>
> — *Elie G. Kaunfer '95 Chair, Coordinating Council Harvard-Radcliffe Hillel*[154]

> TO THE EDITORS
>
> March 6, 1996
>
> The Harvard/Radcliffe Society of Arab Students would like to express its deep regret for the loss of innocent civilian lives during the latest attacks in Jerusalem and Tel-Aviv. We sincerely hope that the Palestinians and Israelis will continue their quest for a just and lasting peace.
>
> — *Ramy M. Tadros '97, President Harvard/Radcliffe Society of Arab Students*[155]

These two letters, written by Jewish and Arab students respectively in response to murderous violence in the West Bank and Israel, demonstrate the capacity of Harvard students during the 1990s for mutual sympathy and understanding despite political differences. For Jewish students, the decade was marked less by concern about antisemitism from pro-Palestinian students than by broader debates over free speech — what kinds of statements might be deemed offensive to the Jewish community, and who had the right to make that determination. To be sure, events in the Middle East directly impacted the Harvard campus, e.g., the 1991 Madrid Peace Conference and the 1993/1995 Oslo Accords, the assassination of Prime Minister Yitzhak Rabin; numerous terrorist attacks in Israel; the 1996 opening of the Temple Mount Tunnel and the ensuing riots and severe Israeli response; and the negotiations of the Wye River Memorandum in 1998. These occurrences reverberated on Harvard's campus, stimulating debates and student activism. But relations between Jewish and Black students were especially fraught and more likely to elicit accusations of antisemitism.

Balancing Free Speech with Protection from Harassment

Harvard took part in the national controversy of the late 1980s and early 1990s about ensuring free speech on campus while protecting students from harassment.[156] In September 1988, HLS adopted new free speech guidelines in response to previous disruptions of talks by controversial speakers.[157] HLS described the guidelines as an attempt to balance future opportunities for speakers to present their worldviews and

[154] Elie G. Kaunfer, "Appalled at the Hebron Killings," *The Harvard Crimson*, February 26, 1994. (The actual number of Muslims murdered by the perpetrator, Baruch Goldstein, was 29.)
[155] Ramy M. Tadros, "Arabs Regret Loss," *The Harvard Crimson*, March 6, 1996.
[156] At Yale, for example, Yale President Benno C. Schmidt asserted that defacing a Jewish student's door with swastikas was "unlawful harassment," whereas Yale College Dean Donald Kagan initially said that the defacers were protected by freedom of expression. John L. Johnson, "Anti-Semitism, Free Speech Controversy Erupts at Yale," *The Harvard Crimson*, November 5, 1991.
[157] Crystal Nix, "Contra Chief's Harvard Appearance Disrupted," *The New York Times*, October 4, 1987, 1.

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allow protesters the right of dissent.[158] In 1990, FAS followed suit and approved comprehensive Free Speech Guidelines aimed at safeguarding the principles of free expression within the academic community. The guidelines emphasized that the long-term benefits of a robust marketplace of ideas outweighed the short-term discomfort of potentially offensive views. They outlined procedures for managing disruptions, including issuing warnings and removing individuals who persist in disruptive behavior, and acknowledged the need for security measures to protect these freedoms. In order to maximize freedom of expression, the guidelines made clear that sanctions for violations would be based on the nature of the infraction rather than the content of speech.[159]

As the Faculty considered how to implement the guidelines, some argued that speech amounting to the harassment of minorities needed to be curtailed for the benefit of the academic environment. Daniel E. Mufson, for example, asked the University to assert "the importance of academic freedom as well as the need for an educational environment in which that freedom can be enjoyed."[160] The president of the *Crimson* pointed out that "harassment of minorities is a detriment rather than an addition to the 'marketplace of ideas.'"[161] Conversely, critics of these restrictions described them as overreaches that stifled free expression.[162]

The debate over free speech versus protection from harassment was evident in campus discussions on antisemitism and controversies over activism connected to the Israel/Palestine activism. Tensions surfaced over the freedom to invite controversial speakers to campus and the publication of materials critiquing Israel, which some perceived as bordering on antisemitism.

The Pro-Israeli and Pro-Palestinian Communities at Harvard

In the 1990s, Harvard's Jewish community was thriving in every respect. On the organizational side, Hillel functioned as not only a religious space but also a cultural and social hub for Jewish life on campus. Rabbi Sally Finestone, acting chair of Harvard-Radcliffe Hillel, noted that Jewish students felt integrated into campus life, stating, "I don't think Jews feel like guests at Harvard anymore."[163]

In 1997, a Chabad House was established at Harvard. It sought to provide an informal, welcoming environment for Jewish students to explore their heritage through classes, discussions, and Shabbat experiences. Chabad reached out to Jewish students who were not already involved in campus Jewish life.[164] Leaders Rabbi Hirschy Zarchi and Elkie Zarchi reported that students appreciated the opportunity to take a break from the competitive campus environment and engage with Judaism in a meaningful way. Within six years, Rabbi Zarchi attained official Jewish chaplain status on campus.[165]

[158] Seth A. Gitell, "Harvard Law School adopts new 'free speech' guidelines," *The Boston Globe*, September 25, 1988.
[159] Harvard University Faculty of Arts and Sciences, *Free Speech Guidelines, as adopted by the Faculty of Arts and Sciences on February 13 and May 15, 1990* (1990). https://hwpi.harvard.edu/files/facultyresources/files/fs_guidelines_1990.pdf
[160] Daniel E. Mufson, "Free Speech Stops at Harrassment," *The Harvard Crimson*, February 7, 1990.
[161] Julian E. Barnes, "PRESIDENT'S NOTE: An Open Letter," *The Harvard Crimson*, May 4, 1992. https://www.thecrimson.com/article/1992/5/4/an-open-letter-pearly-this-morning/
[162] Lori E. Smith, "Frank Defends Free Speech: Comments Draw Fire at Law School Seminar on Bigotry," *The Harvard Crimson*, February 12, 1990; "Nye Free Speech Report: Censure, Don't Censor," *The Harvard Crimson*, February 13, 1990.
[163] Anna D. Wilde, "Harvard Is A 'Home' For Jewish Students: Students Say Past Prejudice Is No Longer a Barrier," *The Harvard Crimson*, November 16, 1992.
[164] "Introducing the Leaders of the Future to their Past: A new Chabad House opens its doors to the Harvard community," *Chabad.Org News*, March 5, 1999. https://www.chabad.org/news/article_cdo/aid/407/jewish/Introducing-the-Leaders-of-the-Future-to-their-Past.htm
[165] Sue Fishkoff, *The Rebbe's Army: Inside the World of Chabad-Lubavitch* (New York: Knopf Doubleday Publishing Group, 2009), 101-05; Samuel C. Heilman, *The Rebbe: The life and afterlife of Menachem Mendel Schneerson* (Princeton, NJ: Princeton University Press, 2010), 7.

Throughout the 1990s Harvard featured a lively pro-Israel community that put on events and advocated on issues related to the Israeli-Palestinian conflict. The events ranged from rallies and demonstrations to cultural celebrations and visits by high-profile politicians. In response to SCUD missile attacks on Israel in January 1991, some 200 people gathered in front of Widener Library to show solidarity with Israel. In October 1994, Harvard Hillel held a vigil on the steps of Widener Library to mourn the victims of a terrorist bombing in Tel Aviv. Israeli foreign minister Shimon Peres spoke to an audience of some one thousand at Memorial Hall in February 1994.[166] In October 1996, Harvard Students for Israel held a demonstration advocating for negotiations amidst Israeli-Palestinian violence sparked by the opening of the Temple Mount Tunnel in Jerusalem.[167] A 1999 conference on "Boston, Israel, and YOU!," co-sponsored by the American-Israel Public Affairs Committee (AIPAC) and Harvard Students for Israel (HSI), provided advice from lobbyists, analysis, and politicians on how Harvard's Jewish students could become future leaders.

These acts of celebration and advocacy did not go unanswered. When Einat Wilf, the HSI chair, wrote a piece for the *Crimson* defending Israel and its efforts to attain peace with its neighbors, she received criticism as well as support from fellow affiliates.[168] The criticism reflected mounting frustration with Israel's occupation of the West Bank and Gaza, frustration that led three undergraduate students to establish the Palestine Solidarity Committee. According to one of the organizers, Dina N. Abu-Ghaida '91, this new group aimed to be "very visible on campus" and actively supported a two-state solution, differing from the Society of Arab Students (SAS), which Abu-Ghaida noted was "primarily a cultural group."[169] Abu-Ghaida, a Palestinian born in Damascus and who had lived in Beirut, Amman, and Vienna before coming to Harvard, said that the outbreak of the intifada and the Gulf War left her with "no choice but to respond." She referred to both hostility from Jewish students and positive experiences with the Progressive Jewish Alliance, with whom she worked to build bridges between concerned Arabs and Jews.[170] Other pro-Palestinian activists, including Imraan Coovadia '92, reported facing hostility on campus, and Rhoda A. Kanaaneh '92 noted frequent removal of PSC posters. Lucas P. Barr '91 described a hostile atmosphere where actions like spitting at pro-Palestinian demonstrators reflected an "anti-Arab sentiment" among the community.[171]

Like pro-Israel students, supporters of the Palestinian cause organized rallies, issued public statements, and held conferences. In October 1991, some 35 people gathered in front of Widener Library to protest the killing of 19 Palestinians by Israeli police. The event was led by members of SAS and the Subterranean Review, a leftist campus publication. Imraan Coovadia '92, a protest organizer, described the incident as "an inexcusable massacre." Protestors carried signs saying, "Economic sanctions on Israel now," "Stop Israeli genocide against Palestinians" and "End the Israeli occupation now."[172] In October 1996, more than 80 people participated in a vigil in front of Holyoke Center to protest Israeli violence against Palestinians. Participants chanted slogans like "Self-determination, end the occupation!" Ramy M. Adeeb '00, a member of the Harvard-Radcliffe Society of Arab Students said: "As a human being, I am here to say I

[166] Sarah J. Schaffer, "Israel's Peres to Visit Harvard Next Week," *The Harvard Crimson*, January 24, 1994; Sarah J. Schaffer, "Peres Stresses Peace, Security," *The Harvard Crimson*, February 19, 1994.
[167] "Pro-Israel Students Rally for Peace," *The Harvard Crimson*, October 4, 1996. For background, see Serge Schmemann, "10 MORE DIE IN MIDEAST RIOTS AS VIOLENCE ENTERS 3D DAY; MOSQUE IS SCENE OF A CLASH," *The New York Times*, September 28, 1996, 1.
[168] Einat Wilf, "Israel's Independence Day," *The Harvard Crimson*, May 5, 1995.
[169] Tracy Kramer, "Pro-Palestinian Group Planned: Campus Organization Will Focus on Political Agenda," *The Harvard Crimson*, October 25, 1990. https://www.thecrimson.com/article/1990/10/25/pro-palestinian-group-planned-pfrustrated-by-the/
[170] Seth A. Gitell, "Searching for an Identity and a Homeland: Dina N. Abu-Ghaida '91," *The Harvard Crimson*, June 6, 1991.
[171] Kramer, "Pro-Palestinian Group Planned: Campus Organization Will Focus on Political Agenda."
[172] Jonathan Samuels, "Students Protest Israeli Killings," *The Harvard Crimson*, October 11, 1990.

don't agree with this destruction of the peace process."[173] Complaints about anti-Palestinian media bias were published in the *Crimson*.[174]

Not only speech but also imagery was a source of contention between students in rival political camps. After an early 1990 incident where posters supporting Palestinian university students in the West Bank were removed or defaced on campus, economist David S. Landes argued that while the posters were provocative to some, their removal violated principles of free speech. While acknowledging both the concerns of pro-Israel students and the right to express support for Palestinians, he questioned how universities should handle such contentious displays.[175]

Another controversy erupted around a poster campaign by the Harvard-Radcliffe Committee on Palestine (COP) in December 1990, commemorating the third anniversary of the outbreak of the intifada. On December 10, COP placed posters around Harvard Yard and student Houses with messages like "As a center of protest this university has been closed. — Israeli Military Command" and "You have 48 hours to evacuate before this house is demolished. — Israeli Military Command." Within hours, most of these posters were removed. COP members Dina Abu-Ghaida '91 and Rhoda Kanaaneh '92 wrote to the *Crimson*, claiming this was a "stark violation of [their] freedom of speech on campus" and an attempt to "stifle any Palestinian self-expression or form of protest."[176] Adam Taxin '93 responded, arguing that the posters were "vicious propaganda" designed to "defame the Jewish state and its supporters." He suggested that COP intended for the posters to be removed quickly so they could "gain martyr status" and draw parallels between Harvard and Palestinian universities.[177]

In April 1992, SAS reported that posters advertising their event about the psychological effects on Palestinian children under Israeli occupation in the West Bank and Gaza Strip were repeatedly removed shortly after being put up. This incident, along with similar occurrences over the past two years, prompted SAS to place an advertisement in the *Crimson* to announce their event. Laila Sahyoun '94 and Leith Masri '94, representing SAS, expressed concern about this "disturbing violation of its freedom of expression" and called on those responsible to "reconsider their actions." The letter writers viewed these incidents as deliberate attempts to suppress their voice on campus.[178]

Cartoons in the *Crimson* also set off controversies. On October 16, 1990, the paper published a cartoon by Oliver Chin titled "Wailing Wall Indeed ...", depicting an Israeli soldier with an M-16 rifle standing unmoved next to a dying Palestinian at the Western Wall. In a letter dated October 18, Glen Schwaber '91 argued that the cartoon perpetuates harmful stereotypes about Jews and trivializes both the sanctity of the religious site and the loss of life in the conflict. Schwaber contended that the cartoon oversimplifies a complex situation and unfairly places blame on one side. To illustrate his point, he asked readers to imagine a hypothetical cartoon showing Palestinians attacking Jewish worshippers, suggesting that such an image would be considered offensive if directed at Muslims or Islam.[179]

Conversely, a cartoon by Paul Tarr, published on February 13, 1991, depicted the Palestine Liberation Organization (PLO), Palestinians, and Arabs in a manner that some readers found offensive. Samia Mora '92, Dina N. Abu-Ghaida '91, and Shaden M. Tageldin '92 criticized the cartoon for portraying Palestinians as "either raving, maniacal monsters or weak, flailing dim-wits, or both," depicting the PLO

[173] "At Vigil, 80 Protesters Decry Israel's Actions," *The Harvard Crimson*, October 3, 1996.
[174] Rhoda Kanaaneh, "Pro-Israel Bias," *The Harvard Crimson*, October 11, 1990; Leila Suwwan de Felipe and Waqaas Fahmawi, "U.S. Media Misrepresent Palestinians," *The Harvard Crimson*, October 22, 1996.
[175] David S. Landes, "Palestinian Posters," *The Harvard Crimson*, January 4, 1990.
[176] Dina Abu-Ghaida and Rhoda Kanaaneh, "Palestinian Group's Rights Violated," *The Harvard Crimson*, December 17, 1990.
[177] Adam Taxin, "Posters Were Vicious Propaganda," *The Harvard Crimson*, December 17, 1990.
[178] Laila Sahyoun and Leith Masri, "SAS Posters Were Removed," *The Harvard Crimson*, April 10, 1992.
[179] Glen Schwaber, "Cartoon Offends," *The Harvard Crimson*, October 18, 1990.

as "a modern Nazi equivalent" that wishes to "gas the Israelis," misrepresenting the goals of the PLO and the nature of the Palestinian intifada, and portraying Palestinians as "two-faced hypocrites." They argued that Tarr's cartoon promoted "Orientalist attitudes" and hindered a deeper understanding of the region's issues.[180] Tarr later reflected on the challenges cartoonists face when addressing sensitive topics, noting that "even the most delicate cartoon on racial issues has the potential to offend someone." He acknowledged the historical context of racist stereotyping in media while defending his right to critique political positions, including those of the PLO.[181]

Given the divisions between pro-Israel and pro-Palestinian student organizations and individuals on campus, it is not surprising that there were confrontations between them. However, confrontations were often accompanied by gestures of correction, apology, and sympathy towards the opposing side. Three episodes — the debate over the revocation of UNGA Resolution 3379 in 1991, the Cave of the Patriarchs massacre in 1994, and the assassination of Israeli Prime Minister Yitzhak Rabin in 1995 — illustrate how, despite deep-seated differences, both groups also made steps to understand and address each other's perspectives in moments of conflict and tragedy.

In December 1991, there were heated debates over the question whether Zionism constitutes racism, mirroring the contentious global discussion ignited by the move to repeal the 1975 U.N. Resolution 3379 that had equated Zionism with racism.[182] The SAS distributed flyers describing Zionism as racism, to which several Jewish students responded. Richard A. Primus '92 wrote, "Being a Zionist, I was upset that someone else had decided to define my political ideology for me. Being an anti-racist, I was upset that someone had attributed an odious mindset like racism to me … Zionism is a part of my identity. To call it racism is to call my identity racist."[183] He argued against non-Jews making proclamations about Jews' beliefs, as well as SAS members' apparent refusal to dialogue with campus Jews. The Harvard-Radcliffe Hillel Coordinating Council echoed Primus's sentiments. Daniel J. Libenson '92 and Shai A. Held '94 voiced the Jewish community's concerns, with Held emphasizing that equating Zionism with racism wrongfully labels an entire cultural and religious identity. They found it particularly troubling that, amid a broader push for dialogue and understanding between identity groups on campus, other groups would circulate materials that they perceived as equating their identity with racism. "This is not to say that all Jews feel equally passionate about Israel or nationalism in general", the wrote. "As in any free society, we all have different feelings about the extent to which the national part of our ethnicity is important in our lives. Still, a yearning for Zion (a Biblical name for the land we now call Israel) permeates every level of Jewish worship and community."[184] Members of the Harvard Radcliffe Zionist Alliance, the Harvard Israel Political Affairs Committee, and the Progressive Jewish Alliance jointly issued a condemnation as well. They wrote that "it is insulting to have to defend one's nationalism, especially to people who cannot find a harsh word to say about Arab countries which torture and kill their own people, and do not let Jews into (Saudi Arabia) or out of (Syria) their countries. But because the SAS has decided to undermine the

[180] Samia Mora, Dina Abu-Ghaida, and Shaden M. Tageldin, "Tarr's Message Was Offensive," *The Harvard Crimson*, February 16, 1991.
[181] Paul Tarr, "Race, Rats and political Cartoons," *The Harvard Crimson*, May 6, 1991. https://www.thecrimson.com/article/1991/5/6/race-rats-and-political-cartoons-pbab/
[182] Paul Lewis, "U.N. Repeals Its '75 Resolution Equating Zionism With Racism," *The New York Times*, December 17, 1991.
[183] Richard A. Primus, "Zionism isn't racism," *The Harvard Crimson*, December 17, 1991.
[184] Daniel J. Libenson and Shai A. Held, "SAS's Attack on Judaism," *The Harvard Crimson*, December 19, 1991. Additionally, the Harvard Gulf Arab Alliance similarly criticized SAS for endorsing the belief that Zionism is a form of racism, calling it a "fossilized belief." They criticized the society more generally for having extreme political positions and suggested that its homogeneously Palestinian makeup has diverted it from its original purpose of promoting Arab culture and serving the Arab community at Harvard. Bader A. El-Jeaan, "A Society of Pan-Arabists," *The Harvard Crimson*, December 19, 1991.

peace process and further the dreams of destroying Israel at a time when our thoughts should be of peace and mutual understanding, we are forced to respond."[185]

SAS members responded in two separate letters. Three members wrote a letter claiming they had been misunderstood: "The aim of this fact sheet was to present to the Harvard community the adverse consequences of the policies stemming from the Zionist ideology. These policies have undeniably resulted in discrimination against the Palestinian people."[186] They reiterated that their intent was not to attack Judaism or Jewish people and expressed disappointment that their own attempts at fostering dialogue and mutual understanding had been overlooked.[187] These SAS members further explained that Zionism, in their view, has led to two diverging outcomes: the establishment of a Jewish homeland, which they support, and the simultaneous displacement of Palestinians, which they oppose. "We do not believe that a people's rights should be sacrificed in order to grant a different people the same rights," they stated.[188] They expressed their ongoing commitment to Palestinian rights, emphasizing that their opposition to Zionism does not equate to opposing Jewish people.

A second group of SAS members wrote a more confrontational letter describing Zionism as a political ideology distinctly separate from Judaism and as inherently discriminatory. They argued that opposing Zionism does not equate to antisemitism, likening it to opposing Nazis without being anti-German. This second group maintained that their distribution of fliers was undertaken to defend principles of truth, morality, and justice. They cited an example involving Ethiopian Jews being evacuated to Israel during the civil war, contrasting with non-Jewish Ethiopians left behind, to argue that Zionism discriminates based on religion.[189]

The 1994 Hebron massacre, where an Israeli settler killed 29 Muslim worshippers and injured many more at the Cave of the Patriarchs,[190] deeply shocked Harvard students across campus. The incident, occurring during Ramadan, drew immediate condemnations from both Jewish and Arab student organizations. Elie G. Kaunfer '95, chair of Harvard-Radcliffe Hillel, expressed the collective distress, stating, "We were shocked and appalled to hear of the horrific tragedy ... it is hard to conceive that one human being is capable of such unthinkable evil."[191] Similarly, Martin Lebwohl '96 and Mayer Bick '95, co-chairs of Harvard Students for Israel, emphasized their condemnation of the violence and reaffirmed Israel's dedication to peace.[192]

Students on campus engaged in exchanges to understand and address the implications of the massacre. "Everyone in the room was incredibly upset, very angry, and just shocked at the actions of this crazy man in Hebron," noted Kaunfer, highlighting the atmosphere at a Hillel gathering.[193] Meanwhile, Hashen E. Montasser '97, an Egyptian Muslim, remarked, "Obviously your sentiments are shocked when this happens, whether the [victims] are Muslim, Jewish, or Christian."[194]

Following the massacre, Harvard students participated in various initiatives to foster solidarity and communication. At the Cultural Rhythms festival, dancers from Hillel wore black armbands to signal

[185] Sharon Fenick et al., "SAS Flier Offends Jews," *The Harvard Crimson*, December 17, 1991.
[186] Hazem Ben-Gacem, Naseem Tuffaha, and Joana Samhoun, "Our Letter Was Misinterpreted," *The Harvard Crimson*, December 19, 1991.
[187] Ibid.
[188] Ibid.
[189] Mohammed Yassin, Leith M. Masri, and Radi Annab, "Zionism Is Racism," *The Harvard Crimson*, December 19, 1991.
[190] Clyde Haberman, "AT LEAST 40 SLAIN IN WEST BANK AS ISRAELI FIRES INTO MOSQUE," *The New York Times*, February 26, 1994.
[191] Kaunfer, "Appalled at the Hebron Killings."
[192] Martin Lebwohl and Mayer Bick, "Act Was Meant to Derail Peace," *The Harvard Crimson*, February 26, 1994.
[193] Geoffrey C. Hsu, "Hebron Attack Stuns Students: Violence Dismays Undergrads," *The Harvard Crimson*, February 28, 1994.
[194] Hsu, "Hebron Attack Stuns Students: Violence Dismays Undergrads."

solidarity. Additionally, intergroup events and discussions were arranged to bridge the divide. Kaunfer mentioned that Hillel reached out to offer support to any memorial services planned by the Islamic Society, emphasizing, "No one at Hillel feels the way this man felt."[195]

Despite divergent perspectives, students largely focused on the need for continued dialogue and mutual understanding. Radi M. Annab '95, president of the SAS, pointed out systemic issues, stating, "It's one thing to have peace between leaders, but it's different having peace in the actual territories."[196] Others highlighted the shared hope for a better future, with Zainab Khan '96 noting her personal fear that such violence could happen anywhere, underscoring the need for empathy and solidarity.[197]

Alongside articles criticizing the media for portraying Arabs as terrorists when clearly fundamentalists of other religion engage in violence,[198] criticizing Israel for allowing settler violence to permeate,[199] and criticizing public speakers for demonizing Israel due to one person's actions,[200] a *Crimson* editorial called for the sides to continue dialogue toward peace. "The peace process has been put in danger by the action of one fanatic. Salvaging it must be the work of many, reasonable people from all sides."[201]

In January 1997, when an Israeli soldier fired his assault rifle at a crowd of Palestinians in Hebron, injuring seven people, students expressed a shared condemnation of violence and reinforced a commitment to the peace process, while also expressing a desire to address and understand the underlying issues while fostering dialogue and cooperation between the communities. David Andorsky '97, Adam Kleinbaum '98, and Yuval Segal '97 of Harvard-Radcliffe Hillel and HSI condemned the act, expressing outrage and emphasizing that such violence opposed the principles of Jewish tradition. They also praised Israeli and Palestinian efforts to manage the situation and underscored the importance of cooperation for peace.[202]

In the aftermath of Israeli Prime Minister Yitzhak Rabin's assassination, the Harvard community displayed a boundary-crossing grief. Many expressed hopes for peace, transcending the polarized environment surrounding discussions on Israel and Palestine. The immediate response featured reactions from different student groups who expressed condolences and a desire to continue Rabin's peace initiatives. For example, the SAS, led by Muna Sukhnan, expressed "deep regret for the loss of Israeli Prime Minister Yitzhak Rabin," and hoped his legacy would be one of peace.[203] Harvard-Radcliffe Hillel echoed the sentiment, condemning the violence that led to Rabin's death but maintaining hope that his dream of peace would not be in vain.[204]

[195] Ibid.
[196] Ibid.
[197] Ibid.
[198] Rami A. Thabet, "Palestinian Anxiety Is Warranted: Even before the Hebron massacre, Palestinians had reason to distrust the Israeli government," *The Harvard Crimson*, March 4, 1994.
[199] Jonathan F. Dresner, "Israel Should Disarm Settlers," *The Harvard Crimson*, March 5, 1994; Hassen A. Sayeed, "Israel Not Without Responsibility," *The Harvard Crimson*, March 7, 1994.
[200] David J. Andorsky, "Knowing Where to Place Blame: One Man Committed a Heinous Act; Why is All Israel Paying the Price?," *The Harvard Crimson*, March 10, 1994. See also "Salvage the Mideast Peace Process," *The Harvard Crimson*, March 1, 1994; Robert Ditzion, "Massacre Must Not Stop Peace," March 11, 1994; Roy Astrachan, "A Patriotic Peace: For Israelis, Avoiding Peace Would Be Treasonous," *The Harvard Crimson*, March 16, 1994; Mayer Bick, "Speed Up the Peace Process," *The Harvard Crimson*, April 13, 1994.
[201] The *Crimson* Staff, "Salvage the Mideast Peace Process," *The Harvard Crimson*, March 1, 1994. Similar sentiments were expressed in some letters to the *Crimson*. E.g., Robert Ditzion, "Massacre Must Not Stop Peace," March 11, 1994; Roy Astrachan, "A Patriotic Peace: For Israelis, Avoiding Peace Would Be Treasonous," *The Harvard Crimson*, March 16, 1994; Mayer Bick, "Speed Up the Peace Process," *The Harvard Crimson*, April 13, 1994.
[202] David J. Andorsky, Adam Kleinbaum, and Yuval Segal, "Jewish World Outraged by Recent Hebron Shootings," *The Harvard Crimson*, January 6, 1997.
[203] Muna Sukhnan, "Arab Students Express Regret," *The Harvard Crimson*, November 6, 1995.
[204] Harvard-Radcliffe Hillel Coordinating Council, "Hillel Mourns Loss of Rabin," *The Harvard Crimson*, November 6, 1995.

Events were held to commemorate Rabin and process the tragedy collectively. Hillel organized a memorial service where more than 500 Harvard community members, including Hillel Director Bernard Steinberg, gathered on the Widener steps and shared their grief. Steinberg described the community's sadness and called for unity.[205]

The assassination also prompted reflective discussions about Israeli society and the implications for peace. Some op-eds pointed to Rabin's death as a turning point, stressing the need to confront violent rhetoric and political extremism within Israel. Samuel J. Rascoff, in his *Crimson* columns, discussed the deeper societal fragmentation that the assassination highlighted and the urgent need for internal peace in Israel. He urged that Israel's path towards peace must also address internal divisions to prevent future tragedies.[206] However, this view was met with criticism from Einat Wilf '96, who argued that Rascoff's perspective questioned the very legitimacy of the Israeli state. Wilf called for a strong reassertion of democratic values rather than reviving external threats like antisemitism to strengthen Israeli society. She emphasized that "Israeli civic society must rest on shared common values such as the agreement to disagree within acceptable boundaries," advocating for unity and responsibility in public discourse.[207]

Commemorative events continued a year after Rabin's death, with students gathering again to reflect on his contributions. Poems and songs by students such as Marnie A. Friedman '99 and Julie B. Geller '97 encapsulated the emotional weight and continued hope for peace that Rabin's life symbolized.[208] Dalia Rabin Pelosoff and Camelia Sadat, the daughters of Rabin and Egyptian President Anwar Sadat, respectively, paid tribute to their fathers' legacies in a poignant forum at HKS, reinforcing the vision for peace that both leaders pursued.[209] Rabin's death thus not only elicited sorrow but also bridged divides, encouraging a collective reaffirmation of peace efforts in his memory.

In these episodes and others, clashes between the communities were also opportunities for dialogue and mutual understanding. Acts of condemnation, regret, and collaboration reflected a shared commitment to peace and reconciliation amid deeply contentious issues. In the *Crimson* on October 18, 1990, Hazem Ben-Gacem '92 of SAS called for peaceful coexistence and mutual understanding. He emphasized the importance of breaking "the psychological barrier between Jews and Arabs on campus" and working collaboratively to advance peace in the Middle East.[210] Efforts towards cooperation were also evident in cultural and artistic endeavors. For instance, in November 1994, Israeli and Palestinian artists collaborated on an art exhibit titled "Prelude to Peace, Israeli and Palestinian Artists Build Bridges" at Dudley House. The initiative was fostered by Ivonne A-Baki, who highlighted the unifying power of art, stating, "I have always tried to unite politics and art for the purpose of furthering peace." Despite the existing tensions, such gatherings were presented by organizers as a testament to the possibility of finding common ground, as organizer Hoda Abou-Jamra pointed out, "We can't let differences in the past ruin the opportunities for the future."[211]

Moreover, there were multiple structured dialogues between groups like the Harvard-Radcliffe Hillel and the SAS. For example, a brunch discussion was held on May 6, 1996, to address the conflict in southern Lebanon. Despite the emotionally charged nature of the topic, Shahm M. Alwir '98 characterized the

[205] Alexander T. Nguyen, "Slain Israeli Leader Eulogized," *The Harvard Crimson*, November 7, 1995.
[206] Samuel J. Rascoff, "Reflecting on a Hero's Death: Rabin's Assassination Raises Questions About Israel, Peace," *The Harvard Crimson*, November 6, 1995.
[207] Einat Wilf, "Rascoff Proposes Odd Solutions," *The Harvard Crimson*, November 13, 1995.
[208] "Speakers Pay Tribute to Rabin," *The Harvard Crimson*, December 4, 1996.
[209] Ibid.
[210] Hazem Ben-Gacem, "A Call for Cooperation," *The Harvard Crimson*, October 18, 1990.
[211] Wilson J. Liao, "Israelis, Palestinians Collaborate On New Dudley House Art Exhibit," *The Harvard Crimson*, November 9, 1994.

meeting as constructive and civil, noting that "all in all, people tried to be very scientific about it."[212] Such dialogues continued throughout the decade, with leaders like Ramy M. Tadros '97 and Yuval Segal '97 expressing a commitment to these discussions despite rising tensions in the Middle East.[213] Students took direct leadership of these meetings. Tadros said in preparation for a meeting, "Last year, [Assistant Professor of Government Eva] Bellin was the mediator, but this year, we decided to have a member from each group chair the meeting."[214] After a 1999 dialogue event, a co-organizer said such meeting will "form the foundation for a positive relationship between Hillel and SAS."[215]

Beyond student groups, the broader Harvard community also engaged in numerous initiatives aimed at fostering dialogue and promoting cooperation in the Middle East. Faculty members played a significant role in these efforts. For over 20 years, Cabot Professor of Social Ethics Herbert C. Kelman led workshops, many of them held at Harvard's Center for International Affairs, aimed at facilitating understanding between Arab and Israeli leaders. Kelman described these sessions as a way to cultivate "the sense of possibility, the idea that problems can be bridged." William A. Graham Jr., a professor of the history of religion and Islamic studies, recognized Kelman's influential role in the peace process, noting, "No one who knows him could be surprised that he would have a hand, direct or indirect, in any eventual solution."[216]

Black and Jewish Relations Throughout the 1990s

There was significant tension between the Black and Jewish communities at Harvard, often centered around issues of free speech and offensive rhetoric in the context of high-profile controversies involving figures such as Leonard Jeffries and Noam Chomsky. These tensions mirrored national issues, including antisemitic statements from the Nation of Islam and conflicts like the Crown Heights riots of 1991. However, both communities made efforts to engage in dialogue and bridge the gaps between them.

In 1992, Jeffries, a professor at the City University of New York, was invited to speak at Harvard by the Black Students Association (BSA), the Black Law Students Association, and the Dubois Graduate Society.[217] Jeffries was well known for making statements perceived as antisemitic and promulgating theories about Jews' world domination.[218] His invitation drew criticism, particularly within Harvard's Jewish community.[219] J. Eliot Morgan '92, a Black Jew,[220] said "it's really important to note just how serious bigotry and anti-Semitism are on Harvard's campus." Morgan attributed the motivation of the BSA to extend the invitation to "the Black student-intellectuals' fascination with racial mythology and their insensitivity toward other oppressed peoples."[221] Morgan, a *Crimson* editor, claimed that during an interview Jeffries "ordered his bodyguards to take Morgan's tapes, when [he] found out that many *Crimson*

[212] "Hillel, SAS Hold Brunch Discussion on Conflict in Lebanon," *The Harvard Crimson*, May 6, 1996.
[213] Nicole W. Green, "Jewish and Arab Groups Continue Discussions," *The Harvard Crimson*, September 30, 1996.
[214] "Student Leaders Will Discuss Violence in Israel: Meeting Will Be Held Between HSI and SAS to Express Views on Netanyahu's Decision," *The Harvard Crimson*, October 8, 1996.
[215] Kyle D. Hawkins, "Hillel, SAS Discuss Middle East Conflict," *The Harvard Crimson*, May 5, 1999.
[216] Ryan A. Hackney, "Prof. Assists Mideast Peace: For 20 Years, Kelman Has Quietly Promoted Negotiation," *The Harvard Crimson*, October 2, 1993.
[217] Stephen E. Frank, "CUNY Professor Leonard Jeffries To Give Lecture," *The Harvard Crimson*, February 1, 1992.
[218] Among other conspiracy theories regarding Jews, Jeffries maintained that Jewish businessmen ran the Slave Trade. Richard M. Benjamin, "The Bizarre Classroom of Dr. Leonard Jeffries," *The Journal of Blacks in Higher Education*, no. 2 (1993). http://www.jstor.org/stable/2962577
[219] Anna D. Wilde, "FBT Discusses Jeffries: Table Hosts Black-Jewish Dialogue," *The Harvard Crimson*, February 10, 1992.
[220] J. Eliot Morgan, "Now is the Time to Protest," *The Harvard Crimson*, February 5, 1992.
[221] Frank, "CUNY Professor Leonard Jeffries To Give Lecture."

executives have Jewish surnames." Then, according to Morgan, Jeffries "threatened to kill Morgan if the interview were published."[222] Jeffries later denied this incident occurred.[223]

Conversely, Hillel Chair Shai A. Held '93 believed that the invitation was not extended with an intention to harm or offend others. He acknowledged that the event "will obviously still be offensive to a great many people" and hoped that it would not affect "the developing dialogue and cooperation" between Hillel and BSA.[224] BSA President Art A. Hall '93 pushed back against criticism, arguing that "by inviting any Black speaker there is the potential of offending somebody because of the fact that these are Black individuals who are making statements that not everybody within the Black community agrees with." Hall said that "even the fact that a Black individual is succeeding, that in itself has been seen in the past as offensive to some people." Hall maintained that BSA does not endorse Jeffries' positions, but rather endorses "his Blackness as a Black individual and a Black intellectual."[225]

During the speech, Jeffries made several controversial remarks, which were met with applause from some Black students — in particular BSA members.[226] *Crimson* editors Allan S. Galper '93 and Kenneth A. Katz '93 wondered why "no Black Harvard student … denounced Jeffries' views in public, and only a handful of Black students were among the 450 demonstrators [against Jeffries' talk] at the protest Wednesday night. If Harvard's Black community is really as diverse as BSA claims, then where are those opposed to Jeffries' views?"[227] A Black student responded by drawing a parallel to the lack of criticism surrounding celebrations of historical figures who were slave owners.[228]

Several days after the speech, the Freshman Black Table (FBT) hosted a discussion on Black-Jewish relations at Harvard.[229] White students emphasized the severity of Jeffries' rhetoric. One said that "there are lots of code words that have been used to insult Jews that are part of [his] consciousness" and that perhaps not everyone would see these "code words" as biased. Another student said he thinks " you have to take the Jewish community's word for it that Jeffries is extremely, extremely offensive."[230]

Only two months later, in April 1992, another significant controversy unfolded involving S. Allen Counter, the Director of the Harvard Foundation for Intercultural and Race Relations. The controversy was sparked by a letter he co-authored with Harvard Foundation Student Committee Co-chair Natosha Reid '93 and published in the *Crimson*. The letter criticized the newspaper's coverage on race relations, accusing it of being biased and unfair and not representing the broader student consensus. It specifically pointed out that "*Crimson* writers active in Hillel have written extensively" on Black-Jewish relations and argued that the *Crimson* frequently cited Harvard-Radcliffe Hillel as being dissatisfied with the Foundation's work. "Recently, students from Hillel have protested Harvard Foundation support of guest speakers such as MIT professor Noam Chomsky who was called "too political " for the Foundation's mandate (Professor Chomsky was invited to the University by the Society of Arab Students) and popular Black 'rap' recording star, 'Chuck D.'"[231]

The letter further claimed that the "most intractable racial conflict has been between Jewish and Black students." It mentioned complaints from Black students who felt that Jewish students attempted to

[222] "BSA Hypocrisy: THE JEFFRIES LECTURE," *The Harvard Crimson*, February 3, 1992.
[223] Kenneth A. Katz, "Revenge of the Ice People," *The Harvard Crimson*, February 7, 2024, 1992.
[224] Frank, "CUNY Professor Leonard Jeffries To Give Lecture."
[225] Ibid.
[226] Wilde, "FBT Discusses Jeffries: Table Hosts Black-Jewish Dialogue."
[227] Katz, "Revenge of the Ice People."
[228] Wilde, "FBT Discusses Jeffries: Table Hosts Black-Jewish Dialogue."
[229] Anna D. Wilde, "Campus Notebook," *The Harvard Crimson*, March 6, 1992, 1992.
[230] Wilde, "FBT Discusses Jeffries: Table Hosts Black-Jewish Dialogue."
[231] S. Allen Counter and Natosha O. Reid, "The Crimson Misrepresented the Harvard Foundation," *The Harvard Crimson.*

"abridge their freedom of choice in speakers" and "manipulate them."[232] This assertion was contentious and led to a strong backlash from Hillel members and other Jewish students. Shai A. Held characterized the letter as "filled with misrepresentations, distortions, and outright lies." He contended that it made "insinuations and accusations which certainly smack of standard anti-Semitic fare," implying a false conspiracy between Hillel and the *Crimson*.

The reaction to the letter led to demands for Counter's resignation, arguing that his role should require greater sensitivity and impartiality in handling intercultural and race relations.[233] Conversely, Matthew C. Weiner defended Counter and criticized those who had, in his view, overstated discrimination against Jews, as such comparisons trivialized the significant discrimination faced by Black students.[234] In response to the backlash, Counter apologized for any misunderstanding caused by his letter,[235] but despite the apologies, a formal complaint was filed, leading to an investigation into Counter's conduct by the University administration.[236]

In December 1994, additional controversy arose at Harvard when BSA invited Anthony Martin, a Wellesley College Africana Studies professor, to speak on "*The Bell Curve* and Other Issues of Racism."[237] Martin, author of *The Jewish Onslaught*, a book alleging Jewish organization attacks on Black leaders and scholars, denying the notion of a Black-Jewish alliance, and claiming Jews played a key role in the slave trade, was a particularly divisive figure.[238] His invitation sparked strong reactions from Harvard-Radcliffe Hillel, whose leaders distributed a letter at Martin's speech denouncing his book as "viciously anti-Semitic."[239]

BSA President Kristen M. Clarke '97 defended the choice, calling Martin "an intelligent, well-versed Black intellectual who bases his information on indisputable fact."[240] BSA Treasurer Joshua D. Bloodworth '97 added that "in inviting him we [BA] were not trying to push the campus to one view, but to open it up to a variety of views."[241] This endorsement intensified the backlash from Jewish students, who felt that Martin's views were not only offensive but also academically unsound. Hillel Coordinating Council Chair Elie G. Kaunfer '95 emphasized that Martin's claims, especially those targeting Jewish texts such as the Talmud, were baseless and promoted antisemitic stereotypes.[242]

The relationship between the BSA and Hillel became strained as a result of the controversy. Many Hillel members were dismayed by the choice of Martin, arguing that there were better-qualified scholars to critique *The Bell Curve*. They viewed the invitation of Martin, who had a history of promoting divisive rhetoric, as an unnecessary provocation.[243] Despite this, both BSA and Hillel leaders expressed a commitment to dialogue.[244]

[232] Counter and Reid, "The Crimson Misrepresented the Harvard Foundation."
[233] Gordon Lederman, "Dissent: Counter Is an Anti-Semite," *The Harvard Crimson*, April 27, 1992.
[234] Matthew C. Weiner, "Counter Is Correct," *The Harvard Crimson*, April 20, 1992.
[235] Wilde, "Counter Apologizes for Offending Hillel: Foundation Director Says He Is Sorry for Misunderstanding Caused by Letter."
[236] Joanna M. Weiss, "University to Investigate Charges Against Counter," *The Harvard Crimson*, May 1, 1992.
[237] Jeff Beals, "Martin Speaks At BSA Event: Hillel Distributes Letter of Protest," *The Harvard Crimson*, December 1, 1994.
[238] Wellesley College publicly repudiated Martin's book and refused to offer history credit for his courses in which this book was assigned. Stephanie P. Wexler, "Anti-Semitic Courses Won't Count," *The Harvard Crimson*, March 18, 1994. See also Alice Dembner, "At Wellesley, a war of words," *The Boston Globe*, January 29, 1994.
[239] Beals, "Martin Speaks At BSA Event: Hillel Distributes Letter of Protest."
[240] Jeff Beals, "Martin Speech Tests Hillel-BSA Relationship: Wellesley Prof. Viewed as Anti-Semitic," *The Harvard Crimson*, December 2, 1994.
[241] Ibid.
[242] Beals, "Martin Speaks At BSA Event: Hillel Distributes Letter of Protest." See also Elie G. Kaunfer, "The Real Reason Martin Is a Bigot," *The Harvard Crimson*, December 5, 1994.
[243] Beals, "Martin Speech Tests Hillel-BSA Relationship: Wellesley Prof. Viewed as Anti-Semitic."
[244] Ibid.

To address the fallout, members of BSA and Hillel organized a meeting to ameliorate tensions and improve communication. During the session, participants were divided into smaller groups led by representatives from both organizations to ensure a balanced dialogue. "I thought I got a better understanding of where the problems arose," said BSA Vice President Alison L. Moore '97. "I think we found several ways the communication could be improved."[245] Co-organizer Michael H. Price '95, former interethnic chair of Hillel, described the discussions as "open and helpful," noting, that in his group "there was definitely interaction. It was not rhetoric, but frank and open conversation." Both Moore and Price emphasized that the event fostered a deeper mutual understanding, with Moore remarking, "I think each side got a better sense of where the other side was coming from." Price also highlighted the commitment of both the BSA and Hillel to continue such dialogues, saying, "I think it's significant that events like this have been occurring quite often in the last two semesters. That is very much due to commitment on the parts of both the BSA and Hillel."[246]

This meeting was only one of several efforts to improve relations between Black and Jewish students. In February 1993 there was a public screening and discussion of the movie "Liberators," which tells the story of Black American soldiers who helped liberate Nazi concentration camps. Dean of Students Archie C. Epps III praised the event, saying, "I think we achieved a level of discussion I could not have imagined. The impact on people was extremely great." He hoped it would help the two communities "retrieve the nature of these interactions" and cooperate as they had during World War II. Hillel Chair Jeremy A. Dauber '95 viewed the event positively, stating, "I'm hoping that we don't define race relations in terms of conflict anymore. We should define it in terms of cooperation."[247] However, some students, like former Hillel chair Shai A. Held '94, cautioned against overemphasizing Black-Jewish relations as a stand-in for all interracial dialogue, saying it "may burden the start of the open discussion between the two communities."[248]

In February 1998, BSA and Hillel co-sponsored an "inter-ethnic discussion" attended by over 100 students. Noah Oppenheim '98, who attended the event, reported that during small group discussions, significant progress was made. He recounted one exchange: "Why don't Jews do more to help other struggling minorities? You of all peoples should understand what struggle is like," a student asked. A Jewish student countered, "Why doesn't your community take more responsibility for its own plight?" Oppenheim described a moment of shared understanding: "The eyes of the black students lit up as they explained that they felt the same uneasiness about their future in this country. As we bonded over our shared sense of exile, one black student did point out a crucial difference: if blacks are ever kicked out, or even just socially marginalized into oblivion, they have no homeland to which to turn."[249]

Thus, despite the significant tensions, the 1990s at Harvard also saw concerted efforts towards reconciliation and dialogue between Black and Jewish students through organized discussions and mutual initiatives like co-sponsored events.

Other Sources of Controversy and Their Effect on Jewish Students

Beyond the specific incidents highlighted earlier, Harvard's campus in the 1990s grappled with broader questions related to antisemitism, free speech, and diversity. Various controversies, such as the Confederate flag and swastika debates, challenges to Hillel's stance on LGBTQ rights, vandalism of

[245] The Crimson Staff, "BSA, Hillel Discuss Groups' Relationship: Organizations Scrutinize Race Issues," *The Harvard Crimson*, December 15, 1994.
[246] The Crimson Staff, "BSA, Hillel Discuss Groups' Relationship: Organizations Scrutinize Race Issues."
[247] Melissa Lee, "How real are Black-Jewish tensions?," *The Harvard Crimson*, February 8, 1993.
[248] Melissa Lee, "Reflect on the Future Of Black-Jewish Relations," *The Harvard Crimson*, February 12, 1993.
[249] Noah Oppenheim, "Between Blacks and Jews," *The Harvard Crimson*, February 27, 1998.

religious structures, and allegations of editorial discrimination at the *Crimson*, underscored the environment of contention and dialogue.

In February 1990, sophomore Jon P. Jiles hung a Confederate flag in the window of his room in Leverett House tower. This act sparked a debate on free speech, tolerance, and racial sensitivity. Initially, the *Crimson*'s editorial team argued that the flag's display was a legitimate, if insensitive, exercise of free speech. The editors advocated for community dialogue to encourage the flag's voluntary removal, stating that "voluntary removal of the flag, not administrative coercion, is the optimal resolution."[250] In contrast, a dissenting opinion by Paul Leonard contended that the Confederate flag represents racial harassment similar to a Nazi swastika. Leonard insisted that the College should compel its removal to maintain an environment free from harassment.[251] Despite a long history of disagreements with Black students at Harvard, in this case Hillel and the BSA were on the same side.

Bowing to pressure, Jiles decided to take down the flag. He acknowledged that the flag, which symbolized Southern friendliness and hospitality to him, had been widely misinterpreted. "Removing the flag seemed like a better way" to represent his values, he stated.[252] Ultimately, Jiles rehung the flag inside his room, out of public view. He lamented that "there's room for a lot more tolerance instead of just talk about tolerance at Harvard." Jiles also emphasized that his intention was never to offend but to showcase the positive aspects of his Southern culture.[253]

Shortly after Jiles, Brigid L. Thomas '92, a transfer student from the University of Virginia, displayed a Confederate flag in her Kirkland House bedroom.[254] She said she was disappointed by Jiles' change of heart, labeling the flag's removal a defeat for free speech and a triumph of "small-minded liberalism."[255] Nigel W. Jones '91, a Black student, contested, "I wasn't going to walk into the Kirkland quad and walk by the Confederate flag every day." Thomas defended her actions as an expression of Southern heritage and free speech, but the controversy intensified as other Confederate flags appeared across campus.[256]

Taking a provocative counter-stance, Jacinda T. Townsend '92, a Black student from Kentucky, crafted a swastika flag with the words "Racism, no" to underscore what she perceived as the flawed free speech argument defending the Confederate flags. Townsend explained her rationale: "If that's not racism, if that's just 'free speech,' then I guess I can hang a swastika."[257] Her display garnered mixed reactions; some viewed it as a powerful statement while others, including members of the Jewish community, found it offensive. Townsend eventually removed the swastika but expressed frustration with Harvard Hillel and the wider Jewish community in a *Crimson* letter: "Harvard Hillel and other members of the Jewish community have chosen not to see the more important goal ... they have chosen not to unite with other communities to eliminate the displays of such racist and odious symbols."[258]

In response, Hillel defended its efforts, emphasizing their alignment with the BSA. Daniel J. Libenson '92, Chair of Harvard/Radcliffe Hillel, clarified, "Hillel has been the most active group on this campus, aside from the BSA, in the protest against the Confederate flags ... As our namesake, the great sage Hillel,

[250] The Crimson Staff, "STARS AND BARS AT LEVERETT: When Free Speech Hurts," *The Harvard Crimson*, February 20, 1990.
[251] Paul Leonard, "The Flag is Harassment," *The Harvard Crimson*, February 20, 1990.
[252] Peter R. Silver, "Student Removes Rebel Flag: Leverett House Free Speech Controversy Comes to a Close," *The Harvard Crimson*, February 22, 1990.
[253] Jon P. Jiles, "Why I Moved the Flag," *The Harvard Crimson*, February 22, 1990.
[254] Gayla and Yared, "Our Own Little War."
[255] Silver, "Student Removes Rebel Flag: Leverett House Free Speech Controversy Comes to a Close."
[256] Gayla and Yared, "Our Own Little War."
[257] Ibid.
[258] Jacinda T. Townsend, "Silencing Speech," *The Harvard Crimson*, April 24, 1991.

said, 'If I am for myself alone, what am I?' We continue to work with the BSA and other minority groups to address issues of sensitivity on this campus."

Most of the issues confronting Jewish students at Harvard during the 1990s involved Israel/Palestine or Black-Jewish relations. But a third problem emerged in 1991, when a conservative Harvard student group called the Association Against Learning in the Absence of Religion and Morality (AALARM) took a hostile stand towards diversity in sexual orientation and, through a chain of circumstances, Harvard Hillel. Responding to AALARM's postering campaign denouncing homosexuality, the Coordinating Council of Harvard-Radcliffe Hillel condemned AALARM's "implied contempt for homosexuals and all attacks on homosexual members of the undergraduate community."[259] In response, AALARM publicly condemned Harvard-Radcliffe Hillel for supporting LGBTQ rights, arguing that such support contradicts Jewish religious teachings. In their words, since "Hillel claims to represent one segment of the Judeo-Christian moral and ethical tradition upon which our society and many others are based," its support of LGBTQ rights is hypocritical. AALARM's co-presidents, E. Adam Webb '93 and Kenneth DeGiorgio '93, asserted in a letter to the *Crimson* that their organization better represented Jewish values than Hillel did, referencing the Bible and the Talmud to support their claim: "The very idea of homosexuality is anathema to the Jewish faith," they wrote. "If AALARM is to be condemned for its belief in the immorality of homosexuality and sodomy, then we merely request that Hillel ascend from shallow hypocrisy and admonish all groups and institutions espousing similar beliefs", they concluded.[260] Richard A. Primus '92, a member of Hillel's Coordinating Council, responded by pointing out the diversity of Jewish beliefs regarding homosexuality and highlighting the historical and cultural context within which Jewish values evolve. He contended that AALARM's approach was fundamentally un-Jewish, reminiscent of "certain Protestant sects" rather than Jewish tradition, which values exegesis and adaptation. He affirmed that Hillel, not AALARM, appropriately represented the Jewish community at Harvard. Primus also critiqued AALARM's claim that Hillel had been "subverted by a radical faction," noting that Hillel's decision to oppose attacks on gay and lesbian students enjoyed overwhelming internal support.[261]

More blatant forms of antisemitism included the vandalism in October 1991 of the Hillel Sukkah. The vandals spent at least an hour removing over 50 bolts, making the structure unstable yet outwardly intact. According to Lori Fein, "Jews who used the sukkah without noticing the damage, such as the children who were the first to enter the sukkah Saturday morning, could have been gravely injured or killed." She concluded that the malicious nature of the act, aimed at causing harm without visible hate symbols, made it "far more hateful and pernicious."[262] Also, in September 1997, an antisemitic poster was found on a kiosk behind Sever Hall at Harvard University, just days after White supremacist flyers had appeared in Harvard Yard. The poster, titled "Harvard Notice," claimed that 40% of Harvard graduate students were Jewish, compared to 2.5% of the US population, and labeled this a "Community Concern."[263]

A final incident worth noting foreshadowed future Jewish student concerns about reverse discrimination on account of perceived Whiteness. In 1998, a controversy erupted regarding the editorial practices and diversity policies at the *Crimson*. The catalyst was an article titled "Counting Noses at *The Harvard Crimson*," written by Justin C. Danilewitz '99 and published in *Commentary* magazine.[264] Danilewitz alleged that he was denied positions on the editorial board and as a columnist due to discriminatory

[259] Richard A. Primus, "Whose Religion Is It, Anyway?," *The Harvard Crimson*, April 17, 1991.
[260] E. Adam Webb and Kenneth DiGiorgio, "AALARM: Hillel Is Hypocritical," *The Harvard Crimson*, April 16, 1991.
[261] Primus, "Whose Religion Is It, Anyway?"
[262] Lori E. Fein, "An Act of Racism," *The Harvard Crimson*, October 3, 1991.
[263] Ethan M. Katz, "Anti-Semitic Poster Found Behind Sever," *The Harvard Crimson*, September 23, 1997.
[264] Justin C. Danilewitz, "Counting noses at the 'Harvard Crimson'," *Commentary*, 1998, Gale.
https://link.gale.com/apps/doc/A20437689/LitRC?u=mlin_oweb&sid=sitemap&xid=68b70e78

practices targeting Jewish students. He described an interview with Valerie MacMillan, a former managing editor of the *Crimson*, where she allegedly remarked that the high percentage of Jewish columnists represented a "problem." Danilewitz cited the position papers of soon-to-be editorial chairs Daniel M. Suleiman '99 and Geoffrey C. Upton '99, who both addressed the need to diversify the staff. Suleiman highlighted that "seven out of ten are white Jews from the tri-state area" while Upton emphasized that "eight of ten columnists are Jewish and just one is not white." Both sought to introduce greater ethnic and ideological diversity.[265]

In response to these allegations, former and current leaders of the *Crimson* defended their editorial decisions. Joshua J. Schanker '98, a former *Crimson* president, responded sharply to Danilewitz's claims: "I feel sorry for [Danilewitz] that he has to make up fictitious quota systems to justify his not getting a position."[266] MacMillan, while acknowledging that the predominance of Jewish columnists had been discussed, asserted that the *Crimson*'s diversity efforts were inclusively aimed at broadening the range of voices, stating, "The *Crimson*'s efforts to diversify are at rock bottom inclusive in nature."[267]

Suleiman and Upton, who took over the editorial board, further defended their actions by pointing out that the number of Jewish columnists actually increased that semester, rising from eight to ten due to the expansion in the total number of columnists. Suleiman also commented on their commitment to varied perspectives: "We need to work harder on ideological diversity, but we're trying hard."[268] The controversy didn't remain confined to campus discussions; it quickly caught the attention of major media outlets, being reported on by the Associated Press, Fox News Channel, and The Washington Post.[269] The editorial chairs, Suleiman and Upton, later issued a printed response in the *Crimson* to counteract Danilewitz's claims, asserting that no antisemitic policies existed and that their focus was on inclusivity and engaging the campus with diverse perspectives.[270]

Conclusion

The 1990s at Harvard witnessed two competing trends. The campus featured both considerable tension between Jewish and pro-Palestinian students, but those students also endeavored to moderate those tensions.

Jewish students continued to feel integrated into the Harvard community. Joey Shabot '01 recalled in an interview a sense that the historical presence of Jews at Harvard was better known and recognized than was the case for students of Muslim or Arab origin:

> I felt like sort of Jewish identity and sort of pro-Israel was the norm in terms of, like, you know, the political norms of the time ... I just felt very accepted … Whereas I don't know that my friends in the Arab or Muslim community felt the same way. It seemed to me that they were relatively more marginalized and less well-understood.[271]

Shabot also acknowledged occasional antisemitic incidents but denied the presence of a consistent pattern of antisemitic behaviors or sentiments:

> And if we saw something like that, or heard that something like that [happened]… I think our reaction would have been like, "what a bunch of wackos," you know? [Our response] wouldn't be a

[265] Ibid.
[266] James Y. Stern, "*Crimson* Criticized In Magazine Article," *The Harvard Crimson*, April 2, 1998.
[267] Ibid.
[268] Ibid.
[269] Harvard *Crimson* Editorial Chairs, "To Our Readers: Setting the Record Straight," *The Harvard Crimson*, May 13, 1998.
[270] Ibid.
[271] Interview with Shai Dromi, 8/13/2024.

> defensive one or one where we felt we had to start to educate the campus that this was just, you know, bad and false and anti-Semitic.[272]

Many potential clashes between the sides were moderated by the level of restraint student activists exhibited. For example, during a 1990 pro-Palestinian demonstration protesting the killing of 19 Palestinians during the Intifada, HIPAC stood by to offer passers-by information about the Israeli side but chose not to counter-demonstrate. HIPAC co-chair Yvette C. Alt '92 explained this decision:

> [HIPAC] felt it was inappropriate to counter-protest … We don't fundamentally disagree with the view that Arabs shouldn't be killed. But through our flyers, we just want to make sure people realize that the Arabs' attack on the Jews at the Wall was premeditated, and that's why we are upset.[273]

One significant concern among the Jewish community was whether outsiders had the authority to determine what constitutes offensive behavior. This issue came to the forefront in various controversies throughout the decade, such as AALARM's condemnation of Hillel's support for LGBTQ rights and the controversy over Leonard Jeffries' speech. But despite these tensions, the 1990s at Harvard also saw concerted efforts toward reconciliation and dialogue. Student groups and administrators organized initiatives like the 1998 inter-ethnic discussion co-sponsored by the BSA and Hillel, which aimed to bridge gaps and foster better understanding among diverse campus communities.

While the next decade saw ongoing efforts toward peacebuilding and bridging differences, these tendencies competed with growing polarization and a declining interest in fostering dialogue among growing factions on campus.

The 2000s: The Second Intifada's Effects on Harvard

The Israeli-Palestinian conflict took a sharp turn for the worse in the early 2000s. Violence within and around Israel and changes in global perceptions about these events energized student activism on US college campuses. Notable episodes include the 2000-2005 Al-Aqsa Intifada/Second Palestinian Uprising; the 2006 Hamas takeover of Gaza; the 2006 Lebanon War; and the Israeli 2008-2009 "Cast Lead" military operation in Gaza.

Two international events also had a great impact on representations of Israel on American campuses. First, the 2001 UN World Conference Against Racism in Durban, South Africa focused intensively on Israel/Palestine. The conference's likening of Israel to apartheid South Africa and Nazi Germany infuriated Israelis and supporters of Israel, and the US and Israel withdrew from the conference in response.[274] For pro-Palestinian actors, however, the conference conveyed legitimate criticisms of Israel's treatment of Palestinians.[275] Second, the Boycott, Divestment, Sanctions (BDS) movement, established in 2005, hoped to pressure Israel to end the occupation of territories captured in 1967, recognize Palestinian national rights, and allow Palestinian refugees and their descendants to return to lands that are now part of Israel.[276] The BDS movement issued guidelines on "anti-normalization," which conditioned joint projects between Israelis and Palestinians on a focus on Palestinian national aspirations and resistance, rather than presenting the situation as a discourse between equal partners. Therefore, projects presenting both

[272] Ibid.
[273] Samuels, "Students Protest Israeli Killings."
[274] Kenneth S. Stern, *The Conflict over the Conflict: The Israel/Palestine Campus Debate*, ed. Nadine Strossen (Toronto: University of Toronto Press, 2020), 77-80.
[275] Yasmeen Abu-Laban and Abigail B. Bakan, *Israel, Palestine and the politics of race: exploring identity and power in a global context*, ed. Abigail B. Bakan, First edition. ed. (London and New York: I.B. Tauris, 2019), 2-4.
[276] For a more recent statement of the BDS movement's goals and tactics, see, "Palestinian Civil Society Call for BDS," *BDS Movement*, July 9, 2005. https://bdsmovement.net/call

Palestinians and Israelis as sharing grief or loss were deemed unacceptable since rather than further the goal of Palestinian liberation, they were perceived as normalizing the current situation.[277]

This global environment affected Harvard as it did other college campuses. Nonetheless, although there were antisemitic incidents at Harvard to which Jewish students responded with concern, antisemitism was not central to how Jewish students framed debates about Israel. Often, accusations of antisemitism were publicly expressed by faculty members such as Lawrence Summers, Ruth Wisse, and Alan Dershowitz rather than the student groups themselves. Pro-Palestinian student organizations often insisted that their critiques targeted Israel's policies and not Israel's existence, distanced themselves from controversial rhetoric or actions, and emphasized the substantive matters fueling tensions in the conflict. Although student groups became more divided regarding Israel/Palestine, attempts at constructive dialogue and understanding differing perspectives also continued.

Protesting Separately, Mourning Together?

As violence escalated in the Middle East during the early 2000s, student activism and debate around the Israeli-Palestinian conflict intensified. Groups like Hillel, the Society of Arab Students (SAS), and Harvard Students for Israel (HSI) held vigils, rallies, and discussions to express their views and mourn casualties on both sides. However, tensions frequently flared as these events took opposite stances. While disagreements were often articulated publicly, concerns about antisemitism were rarely expressed overtly in these contexts. In fact, student groups exhibited caution at various junctures — for example, clarifying that their critiques were aimed at Israeli policies but not at Israel's existence, distancing themselves from activists deemed to be extreme, and seeking understanding and humanization of opposing groups.

Initial student group responses to the Al Aqsa Intifada are a case in point. Over 200 people gathered on the steps of Widener Library on October 9, 2000 — the afternoon of Yom Kippur — for a vigil organized by Hillel's main Jewish denominations. Bernard Steinberg, executive director of Hillel, began by reading a statement co-signed by the rabbis and student leaders mourning the loss of both Israeli and Palestinian lives while supporting Israel's right to self-defense. Rabbi Shai A. Held '94 and Tova A. Serkin '02 recited Psalms, followed by a moment of silent meditation. Rabbi Robert D. Klapper emphasized that vigil organizers took "every precaution not to make this political."[278] Michael Rosenberg '01 noted that "people who gathered here represent a wide spectrum of religious political views. We all share a desire to see prisoners of war returned and to mourn the loss of lives."[279] The vigil concluded with a prayer for the State of Israel, aiming to express Jewish solidarity in the face of violence through communal mourning and calls for peace.[280]

The next day, the Society of Arab Students (SAS) at Harvard University organized a vigil on the steps of Memorial Church to mourn victims of ongoing violence between Palestinians and Israelis in the Middle East. Around 150 people gathered on the steps holding candles to listen to speakers describe the experiences of those affected by the conflict. According to SAS President Rayd K. Abu-Ayyash '01, this event was not intended to be political. A human rights lawyer gave a speech describing a "chain of suffering and violence", and Jane L. Risen '01 read messages from friends of a youth killed in the violence who was quoted as saying "What has the world come to — there are no answers."[281] SAS students also read letters from witnesses including a Palestinian girl in Jerusalem who said she saw a child shot and

[277] BDS Movement, "Anti-Normalization," *BDS Movement*. https://bdsmovement.net/ar/tags/anti-normalization
[278] Melissa R. Brewster, "Yom Kippur Vigil Calls for Peace in Middle East," *The Harvard Crimson*, October 10, 2000.
[279] Ibid.
[280] Ibid.
[281] Margaretta E. Homsey, "Vigil Mourns Mideast Victims," *The Harvard Crimson*, October 11 2000.

expressed hope for "one generation of Palestinian children [to] have a normal childhood."[282] Organizers felt the vigil "brought the Harvard community together" and participant Andrew F. Khouri '03 said that "the most important responsibility is to be 100% objective" and that "both sides must admit that each side has made mistakes."[283] The *Crimson* reported, however, that "Israel supporters" were "distributing inflammatory fliers" in the vicinity of this vigil.[284]

Responding to questions about why the two groups mourned separately, rather than together, Abu-Ayyash said: "It is not because we do not stand together, but simply that different people need a different outlet to mourn." The key stumbling block, he claimed, was Hillel wishing to mourn all killed, including Israeli soldiers. Abu-Ayyash said: "I cannot mourn for an Israeli defense soldier in the same vigil in which I mourn for a 12-year old child ... or a friend of mine who got killed ..."[285] Rita Hamad '03, also of SAS, said that "both groups deserve to be mourned, but not at the same time" and that "that might not be appropriate, but we are all praying for peace." She hoped the crisis would not damage Arab-Jewish relations at Harvard, since if students there could not resolve their differences, it would be unrealistic to expect Arabs and Jews experiencing the crisis itself to do so.[286]

Several people were critical of the decision for Hillel and the SAS to hold separate events rather than a joint one. Specifically, the *Crimson* reported that members of Hillel's Interethnic Committee had sought to hold a joint vigil but that discussions broke down over the delimitation of who, as per Abu-Ayyash's comment above, would be mourned. Nathan Perl-Rosenthal '04, who later became co-chair of Hillel's Interethnic Committee, thought the separate vigils were a "hideous picture" and "unnecessarily and incredibly divisive."[287] Joey Shabot, the former co-chair of Hillel's Interethnic Committee, said he felt "really disappointed" that the groups could not agree on a joint vigil, calling it "a waste of an opportunity."[288] In its editorial, the *Crimson* lamented the decision as unproductive toward the desirable goal of achieving peace in the Middle East.[289] Both Hillel and SAS maintained that the separate vigils did not indicate antagonism between the groups.[290]

Tensions rose further on October 24, when two simultaneous events were held in Tercentenary Theater. HSI held a "Rally in Solidarity with the State of Israel" on the steps of Memorial Church to show support for Israel's handling of the renewed violence and "overtures for peace" that they felt had been "utterly rejected."[291] HSI Vice President Myles Brody '01 said "In general, we felt disappointment that Israel had made overtures for peace, and they had been utterly rejected. So, we felt it was very important to have a really powerful and thoughtful rally to show our support for Israel in a public manner."[292] At the same time, members of the SAS, dressed in black, silently stood on the steps of Widener Library holding signs bearing the names of victims of the recent violence. SAS rally organizer Darryl Li '01 rejected the idea that Israel had made fair overtures for peace, arguing in an editorial that "everyone wants peace, but an unjust peace is both unfair and impractical."[293] Some SAS members took offense to the "overtly political" nature of the HSI event, which featured speeches that SAS took to place blame on the Palestinian population for

[282] Ibid.
[283] Ibid.
[284] The *Crimson* Staff, "Let Us Unite for Peace," *The Harvard Crimson*, October 13, 2000.
[285] Sarah A. Dolgonos and Mildred M. Yuan, "Harvard Reacts to Killings in Middle East," *The Harvard Crimson*, October 13, 2000.
[286] Brewster, "Yom Kippur Vigil Calls for Peace in Middle East."
[287] Imtiyaz H. Delawala, "Middle East Tensions Flare Up on Campus," *The Harvard Crimson*, June 7, 2001.
[288] Dolgonos and Yuan, "Harvard Reacts to Killings in Middle East."
[289] The *Crimson* Staff, "Let Us Unite for Peace."
[290] Dolgonos and Yuan, "Harvard Reacts to Killings in Middle East."
[291] Delawala, "Middle East Tensions Flare Up on Campus."
[292] Ibid.
[293] Ibid.

deaths, including a quote from US Representative Barney Frank '61 saying "It is wholly irresponsible to tell young people to destroy a nation — Israel — and then be surprised when their lives are taken."[294] The political and ideological divisions between the different groups were also expressed in a flurry of opinion articles published in the *Crimson*.

Harvard Hillel's Coordinating Committee also issued a statement on October 18, 2000, calling for an end to the violence, expressing solidarity with Israel, and supporting Israel's right to defend itself. Zayed M. Yasin '01, president of the Harvard Islamic Society, responded while they "agree on several core things" and specifically "that peace is essential", they also maintained that "peace will not be possible without a just peace and without an understanding of the inequities and injustices that have dominated recent Middle East history."[295]

Members of Harvard's Hillel Interethnic Committee continued working to bring the separate Jewish and Arab student groups together for discussion. While HSI members argued that they were always willing to co-sponsor discussion events, SAS refused to hold events directly with HSI due to their ideological differences on the conflict.[296] In an attempt to foster dialogue, the committee organized a private roundtable discussion between about 30 members of Hillel, the Harvard Islamic Society (HIS), HSI and SAS at Adams House to discuss the events of the previous month and how they had played out on campus. However, Rita Hamad '03, then-president of SAS, acknowledged that "It's hard to say your opinion honestly because there are so many people who are going to interpret it as a political agenda. Anything anyone does in this situation can be interpreted as political." "Many people had basically gone into the room knowing what they know and believing what they believe, and nothing really changed," said Zayed M. Yasin '02, president of HIS. Echoing the disappointed tones, Perl-Rosenthal said: "There wasn't some blindingly clear light where we said, 'Oh, God, we've all been so wrong.'" But Myles Brody '01 of HSI said the discussion helped make the "competing claims more than just a distant, ideological battle" by putting "a face and heart behind the opinions with which you disagree." However, Perl-Rosenthal acknowledged that "a lot of it is mistrust" between the groups, and that trust must first be formed for any positive relationship to begin.[297]

Student groups at Harvard attempted to foster constructive exchanges between Jewish and Arab students, but they encountered major obstacles. At dialogue sessions held in Lowell House and Mather House in late 2003, strong disagreements and heated rhetoric often flared up between participants. Rami Sarafa '07 of the Palestine Solidarity Committee felt figures like pro-Palestinian Joachim Martillo, a former Harvard student, and Eric Trager '05, then president of Harvard Students for Israel, expressed directly opposed views that made constructive dialogue challenging. Conversely, others — in particular, graduate students — felt unable to speak freely, believing that sharing pro-Israel views could hurt their careers.[298] The cancellation of a planned visit by former Israeli Air Force commander Dan Halutz to campus further risked escalating tensions. Sarafa noted that "Imagine if PSC and SAS and HIPJ [the Harvard Initiative on Peace and Justice] wanted to bring a Hezbollah military commander … Do you think Harvard would allow that?"[299] As Nayla

[294] Ibid.
[295] Benjamin D. Grizzle, "Hillel Issues Its Stance on Mideast," *The Harvard Crimson*, October 18, 2000.
[296] Delawala, "Middle East Tensions Flare Up on Campus."
[297] Ibid.
[298] Daniel J. Hemel, "You Say You Want a Resolution?," *The Harvard Crimson*, December 4, 2003. https://www.thecrimson.com/article/2003/12/4/you-say-you-want-a-resolution/
[299] Another controversial incident centered around Major General Doron Almog, a senior fellow at Harvard's Belfer Center. A private British lawyer, Daniel Machover, initiated legal proceedings in the UK on behalf of a Palestinian human rights group seeking the arrest of Almog for alleged war crimes committed during his command in Gaza. Machover applied to a British judge, who approved an arrest warrant for Almog. Although the warrant was not executed before Almog left the UK, Machover later gave a talk at HKS criticizing the University for providing a haven for suspected war criminals like Almog. Machover

Hamdi '05 of the student dialogue efforts observed, "there was definitely a lot of tension" at events, though most participants remained willing to continue civil discussions even outside of sessions.

Others had a more optimistic view of the potential presented by these dialogues. Jessica Marglin '06 maintained that "the more dialogue, the merrier."[300] HSI President Joshua Suskewicz '05 said that the student-led dialogues provided "a means of communication to ensure that we [pro-Israel and pro-Palestinian activists] are not being offensive to one another." As examples of mutually offensive actions, pro-Palestinian students mentioned a beer mug distributed by HSI that said "Party like it's 1948" which they saw as celebrating the suffering of Palestinians in that year. Pro-Israeli students, in turn, referred to a link shared on a HIPJ blog comparing the Israeli Defense Forces to the Nazi military, or Suvrat Raju, a HIPJ member, enthusiastically chanting slogans like "long live the intifada" at a protest. While citing these instances, numerous students emphasized that they sought to understand what was offensive to the other group and to maintain respectful dialogue. David Weinfeld '05 and Nayla Hamdi '05, the student moderators of the dialogue sessions, said their goal was the "humanization" of the conflict through relationship-building between participants.

Nevertheless, attempts to commemorate casualties jointly continued to falter. In December 2006, during the Second Israel-Lebanon War, HSI held a "solidarity gathering" of about 50 people in the Yard to show support for civilian victims of violence in Israel and voice opinions about the conflict. This came in response to weekly vigils organized by the Palestinian Solidarity Committee (PSC) mourning Palestinian deaths in recent violence in the Middle East. Jewish and pro-Israel groups said they had approached the PSC to organize joint vigils mourning both Palestinian and Israeli civilian casualties, but according to HSI President Rebecca M. Rohr '08, the PSC refused and insisted on proceeding with another "politically charged" vigil. In turn, HSI organized the gathering, where demonstrators waved Israeli flags and held signs demanding peace and the release of imprisoned Israeli soldier Gilad Shalit. The Progressive Jewish Alliance had proposed a joint statement of commitment to a "just peace" between HSI and PSC, but the PSC said this was "inappropriate" as the term was not clearly defined and their vigils were not meant to be confrontational. Several PSC members said the politics could not be avoided in mourning Palestinian deaths.[301]

Conversations between Jewish, Arab, and Muslim students continued, but in an informal way. As an active student member of Hillel in this period, recalled:

> Most of the exchange between Jews and non-Jews happened in relatively informal groups. So, the main group was this dialogue group that existed, a Jewish Muslim dialogue group. It felt [there] like you could just do your thing. And if you were interested in kind of building bridges, you would join this group and then you would have these kinds of dialogues, which, you know, were in the form of inter-religious dialogue, Jewish-Muslim dialogue, a little bit tense sometimes … but mostly, I think they were pretty calm. But that was partly because the people who joined these groups were the ones who were the furthest to the left on Israel [at] Hillel.[302]

Despite the increasingly challenging atmosphere, other events promoting dialogue took place over this decade. Examples include:

- Students debated potential solutions for dividing control of Jerusalem's Old City as part of a national "Day of Action" organized by the Union of Progressive Zionists to support the 2007 Annapolis Conference between Middle Eastern leaders. As Harvard College Progressive Jewish Alliance Chair

indicated his intent to make the warrant international. Alexander B. Cohn, "Lawyer Defends Israeli Major's Arrest at KSG," *The Harvard Crimson*, October 20, 2006. https://www.thecrimson.com/article/2006/10/20/lawyer-defends-israeli-majors-arrest-at/

[300] Hemel, "You Say You Want a Resolution?."

[301] Alexander B. Cohn and Siodhbhra M. Parkin, "Mideast Groups Clash Over Vigils," *The Harvard Crimson*, December 7, 2006.

[302] Interview with Shai Dromi, 7/16/2024.

Jaclyn B. Granick '08 noted, the discussion "gave us a taste of what diplomats are going through" in trying to resolve the difficult issues surrounding Jerusalem. Earlier in the day, a game of "Final Status Taboo" held outside the Science Center also aimed to challenge Jewish groups on campus to discuss the hard issues involved in achieving a final peace agreement.[303]

- In January 2009, during operation Cast Lead (2008-2009), around 70 members of the Harvard community gathered for a candlelight vigil mourning the loss of life in Gaza and Israel. The vigil aimed to promote peace and understanding between groups with differing opinions on the conflict. Speakers like Shifra B. Mincer '09 and Sadia Ahsanuddin '09 called for listening to different perspectives and recognizing the humanity on both sides. Mincer stated "The more we ignore others' stories, the more the violence. We have to listen." Ahsanuddin said "It means a lot to see so many groups with so many different opinions and ideas come together. Human life is sacred, and we must remind ourselves that the other side is just as human and as vulnerable as we are." Attendees like Yonit D. Lavin '09 and Alexandra A. Rahman '12 felt the vigil demonstrated support for peace, with Lavin saying "It doesn't mean people don't have very different opinions, but our ultimate goals for peace are the same" and Rahman stating "There is very little a Harvard student can do to help the situation over there politically, but attending the vigil is one of the things we can do."[304]

Few incidents over this decade involved comparisons to Nazism or vandalism of Jewish or pro-Israel signage. In July 2002, Len Meyers of the Boston Spartacist League, a communist organization, gave a speech to fewer than 20 people in a Science Center classroom comparing Israeli leaders to "Nazis" and "terrorists" and calling for socialist revolutions in the Middle East to resolve regional conflicts.[305] In December of the same year, posters in the Science Center put up by HSI promoting pro-Israel views were defaced with slogans like "Palastine [sic] 300 Years."[306] HIPJ and PSC repeatedly distanced themselves from such rhetoric and action.

The Divestment Campaign at Harvard and Larry Summers' Speech

The debate around divestment from Israel at Harvard in the early 2000s exacerbated divisions over the Israeli-Palestinian conflict and raised questions about what constitutes legitimate criticism of Israel and when it crosses the line into antisemitism.

In Spring 2002, a petition was circulated at Harvard calling on the University to divest from companies with holdings in Israel. The petition demanded that Israel evacuate military forces from the occupied territories, end torture, cease building and begin dismantling settlements in the West Bank and Gaza, and allow return or compensation for Palestinian refugees. It called for pressure on Israel through making US military aid conditional on these demands and divesting from US companies that sell arms to Israel and from Israel directly.[307] Eventually, 65 Harvard faculty members signed the petition.[308]

The petition drew strong criticism from some in the Harvard community. Avram Heilman '03, then president of Harvard Students for Israel, described the petition as making "people who support Israel deeply uncomfortable." Heilman called the divestment campaign "unbalanced in such an extreme way that it sickens anyone who is intellectually honest."[309] Hillel student president Benjamin Solomon-Schwartz '03, also of HSI, said that by signing the petition, the house masters had created an uncomfortable

[303] Lucas A. Paul, "Students Debate Israel-Palestine Plan," *The Harvard Crimson*, November 29, 2007.
[304] Shan Wang, "Candlelight Vigil Held For Victims of Gaza Violence," *The Harvard Crimson*, January 9, 2009.
[305] Stephanie M. Skier, "News Brief: Marxists Decry Israeli Policy," *The Harvard Crimson*, July 26, 2002.
[306] Lauren A. E. Schuker, "Israel Posters Vandalized in Science Centers," *The Harvard Crimson*, December 9, 2002.
[307] George Bradt, "Hundreds Support Call For Divestment," May 8, 2002.
[308] David H. Gellis, "Anti-Divestment Drive Gains Steam," *The Harvard Crimson*, May 15, 2002.
[309] Bradt, "Hundreds Support Call For Divestment."

atmosphere for residents in their houses who supported Israel.[310] Students criticized Master Hanson's handling of the situation within Winthrop House, due to the power imbalance inherent in any conversation between him and students.[311]

On September 19, 2002, President Lawrence Summers gave a speech at the first Morning Prayers of the term. Summers warned that antisemitism appeared to be on the rise globally in recent years. He expressed concern that Harvard's campus had not been immune to this trend. Summers cited two specific examples from the previous year. First, he noted the Spring 2002 divestment call. While acknowledging criticism of some of Israel's foreign policies, Summers argued the divestment campaign unfairly singled out Israel. He argued that efforts associated with the petition were "anti-Semitic in their effect if not in their intent."[312] Second, Summers referred to a November 2000 fundraising event held by the Harvard Islamic Society (HIS) to support charities in Palestine. The event had initially planned to donate proceeds to the Holy Land Foundation, but ultimately gave to the International Red Crescent instead due to the US government's claims about Holy Land Foundation's ties to Hamas.[313]

Summers' remarks divided the campus. David B. Adelman '04, president of HSI, praised the speech, saying "Larry Summers has a lot of credibility — a lot of people will listen to him." Robert Leikind of the Anti-Defamation League also welcomed Summers addressing campus antisemitism.

However, Professor Richard G. Heck, a supporter of divestment, criticized Summers, saying that "to lump people who are working for peace in Israel [in] with racists is really unfair." Winthrop House Master Paul D. Hanson, another divestment backer, agreed with Summers on antisemitism but argued the divestment campaign targeted Israeli government policies, not Israel itself. "This is in no way a protest against the State of Israel, but against the Sharon government, the Bush government and their policies," Hanson said.[314,315] Two psychology professors wrote that the petition's goal was to pressure Israel into complying with international conventions on human rights and ending the occupation of Palestinian territories, which they believed would lead to peace.

Supporters argued the petition addressed policy issues rather than making a broader condemnation of Israel, with the petition aiming "to create a secure Israel beside a secure Palestine."[316] "I think we feel that it's self-evident that peace will come with the end of occupation," said Najeeb N. Khoury, a law student who helped organize the petition.[317] Rejecting the accusation of antisemitism, graduate student Taha Abdul-Basser said she "was saddened to see that evidently support of the divestment campaign was being

[310] Gellis, "Anti-Divestment Drive Gains Steam."
[311] Tova A. Serkin, May 22, 2002.
[312] While Summers saw singling out or delegitimizing Israel in a way that increases isolation as a form of antisemitism, his concerns were more broadly physical attacks on Jews, Holocaust denial, and propaganda that promotes prejudice, which anti-Israel activism enhances and legitimates (even if unintentionally). Lawrence H. Summers, "Address at morning prayers," *Harvard Memorial Church*, September 17, 2002. https://www.harvard.edu/president/news-speeches-summers/2002/address-at-morning-prayers/
[313] David H. Gellis, "Summers Says Anti-Semitism Lurks Locally," *The Harvard Crimson*, September 19, 2002; see also Judith Miller, "U.S. Contends Muslim Charity Is Tied to Hamas," *The New York Times*, August 25, 2000.
[314] Ibid.
[315] Ibid. Additionally, some argued that the petition was relatively obscure, and that Summers inadvertently propelled it to the pages of *The New York Times* by mentioning it in his address. Emma S. MacKinnon, "Playing the Divestment Card," *The Harvard Crimson*, February 17, 2006. Heck, who signed the petition, and said he was "very disappointed" that the University president would make such accusations.
[316] Ken Nakayama and Elizabeth S. Spelke, "For Human Rights," *The Harvard Crimson*, September 23, 2022.
[317] Gellis, "Anti-Divestment Drive Gains Steam."

equated with something as ugly as anti-Semitism. Some of the professors who supported the campaign said they saw a difference between the two," and Abdul-Basser said she certainly did, too.[318]

Summers formally dismissed demands for divestment from Israel. In May 2003 he stated, "Members of our community are free as individuals to express their diverse views on the Israeli-Palestinian conflict. The University protects that freedom, and affirms its proper role, by resisting calls to issue institutional judgments on that conflict through the act of divestment."[319] Nonetheless, advocates of the 2002 divestment petition claimed victory in raising awareness of Israel's occupation of the West Bank and Gaza.[320]

The Israel-divestment debates persisted into 2005-2006. At Harvard, the issue was discussed in a heated 2006 faculty meeting at which Professor Professor Ruth R. Wisse asserted that antisemitism and anti-Zionism were inseparable phenomena.[321] Professors like J. Lorand Matory criticized this stance, arguing that criticism of Israel should be permitted and that "all racism and anti-Semitism — whether against Semitic Jews, Semitic Christians, Semitic Druzes or Semitic Muslims — is equally impermissible."[322]

Summers' successor, Drew Faust, maintained a strong stance against sanctioning Israel. In response to the British University and College Union's call to boycott Israeli universities, President Faust strongly condemned the proposed boycott in September 2007. Though 286 other university presidents publicly signed a statement in *The New York Times* denouncing the boycott, Faust wrote her own private letter to the UCU expressing her "strong opposition" on her second day as president. She argued that a boycott would undermine important academic values of open exchange and collaboration. Faust did not sign the public statement due to Harvard's tradition of presidents not signing petitions. However, she made clear that she agreed with the opposition to the boycott and said she joined others in the international academic community in "unequivocally" denouncing an action that would serve no useful purpose.[323]

Over the course of debates around divestment, supporters took care to distance themselves from initiatives that challenged Israel's right to exist or called for its destruction. While the issue remained divisive, with accusations of antisemitism on one side and censorship of debate on the other, most participants focused their arguments on Israel's policies rather than making broader condemnations of it as a state.

Free Speech, Antisemitism and Criticism of Israel on Campus

The Harvard community experienced and engaged with antisemitic incidents throughout the decade. For example:

- In January 2000, antisemitic graffiti reading "Jews own the media" and a swastika were found on street signs near the Freshman Dean's Office and Lamont Library at Harvard.[324]
- In April 2002, a Harvard Law School student sent an anonymous email defending the use of the n-word in response to a complaint about a racial slur used online.[325] This email was then reprinted in an antisemitic flier distributed to law students.[326]

[318] Karen W. Arenson, "Harvard President Sees Rise In Anti-Semitism on Campus," *The New York Times*, September 21 2002. https://www.nytimes.com/2002/09/21/us/harvard-president-sees-rise-in-anti-semitism-on-campus.html
[319] David H. Gellis, "Summers Rules Out Divestment," *The Harvard Crimson*, May 17, 2002.
[320] Ibid.
[321] J. Lorand Matory, "Israel and Censorship at Harvard," *The Harvard Crimson*, September 14, 2007.
[322] Ibid.
[323] Paras D. Bhayani and Claire M. Guehenno, "Faust Condemns Boycott of Israeli Universities," *The Harvard Crimson*, August 14, 2007.
[324] Imtiyaz H. Delawala, "Anti-Semitic Graffiti Surfaces Near FDO," *The Harvard Crimson*, January 12, 2000.
[325] Jenifer L. Steinhardt, "Incidents Draw Law School Response," *The Harvard Crimson*, April 10, 2002.
[326] Stephanie M. Skier, "Letter Bearing Swastika Shocks HLS First-Years," *The Harvard Crimson*, April 3, 2002.

- Leaflets appeared outside some Harvard dorms in 2006, reproducing an essay by Mark Weber arguing that "the crucial factor in President Bush's decision to attack [Iraq] was to help Israel." Weber, a Holocaust denier, confirmed he wrote the essay but said he had no role in distributing the leaflets. However, he was "glad to see them distributed" alongside another leaflet promoting a White nationalist group.[327]
- In May 2005, several hundred Harvard students and other protesters confronted members of the White supremacist group White Revolution outside Faneuil Hall in Boston.[328]
- The *Crimson* faced backlash after running a controversial Holocaust-denying advertisement in their September 8, 2009, issue. The ad, submitted by Bradley Smith of the Committee for Open Debate on the Holocaust,[329] questioned the veracity of the Holocaust by asking readers to provide proof of one person killed in a gas chamber at Auschwitz.[330] The ad sparked outrage across campus, with over 20 emails and a joint letter signed by more than 30 undergraduate students expressing their shock and anger over the implication that Holocaust victims' stories were lies. *Crimson* President Maxwell L. Child '10 acknowledged the mistake, but some students wanted him to offer a more robust apology.[331]

These were isolated incidents without lasting effect. Pro-Israel students at Harvard tended to characterize the campus environment as generally supportive of Zionist viewpoints. As Daniel Shoag '06, senior editor of the *Harvard Israel Review*, stated, "We have strong faculty support." He pointed to professors like Alan Dershowitz and Ruth Wisse as examples. Joshua Suskewiczv '05, president of Harvard Students for Israel, credited Summers' 2002 speech with helping make debate more moderate on campus. As Suskewicz said, "I think that activists on both sides at Harvard have worked to keep [debate] civil and fair-minded."[332] On the other hand, students said they faced intimidation for voicing pro-Palestinian political views. Students pointed out that, while over 300 college presidents signed a letter calling for "intimidation-free campuses," more than 1,700 others opted not to sign due to concerns the letter only mentioned Jewish students and Israel's supporters as facing threats. Conversely, they argued, students of Arab descent also faced hate crimes and censorship — in particular in the aftermath of 9/11[333] (including near Harvard's campus[334]).

Debate over the distinction between free speech and hate speech flared up in response to a planned visit by Tom Paulin, an acclaimed Irish poet and lecturer at Oxford. In early November 2002, the Harvard English department announced that Paulin had been invited to deliver the annual Morris Gray Lecture at Harvard that month. The invitation was extended because of Paulin's accomplishments and standing as a poet and, at the time, the department said they were unaware of Paulin's political views.[335] However, Paulin had made controversial statements in the past regarding the Israeli-Palestinian conflict. In an interview with the Egyptian newspaper *Al-Ahram Weekly* in April, he had called Israel "a historical obscenity." He also said that

[327] John R. Macartney, "Author of Leaflet Comes Forward," *The Harvard Crimson*, April 11 2006.
[328] Kristin E. Blagg, "Students Join Protest of Neo-Nazi Rally," *The Harvard Crimson*, May 9, 2005.
[329] As the Southern Poverty Law Center described it, "Founded in 1987 by Bradley Smith, the Committee for Open Debate on the Holocaust (CODOH) has promoted and published antisemitic and revisionist conspiracy theories under the guise of intellectual authenticity and free speech." Southern Poverty Law Center, "Committee for Open Debate on the Holocaust," *Southern Poverty Law Center*. https://www.splcenter.org/fighting-hate/extremist-files/group/committee-open-debate-holocaust
[330] June Q. Wu, "Holocaust Ad Printed in The *Crimson* Elicits Outrage," *The Harvard Crimson*, September 9, 2009.
[331] Ibid.
[332] Daniel J. Hemel, "Campus Zionists Face Threats, Israeli Warns," *The Harvard Crimson*, November 12, 2003.
[333] Rita Hamad, Shadi Hamid, and Yousef Munayyer, "Free Speech or Intimidation?," *The Harvard Crimson*, November 4, 2002.
[334] e.g., Juliet J. Chung, "Grad Student Assaulted in Alleged Hate Crime," *The Harvard Crimson*, October 1 2001.
[335] Alexandra N. Atiya, "Controversial Poet Will Not Give Lecture," *The Harvard Crimson*, November 13, 2002.

Brooklyn-born Jews who move to Israeli settlements in disputed territories "should be shot."[336] Paulin's poem "Killed in the Crossfire" describes "Zionist SS" shooting "another little Palestinian boy."[337]

When news of Paulin's invitation and these statements spread around campus in early November, over 100 students, alumni and faculty protested. Rita Goldberg, a literature lecturer, began gathering protesters and by email encouraged students not to attend, saying "An audience is oxygen to a poet, and the most effective way of showing your feelings is to deprive him of air."[338] The controversy garnered considerable attention beyond Harvard as well and articles appeared in *The New York Times* and *The Boston Globe*.[339]

Under pressure, the English department initially decided on November 12 that Paulin's lecture would go ahead but there would be a post-lecture forum to challenge him. However, Professor Helen Vendler claims that she and Paulin mutually agreed that his reading would not take place due to concerns that his poetry would not get a fair hearing.[340] This mutual withdrawal was then interpreted as a unilateral departmental cancellation.[341] (The department then announced on November 13 that they had asked him not to come at all, citing concerns about "undue consternation and divisiveness."[342]) President Summers was reported to have privately expressed disapproval of the invitation, while endorsing the Department's freedom to decide who to invite.[343]

Numerous letters to the *Crimson* protested the decision to cancel the forum as a violation of free speech. Particular vitriol was aimed at Summers, who was perceived as pressuring the English department to cancel the event (including a letter by psychology professor Patrick Cavanagh calling him 'Ayatollah' Summers).[344] Then, on November 20, the full English department faculty met and voted unanimously, with two abstentions, to re-invite Paulin, citing concerns that canceling him could undermine free speech.[345] Summers then released a written statement supporting the exchange of ideas at Harvard.[346] Paulin reportedly told the department he was receptive to the renewed invitation, but his visit ultimately did not materialize.

Other controversial events garnered negative attention. In March 2008, Harvard Hillel hosted a "Breaking the Silence" exhibit, which showed photos and testimonies from IDF soldiers about their experiences in the occupied Palestinian territories.[347] Hillel also hosted a panel discussion with four Harvard students who had served in the IDF, along with Oded Na'aman, a former IDF soldier representing "Breaking the Silence." Some of the students were critical of the exhibit. Shira Kaplan '08, who had served in Israeli intelligence, said the exhibit added to anti-Israeli rhetoric and "it just misses the point and creates a

[336] Alexander J. Blenkinsopp, "Poet Flap Drew Summers' Input," *The Harvard Crimson*, November 14, 2002.
[337] Alexander J. Blenkinsopp, "Paulin Likely To Speak in Spring," *The Harvard Crimson*, November 21 2002; Atiya, "Controversial Poet Will Not Give Lecture."
[338] Atiya, "Controversial Poet Will Not Give Lecture."
[339] Edward Rothstein, "CONNECTIONS; Hateful Name-Calling Vs. Calling for Hateful Action," *The New York Times*, November 23, 2002, B; Patrick Healy, "Unwelcome at Harvard," *The Boston Globe*, November 17, 2002.
[340] Helen Vendler, "To the Editor," *The New York Times*, November 28, 2002.
[341] e.g., Atiya, "Controversial Poet Will Not Give Lecture."
[342] Blenkinsopp, "Poet Flap Drew Summers' Input."
[343] The *Crimson* reported that Summers was privately "horrified" by the invitation. Alexander J. Blenkinsopp, "In About-Face, English Dept. Re-Invites Anti-Israeli Poet," *The Harvard Crimson*, November 20, 1002. Conversely, *The New Yorker* wrote that when Buell sought Summers' guidance on the issue, Summers responded that the English Department should do what it sees fit to do, while personally he also thought that "it would look bad to withdraw the invitation," and that if the lecture proceeded, "the department should find a way to dissociate itself from Paulin's views about Israel." Jeffrey Toobin, "Speechless," *The New Yorker* 78, no. 44 (January 27, 2003).
[344] Patrick Cavanagh, "'Ayatollah' Summers' Remarks Show Bigotry," *The Harvard Crimson*, November 14, 2002.
[345] Blenkinsopp, "In About-Face, English Dept. Re-Invites Anti-Israeli Poet."
[346] Blenkinsopp, "Paulin Likely To Speak in Spring."
[347] Bita M. Assad, "Hillel Exhibit Draws National Criticism," *The Harvard Crimson*, March 10, 2008.

negative image."[348] Asher A. Fredman '08 said the exhibit's website focused on "killing" and "murder" without proper context.[349] However, Mishy Harman '08 defended the exhibit, saying "To me, there's no greater expression of Zionism today than saying that Israel should be held to the highest moral standards possible." He said that the exhibit did not criticize Israel's existence, but rather its policies and conduct.[350]

Debates about the limits of acceptable criticism of Israel fueled a broader conversation about the relationship between antisemitism and anti-Zionism (a term that, according to a search in Google Ngram Viewer, became popular after 2000 and especially so after 2010). In 2007, Matory argued that accusations of antisemitism were intended to stifle anti-Zionist speech.[351] Several students strongly opposed Matory's arguments and characterizations. For example, Douglas Lieb '07 wrote:

> The truly dangerous false equation is Matory's conflation of "criticism of Israeli policy" with anti-Zionism. By encouraging a state to improve its behavior rather than go away, real policy criticism assumes a state's legitimate existence. But anti-Zionism, by definition, negates the Jewish — and only the Jewish — national right to self-determination. The former is part of a healthy debate in a free society. The latter is usually a coded expression of anti-Semitism, since it denies Jews what it rightly grants to all other nations.[352]

Other prominent Harvard faculty took clear-cut positions on Israel/Palestine and engaged in high-profile events, with Alan Dershowitz passionately defending Israel and Stephen Walt and John Mearsheimer criticizing it, or, more accurately, what they saw as an unhealthy level of American diplomatic and military support for the country.[353] Guest speakers on campus also attracted considerable attention for their views about the conflict. For example, a minister in the Palestinian Authority, speaking at an Institute of Politics Forum event in November 2001, dismissed accusations of antisemitism by arguing Palestinians cannot be antisemitic as they themselves are also Semites. Jonathan M. Gribetz '02 objected, noting that antisemitism refers specifically to prejudice against Jews. Moreover, Gribetz critiqued antisemitic text and imagery in Palestinian textbooks and urged the Palestinian leadership to acknowledge and address antisemitism in Palestinian society rather than deny it, as this propaganda was an obstacle impeding peace with Israel.[354]

To summarize, while student groups and faculty sought to promote open debate, the highly polarized climate both on campus and in the broader conflict often made constructive dialogue difficult. However, through student-led efforts at discussion and understanding different perspectives, as well as events that brought groups together in support of finding common ground, it was still possible to have respectful exchanges that moved discussions forward in a positive direction. The 2000s saw only a few instances of public outrage over a speaker or disinvitation. While initial reactions to controversial works were sometimes harsh, later discussions tended to focus more constructively on their substantive arguments.

Conclusion

The 2000s witnessed increased tensions between pro-Israeli and pro-Palestinian activists on campus. These came alongside considerable efforts by student groups to find common grounds and to come to a respectful dialogue. While the topic of antisemitism did arise, it was not employed as a lens through which

[348] Vidya B. Viswanathan, "Israeli Soldiers Discuss Exhibit," *The Harvard Crimson*, March 18, 2008.
[349] Ibid.
[350] Ibid.
[351] Matory, "Israel and Censorship at Harvard."
[352] Douglas E. Lieb, "Anti-Zionism and Anti-Semitism," *The Harvard Crimson*, September 21 2007.
[353] Cormac A. Early, "Dershowitz Discusses Middle East," *The Harvard Crimson*, November 1 2005.; Evan H, Jacobs, "Prominent Profs Spar Over Israel," *The Harvard Crimson*, November 30, 2005; Paras D. Byayani and Rebecca R. Friedman, "Dean Attacks 'Israel Lobby,' *The Harvard Crimson*, March 21, 2006.
[354] Jonathan M. Gribetz, "Anti-Semitism Among Semites," *The Harvard Crimson*, November 19, 2001.

students described pro-Palestinian activism. An active student member of Hillel in the early 2000s commented on the atmosphere at the time:

> I don't remember people complaining of antisemitism … If people had, we would have treated it as completely beyond the pale. The debate that I saw happening was about politics, really about the politics of the state, which was always debatable … there were very heated feelings about it, but antisemitism is just no ... there's nothing to discuss. You can't do that. So, I don't recall there being [incidents of antisemitism] … I think it would have been weird for someone to post … 'I had an antisemitic incident on this [Hillel] listserv.' I think they would have gone straight to Bernie [Steinberg, Former Harvard Hillel Director]. Bernie was very good at … containing trouble … and then trying to project a sense of calm around [it].[355]

Additionally, contention between students over Israel/Palestine appeared to be compartmentalized to specific contexts and did not spill over into personal relationships. Shai D. Bronshtein '09, a former member of the *Crimson*'s editorial board, recalled:

> One of the women on the editorial board … was Egyptian, and … she and I had several disagreements, but it was never … personal, and it was never, you know, it never went beyond those meetings … I [completed] a concurrent AM in Middle Eastern studies while I was there, and … almost the entire [class] was … Arab Americans or Arab international students. So that was, you know, a place where certainly those sorts of [issues] came up … We had one professor who was very anti-Israel come in … and we had an Iranian in the class. It was a mix, but … it was not hostile. It was not angry. It was not personal. Even [my classmate of Iranian descent] with whom … I'm diametrically opposed in terms of my views on the Israel issues … we still were able, even on Facebook, to have reasonable conversations, even though we very much disagreed. [Differences of opinion] didn't feel personal, and I didn't feel attacked, even when there was heated disagreement.[356]

Three themes emerged over this decade that bore relevance for discussions that continued into subsequent years: the challenge of achieving peace between Israelis and Palestinians, the relevance of examining the conflict through a racial lens, and questions surrounding the positioning of liberal Jewish voices in relation to the political left. Regarding the first theme, Harvard students continued to make good-faith efforts to cross political lines and engage each other in discussion about how to attain a just peace between Israel and the Palestinians. The other two themes, however, were more ominous and boded ill for student relations during the following decade.

Race began to enter conversation as a lens through which to view the Israel-Palestine conflict. At first, the conflation of the Israeli-Palestinian conflict with racial thinking and racism in America was raised only to be rejected, as when Charles Cheever '03 wrote that viewing the conflict as one between races misses the fact that Israelis and Palestinians are racially diverse, and that countries in the Middle East each have distinct cultures and histories.[357] Shira Fischer '01 also noted that describing the conflict as one of racial oppression was wrong.[358] Towards the end of the decade, however, Nimer Sultany argued that prominent Israeli politicians, including foreign minister Avigdor Lieberman, expressed views that were discriminatory against Palestinians in a way reminiscent of American Jim Crow laws. Their views, Sultany wrote, indicated the presence of a bigoted undercurrent in Israeli society that chose Jewish supremacy over equal rights for all citizens.[359]

[355] Interview with Shai Dromi, 7/16/2024.
[356] Ibid.
[357] Charles D. Cheever, "Native Americans and Native Palestinians," *The Harvard Crimson*, October 15, 2001.
[358] Shira H. Fischer, "Middle East Crisis Does Not Constitute Race War," *The Harvard Crimson*, April 15, 2002.
[359] Nimer Sultany, "U.S. Lessons for Israel's Jim Crow," *The Harvard Crimson*, May 3, 2009.

Moreover, in the early 2000s Jewish students with liberal social and political values began to feel isolated from left-oriented communities on campus. For example, Tova Serkin '02 expressed disillusionment with some elements of the liberal left at Harvard, saying they have "ceased to mean standing for equality, upholding human rights for all, or fighting against all forms of racism." As a proud Democrat who previously considered some Republicans "crazy right-wingers," Serkin said she had been "dismayed by some of the 'liberal' rhetoric on campus." In particular, she criticized the hypocrisy they see regarding views on the Israeli-Palestinian conflict, saying "I have always been quick to criticize Israel for its treatment of Israeli Arabs and the Palestinian people, but over the last few years, I have realized that those critiques could not be made in isolation." Serkin took issue with calls on campus for Israel to withdraw from territories "in exchange for nothing, not even the security necessary for its people to live normal lives," arguing only by "ignoring the facts and the history of the region could one blame the entire conflict on Israel, and yet that is precisely what many students and professors on the left have done." Most strongly, she expressed feeling "isolated and alienated from supposedly 'liberal' parts of the University" due to the latest campaign calling on Harvard and MIT to divest from Israel, saying "Israel is not perfect and has certainly made mistakes, but if anything, now it needs our support as it fights for security."[360]

Both of these issues — the rise of an intersectional taxonomy that linked the plight of the Palestinians with racial injustice in America, and the growing intolerance of the campus' progressive left towards Jews who do not abjure Israel, became increasingly prominent over the 2010s and set the stage for the campus reaction to October 7th and its aftermath.

Widening Fissures and Diminished Dialogue, 2010-2023

Between 2010 and 2023, discussions about Israel and Palestine at Harvard focused more and more on confrontation rather than compromise. While efforts to promote dialogue and understanding between opposing viewpoints did not disappear, student activists were less willing to search for middle ground. As chances for peace between Israel and the Palestinians faded, so did the cooperative and constructive aspects of exchange between students with differing viewpoints. As the campus climate became more divided, students on both sides of the issue felt ignored or silenced.[361] Jewish students became more concerned about antisemitism on campus, and they began to claim that whether speech is antisemitic should be determined more by impact than intent.

Early in this period, there were voices within the Harvard community that cautioned against moving away from dialogue and toward more confrontational tactics in discussions of Israel and Palestine. Over time, more assertive approaches gained acceptance, and by the end of the period positions once seen as outside the campus mainstream became more common. At Harvard, as at other universities, the BDS movement promoted anti-normalization guidelines that advised against joint projects or activities between Palestinians and Israelis unless they entailed *a priori* public recognition of Palestinian rights and a commitment to Palestinian liberation.[362] Anti-normalization posed strict conditions for engagement between opposing viewpoints and rejected interactions that did not frame the conflict in terms of

[360] Tova A. Serkin, "Leaving the Left Behind," *The Harvard Crimson*, June 3, 2002.
[361] *The Boston Globe* claimed, based on interviews with students, that "people on either side feel their voices are being quieted: Palestinians and those who sympathize with their plight speak of an institutional force arrayed against them; supporters of Israel contend critical peers dismiss their perspectives before they can voice them". Hilary Burns, "On campuses, a tension over the Mideast," *The Boston Globe*, January 31 2023.
[362] BDS Movement Anti-Normalization.

resistance to these inequalities. Anti-normalization made open dialogue and exchange of differing perspectives between Palestinians and Israelis ever more difficult.[363]

Pro-Palestinian activism was galvanized by the Arab Spring and the Occupy Movement, beginning in 2010 and 2011, respectively. These movements led students to draw parallels between oppressive conditions faced by Palestinians and popular movements resisting inequality and lack of political freedom.[364] Just a few years later, a sharp rise in antisemitic incidents nationwide — the Anti-Defamation League reported a 57% increase in antisemitic incidents between 2016 and 2017, and an 89% surge on college campuses — caused off-campus actors like the Anti-Defamation League, StandWithUs, Israel on Campus Coalition, and Students Supporting Israel to become more vocal about and involved in campus life.[365] Such organizations supported pro-Israel groups on campuses and provided resources, training, funding, and strategic counsel to student leaders.

In addition to these nationwide trends, Harvard itself underwent major demographic, political, and social changes in the early twenty first century. These changes directly affected the experience of Jewish students at Harvard in numerous ways:

Growing Demographic Diversity Within the Student Body In 1980, the student body at Harvard and other top Ivy League universities was about 80% White. In 2019, 47% of Harvard's entering first-year class identified as White, and by 2024, the figure had declined to 33%.[366] During the final four decades of the 20th century, Jews made up 20-25% of the University's enrollment, but in the 21st century the numbers went down, and as of 2023, the figure was just below 10%.[367] It is difficult to account precisely for the declining number of Jewish students, as there is anecdotal evidence that Jews were choosing to attend a wider range of universities than in the past. But the correlation between the increased number of non-White students and the shrinking number of Jews in the student body was striking. Although Jews belong to all racial groups, most are demographically classified as White, be they of eastern European (Ashkenazi), Iberian/Balkan (Sephardi), or Middle Eastern (Mizrachi) origin. If students who identify or who are designated as White compete for fewer admissions slots, it follows that Jewish students would be affected.

Widening Political Diversity Among Jewish students In 2010, the journalist Peter Beinart published a widely read article (expanded two years later into a book) on a generational change in American Jewish attitudes towards Israel, with younger Jews, particularly those enrolled in elite universities, becoming more critical of or indifferent to the country. Survey research confirmed the generational shift, and although on a national level the changes were not as stark as Beinart depicted, it was indeed prominent at Harvard and its peer institutions.[368] Well before October 7, 2023, Harvard's Jewish students were manifesting a wide

[363] E.g., "A Strategy of Rejection: The Anti-Normalization Campaign," *Anti-Defamation League*, May 25, 2012. https://www.adl.org/resources/news/strategy-rejection-anti-normalization-campaign#:~:text=Anti%2Dnormalization%20policies%20are%20also,legitimacy%20and%20should%20be%20suppressed
[364] E.g., Indiana T. Seresin, "Palestinian Activists Evoke Occupy," *The Harvard Crimson*, November 15, 2011.
[365] "Think. Plan. Act. Tools for Dealing with Antisemitic and Anti-Israel Incidents on Campus," accessed July 22, 2024. https://www.adl.org/think-plan-act. "About," accessed July 22, 2024. https://israelcc.org/about-us/. "Mission and History," accessed July 22, 2024. https://www.ssimovement.org/mission-and-history.html. "About Us," accessed July 22, 2024. https://www.standwithus.com/about
[366] Derek Thompson, "How America's Top Colleges Reflect (and Massively Distort) the Country's Racial Evolution." https://www.theatlantic.com/national/archive/2013/01/how-americas-top-colleges-reflect-and-massively-distort-the-countrys-racial-evolution/267415/. "Meet the Class of 2023," *The Harvard Crimson,* n.d. https://features.thecrimson.com/2019/freshman-survey/makeup-narrative/ - :~:text=Among participants who answered a,0.8 percent as Pacific Islander. "A Brief Profile of the Class of 2028," https://college.harvard.edu/admissions/admissions-statistics
[367] Sarah Weismann, "Jewish Student Enrollment Is Down at Many Ivies," https://www.insidehighered.com/news/admissions/2023/05/08/jewish-student-enrollment-down-many-ivies
[368] Peter Beinart, *The Crisis of Zionism* (2012); https://www.pewresearch.org/religion/2021/05/11/u-s-jews-connections-with-and-attitudes-toward-israel/

spectrum of feelings about Israel, from passionate identification to a no less ardent rejection of Zionism and embrace of a reconfigured Jewish identity in which support for Palestine became a supreme Jewish value.

Changing Roles and Views of Arab and Muslim Students Prior to the 2010s, Black students featured among the most critical voices regarding Israel, while Arab and Muslim students were more likely to champion Palestinian freedom, liberty, and dignity without denying Israel's right to exist. Over the course of the 2010s a growing number of students identifying as BIPOC regarded the partition of Mandatory Palestine in 1947 as a gross injustice, demanded the dismantling of Israel as a precondition for Palestinian liberation, and distanced themselves from Jewish interlocutors on campus unless the latter shared their political views.

A "Palestine exception" and an "Israel exception" In 2015, the NGO Palestine Legal issued a report titled "The Palestine Exception to Free Speech." The report depicted wide-ranging efforts throughout American society to "stifle criticism" of Israel and "censor or punish advocacy in support of Palestinian rights." These efforts were particularly noticeable in universities because of "their increasingly central role … in the movement for Palestinian rights":

> Activists and their protected speech are routinely maligned as uncivil, divisive, antisemitic, or supportive of terrorism. Institutional actors — primarily in response to pressure from Israel advocacy groups — erect bureaucratic barriers that thwart efforts to discuss abuses of Palestinian rights and occasionally even cancel events or programs altogether. Sometimes the consequences are more severe: universities suspend student groups, deny tenure to faculty, or fire them outright in response to their criticism of Israel.[369]

In the early 2020s, discussion of the "Palestine exception" became ubiquitous at Harvard. It was invoked to condemn restrictions on protests, disciplinary measures against students, and decisions to cancel or withdraw sponsorship from events focused on Palestine.

No less exceptional, however, was the frequency and intensity of treatment of Israel as an oppressor state and the Palestinians as an oppressed people in courses and public events throughout the campus. From 2019 and 2022 respectively, the François-Xavier Bagnoud Center for Health and Human Rights at the Harvard T.H. Chan School of Public Health and the Program on Religion and Public Life at Harvard Divinity School focused heavily on Palestinians in their course offerings and guest lectures, which also rarely presented Israeli points of view except those of the state's harshest critics. Seminars organized by the Center for Middle Eastern Studies frequently addressed Palestinian history and politics from a strongly sympathetic perspective and rarely reflecting other points of view.

In contrast, there was no program devoted to the study of Israel. The Center for Jewish Studies hosted events about Israeli politics and society within its broader mission to promote knowledge about the entirety of Jewish civilization from antiquity to the present. Similarly, in 2016 the Julis-Rabinowitz Program on Jewish and Israeli Law at Harvard Law School was founded to promote the scholarly study of Jewish law, including that of the State of Israel. From 2017, courses on Israel/Palestine with a non-partisan approach were taught by Derek Penslar in the Department of History, and in 2022 a visiting professor taught courses on Israel in the Department of Government. But these offerings paled in comparison with the number of courses, programs, and events that concentrated on Palestine, sympathized wholeheartedly with the Palestinian cause, and, as demonstrated later in this report, created classroom atmospheres that were distressing to Jewish students who had attachments to Israel.

The prominence of Palestine in student political life, co-curricular activities, and social interactions was striking. Never before in Harvard's history did a conflict in a distant land, in which no American troops

[369] "The Palestine Exception to Free Speech: A Movement Under Attack in the US." https://static1.squarespace.com/static/548748b1e4b083fc03ebf70e/t/560c2e0ae4b083d9c363801d/1443638794172/Palestine+Exception+Report+Final.pdf

were serving, attract such attention. Within the Harvard community, the concentration on Israel as a distinctly egregious malefactor and on the Palestinians as a distinctly victimized people preceded the October 7, 2023, Hamas massacre, Israel's massive response, and the spread of hostilities to a regional level. This "Israel exception" led to condemnation of Israel among a growing swath of the student body, an intersectional conflation of the Israeli-Palestinian conflict with racial injustice in the United States, and social exclusion of Israeli and Jewish students who did not identify as anti-Zionist. In contrast, there were few complaints of such shunning behavior from students of Russian or Chinese origin whose homelands' governments practiced widespread violations of human rights.

A Decline of Community and Retreat into Ideological Enclaves Political polarization, as well as heightened awareness of racial identities and the ongoing legacies of racism, degraded the sense of community identity that is a hallmark of a residential college experience. A further dilution of local, face-to-face community in favor of virtual and global occurred at the hands of social media, which became hegemonic following the founding of Facebook in 2004 and Instagram in 2010. Social media made it easier for students to not only dwell in virtual communities of the like-minded but also to shame and exclude peers without having to confront them in person. Social media had a poisonous effect on many dimensions of campus life, including the well-being of Jewish and especially Israeli students, who were exposed to abusive and threatening messages on platforms like Sidechat and Instagram or excluded from WhatsApp groups within classes or co-curricular groups.

Targeting Israel on Campus

Over this period, groups like the Palestine Solidarity Committee (PSC) and Harvard Out of Occupied Palestine (HOOP) organized campaigns pressing the administration to remove certain products from dining halls like SodaStream and Sabra hummus and advocating for students to decline opportunities to travel to Israel such as Birthright and Israel Trek. They also disrupted pro-Israel events hosted by Hillel and featuring former Israeli officials. In addition, PSC staged annual Israeli Apartheid Weeks that included tactics like distributing mock eviction notices and erecting an "apartheid wall" display, generating controversy each year. The 2012 One State Conference at HKS also sparked debate around its discussions of alternatives to the two-state solution and analogies to apartheid.

These actions generated intense debate within the Harvard community. Jewish students who found them offensive received little sympathy from pro-Palestinian activists, who believed in the justice of their actions and accused their critics of weaponizing antisemitism for political gain.

ACTION AGAINST ISRAELI ACTIVITIES, GUESTS, AND PRODUCTS

The PSC and HOOP — a student group calling for divestment, established in 2020[370] — organized numerous campaigns and protests targeting specific Israeli activities, guests, and products.

SodaStream In Spring 2014, Palestinian students and members of the Palestine Solidarity Committee protested that some dining halls had carbonated water machines manufactured by SodaStream, an Israeli company with a plant in a large Jewish settlement in the West Bank.[371] Rachel J. Sandalow-Ash '15, a member of Harvard College's Progressive Jewish Alliance agreed that "these machines can be seen as a microaggression to Palestinian students and their families and like the University doesn't care about

[370] Juliet E. Isselbacher and Amanda Y. Su, "Harvard Out of Occupied Palestine Holds Inaugural Event, Invites BDS Founder," *The Harvard Crimson*, February 21 2020. https://www.thecrimson.com/article/2020/2/21/hoop-inaugural-event-bds-founder/

[371] SodaStream announced a relocation to Southern Israel in October 2014. Ian Black, "SodaStream to move factory out of West Bank Israeli settlement," *The Guardian*, October 29, 2014. https://www.theguardian.com/business/2014/oct/29/sodastream-move-factory-west-bank-israel-slash-forecast

Palestinian human rights." Following discussions, in Fall 2014, HUDS agreed to remove SodaStream labels from existing machines and purchase appliances from other companies going forward. PSC member Tez M. Clark '17 said he hoped that "Harvard's effort to hear the concerns of Palestinian students and make a meaningful change in response to these concerns will inspire further support for and discussion on Palestinian rights, both on this campus and around the world."[372]

However, in December 2014, President Drew Faust requested an investigation of the decision.[373] HUDS spokesperson Crista Martin wrote that HUDS has "mistakenly factored political concerns" into its decision.[374] Provost Alan M. Garber '76 wrote that "Harvard University's procurement decisions should not and will not be driven by individuals' views of highly contested matters of political controversy."[375] Leaders of Jewish and pro-Israel groups like Harvard Hillel President Samuel M. Fisher '15 supported the investigation.[376]

Sabra Hummus In early 2022, the PSC posted stickers on containers of Sabra hummus in Harvard dining halls. According to Nadine S. Bahour '22, a representative from the PSC, the stickers urged students not to eat Sabra hummus and as its parent company, the Strauss Group, "invests money in the [Israel Defense Force's] Golani Brigade," which she claimed was responsible for "the oppression of Palestinians."[377] The hummus stickers action, she said, aimed to encourage students to make conscious choices about which companies they support with their food purchases. Conversely, Rebecca S. Araten '23, a leader of the Harvard Israel Initiative, said the stickers' claims misrepresented "what is actually happening on the ground." She maintained that the PSC action was one of many attempts "to prevent people from going" on activities like Israel Trek based on "extreme things that aren't based at all in fact."[378]

Birthright and Israel Trek Pro-Palestinian activists advocated for students to decline opportunities to travel to Israel on Birthright Israel and Israel Trek, the former being an all-expenses-paid trip to Israel for Jewish young adults and the latter being an Israeli-student-led trip to Israel offered to non-Jews.[379] Activists described Israel Trek as complicit in "apartheid and settler colonialism."[380]

Trek leader Ty L. Geri '23 defended the program, saying it aimed to expose participants to diverse viewpoints through meetings with Israeli and Palestinian leaders.[381] "Reducing people to conflict and to hate is dehumanizing, and I think that when you're thousands of miles away, it's easy to dehumanize people. But when you're there, it's much harder," Geri said. "We'll always get some criticism, but we'll

[372] Kamara A. Swaby, "HUDS Suspends Purchases from Israeli Soda Company," *The Harvard Crimson*, December 17, 2014.
[373] Theodore R. Delwiche and Mariel A. Klein, "University To Investigate Dining Services Decision To Suspend Purchases from Israeli Company," *The Harvard Crimson*, December 18, 2014. https://www.thecrimson.com/article/2014/12/18/huds-sodastream-garber-response/
[374] Meg P. Bernhard, "Dining Services 'Mistakenly' Factored Politics into SodaStream Decision, Spokesperson Says," *The Harvard Crimson*, December 18, 2014.
[375] Delwiche and Klein, "University To Investigate Dining Services Decision To Suspend Purchases from Israeli Company."
[376] Ibid.
[377] Sophia C. Scott, "For Some Palestinian Organizers, the Israel Trek is a Microcosm of a Broader 'Power Imbalance," *The Harvard Crimson*, April 21 2022.
[378] Ibid.
[379] Nadine S. Bahour, "Visit Israel, Just Not on Birthright," *The Harvard Crimson*, October 18, 2019; Sandra Y. L. Korn, "The Illuminations of Birthright," *The Harvard Crimson*, July 6, 2012; see response: Daniel Frim, "Some Other "Illuminations of Birthright"," *The Harvard Crimson*, July 18, 2012.
[380] Vivi E. Lu and Leah J. Teichholtz, "Harvard Out of Occupied Palestine Urges Undergrads to Boycott Israel Trek," *The Harvard Crimson*, February 25, 2022.
[381] Shera S. Avi-Yonah and Delano R. Franklin, "Palestine Solidarity Committee Circulates Pledge Urging Undergrads to Boycott Israel Trek," *The Harvard Crimson*, November 7, 2019.

always continue engaging in open dialogue."[382] Other Jewish and pro-Israel students strongly opposed the boycott campaign. Rebecca S. Araten '23, a leader of the Harvard Israel Initiative, felt the PSC mischaracterized what happened on Trek. As she explained, the PSC's rhetoric was "not based at all in fact" and "the reality is that if people actually go on this trip, they'll realize that those words — those terms — are not at all representative of what is actually happening in Israeli society."[383] The student president of Harvard Hillel at the time, Natalie L. Kahn '23, said the PSC disregarded "any possibility of dialogue." According to Kahn, if people examined Trek's "itinerary and agenda," they would see it "really does try to balance both sides."[384] The Trek's organizers reported receiving severe social backlash and hate mail.[385]

However, the PSC maintained their concerns about Trek were valid. Organizer Joshua D. Willcox '23-'24 maintained that Palestinians experienced "an apartheid regime" and that the Trek did not adequately represent Palestinians' perspective.[386] Nadine S. Bahour '22 felt Trek presented an experience that was not reflective of the "reality on the ground" for Palestinians.

Rabbi Jonah C. Steinberg, Hillel Executive Director and Harvard Chaplain addressed the worryingly polarized atmosphere on campus in a sermon at Harvard Memorial Church:

> We live in that world even here at Harvard — I don't know if you have been following the war of words on campus — the anti-Israel stickers appearing on Sabra hummus in the dining halls, the tearing down of Harvard Hillel posters all over campus, about which the Dean of Students Office had to issue a statement just this past week, and the black-colored posters everywhere against the Harvard College Israel Trek … But maybe you saw the posters on the way here this morning: "How about Spring Break without Breaking International Law?" "Your Trip Is Free; Palestine Isn't" and "Would you go on a trip funded by South-African Apartheid?" So far as I know, not one of those posters has been torn down — and let me take a moment here to say that reflects some admirable restraint on the part of Harvard Hillel students, when posters with a QR code offering a chance to learn why many in our community care about Israel have been torn up all over campus and the torn pieces tacked back to the walls.[387]

After the 2023 Trek, the PSC held "Office Hours" for participants to share their experiences. Around 20 students attended the event in Claverly Hall to discuss issues like whether Trek exposed students to diverse viewpoints. One Trek participant, Ibrahim Mammadov '23, felt the trip provided a valuable perspective. "These IDF soldiers are just people like us, they're not anything special. And that's an important piece of perspective that you don't get on campus." Mammadov said that the labeling of oppressor and victim prevents more nuanced and fair perspectives.[388] Nevertheless, Bahour urged trekkers to consider Harvard's "complicity in the struggles Palestinians face." When Geri extended an invitation to PSC leaders to discuss their concerns directly, Bahour declined, citing safety concerns and arguing that dialogue was not possible until Trek leaders acknowledged "ethnic cleansing" and "apartheid" in Palestine.[389]

[382] Vivi E. Lu, "Harvard College Palestine Solidarity Committee Calls for Boycott of Israel Trek, Drawing Backlash from Pro-Israel Students," *The Harvard Crimson*, October 24, 2022.
[383] Ibid.
[384] Ibid.
[385] Sabrina Paris Goldfischer, "The Death of Discourse: Antisemitism at Harvard College" (Harvard University, 2023), 57.
[386] Lu, "Harvard College Palestine Solidarity Committee Calls for Boycott of Israel Trek, Drawing Backlash from Pro-Israel Students."
[387] Jonah C. Steinberg, "The Face Behind the Veil," *Harvard Memorial Church*, March 2, 2022.
[388] Adam Pearl, "The Trek Back From Israel: Tensions on campus spark an uncomfortable silence," *The Harvard Independent*, April 27, 2023. https://harvardindependent.com/the-trek-back-from-israel/
[389] Ibid.

Disruptions and Walkouts Disruptions of Israel-related events became a common occurrence over this period. PSC Harvard staged a "die-in" outside of Harvard Hillel in October 2015 in response to an event hosted by Hillel featuring Gedalia Gillis, a former Israeli military commander. The PSC protest involved signs displaying the names of Palestinians killed during the previous summer's conflict in Gaza. According to Fatima Bishtawi '17, a co-president of the PSC at the time, the protest aimed to express that hosting Gillis was "very estranging and creates a hostile environment for these students on campus."[390] Explaining why PSC chose not to come to the event and express their criticisms directly to Gillis and Hillel leadership, Halah Ahmad '17 explained:

> Palestinians and friends on campus cannot be expected to partake in that conversation while knowing that the person they are speaking to is actively engaged in a military operation that occupies their land and oppresses and kills their people. We should not be asked to face a soldier who, regardless of engagement in dialogue and affiliation with a member of the Harvard community, would nonetheless administer violent action against us as Palestinians.[391]

Additionally, HOOP staged numerous protests. In 2022, the group disrupted a talk by Israel's ambassador at HKS.[392] HOOP also regularly protested events featuring retired Israeli military officials, describing them as perpetuating oppression.[393]

Campaigns to Boycott and Divest from Israel

Academic Boycott Campaign In April 2011, Omar Barghouti, a founder of the Palestinian Campaign for the Academic and Cultural Boycott of Israel, spoke at an event sponsored by the PSC and the Institute of Politics. Barghouti argued that Israel was functioning under a system of apartheid and challenged the idea that it should be considered a respected democracy on the international stage. He advocated for the global Boycott, Divestment, and Sanctions movement, of which boycotting Israeli universities was a core element.[394]

A November 2011 panel event was held at HKS titled "Boycott from Within: American and Israeli Voices Against Apartheid."[395] The discussion featured two speakers, Jeff Pickert, an American activist living in the West Bank, and Dalit Baum, an Israeli activist and divestment proponent.[396] Pickert framed the Palestinian protest movement in the context of related movements like the Arab Spring and global Occupy movement.[397] Audience reaction varied. Leah C. Vincent, a master's student, said Baum was "articulate and composed." However, Yoav B.G. Schaefer '15 noted the discussion did not sufficiently acknowledge the complexity of the issues. "Everything that tries to make (the conflict) black and white is a disservice to peace."[398]

In December 2013, the American Studies Association voted to endorse an academic boycott of Israeli universities, citing concerns about limitations on Palestinian education and academic freedom. President Faust condemned the boycott, saying "Academic boycotts subvert the academic freedoms and values

[390] Andrew M. Duehren, "Students Host 'Die-In' Outside of Hillel, Protesting Speaker," *The Harvard Crimson*, October 16, 2015.
[391] Halah Ahmad, "A Die-in for More Human Discourse at Harvard," *The Harvard Crimson*, October 23, 2015.
[392] Miles J. Herszenhorn, "Protesters Stage Walkout of Event with Israeli Ambassador at Harvard Kennedy School," *The Harvard Crimson*, April 12, 2022.
[393] Miles J. Herszenhorn, "Palestinian Advocacy Group Protests Former Israeli Military Official at Harvard Kennedy School," *The Harvard Crimson*, February 2, 2022.
[394] Monica M. Dodge, "Barghouti Urges Israel Boycott," *The Harvard Crimson*, April 14, 2011.
[395] Seresin, "Palestinian Activists Evoke Occupy."
[396] "Dalit Baum," accessed July 10, 2024. https://afsc.org/author/dalit-baum
[397] Seresin, "Palestinian Activists Evoke Occupy."
[398] Ibid.

necessary to the free flow of ideas."[399] Sara Greenberg HBS'15 and HKS'15 and Yoav Schaefer '15 urged Harvard to withdraw from the ASA in response.[400] However, Asmaa Rimawi '14, chair of the Harvard PSC, supported the ASA decision, as did Alexander Abbasi, a Harvard Divinity School student, who argued that the boycott aims to "redress the injustices that face Palestinians."[401]

Divestment Campaign Calls for divestment from Israel and Israel-affiliated businesses also continued over the decade. Calling the situation "apartheid" and concluding that divestment was "probably the least radical cause in the world," Matthew B. McDole '18 wrote: "I used to find that word radical, but after visiting the West Bank and seeing the reality with my own eyes, it seems like a more than fair description for a half-century of occupation under these conditions."[402] A significant turning point was the establishment of HOOP in 2020, with the stated goal of pressuring Harvard to disclose and divest investments in companies connected to Israel's presence in the Palestinian territories.[403] At one of their protests at Harvard Yard, which drew over 200 people, Malaika K. Tapper '23 and Nadine S. Bahour '22 read from a letter criticizing Harvard for being "complicit" in supporting Israel.[404]

Some countered that divestment tactics were counterproductive. Gregory A. Briker '17 argued that the BDS movement "impedes meaningful dialogue" and is "an abhorrent tactic." For Briker, BDS "simultaneously groups all supporters of Israel together and rejects the fundamental legitimacy of their convictions." It also "places the onus of solving the Israeli-Palestinian conflict entirely on Israel's shoulders," without any attribution of responsibility to Palestinians. BDS' goal, Briker stated, is to "destroy Israel as a Jewish state."[405]

The One-State Conference Many of the ideas raised in the debates about soda water, hummus, trips to Israel, and BDS received in-depth attention at the One-State Conference, held at HKS in March 2012. The conference was organized by several Harvard student groups, including Justice for Palestine, the PSC, the Palestine Caucus, the Arab Caucus, and the Progressive Caucus. Ahmed Moor, an HKS student and organizer, said the aim was to "consider alternatives … that would achieve peace based on justice and equality for all." A more militant stand was taken by undergraduate students Eliza M. Nguyen '14, Lena K. Awwad '13, and A.M. candidate Alex R. Shams, who placed the conference's purview directly in the shadow of South Africa under apartheid:

> In the 1990s, White South Africans realized that they could not continue to control the indigenous people and dispossess them of their land against their will. Instead, they dismantled the system of apartheid and agreed to live as a minority with equal rights in a land that both they and South Africa's other minorities considered their homeland. Numerous veterans of the anti-apartheid movement in South Africa, including Bishop Desmond M. Tutu, have visited Palestine and made it clear that Israel's system is in fact "worse than apartheid" as it existed in South Africa.[406]

The conference created a storm of controversy before it was even held. A petition signed by over 2,000 people stated that the conference manifested "new antisemitism" and asked Harvard to withdraw financial support. The petition called on the University to prevent the conference from using University facilities

[399] Matthew Q. Clarida and Amna H. Hasmi, "Faust Condemns Academic Group's Boycott of Israeli Institutions," *The Harvard Crimson*, December 24, 2013.
[400] Sara K. Greenberg and Yoav Schaefer, "Boycott the ASA, Not Israel," *The Harvard Crimson*, February 3, 2014.
[401] Alexander Abbasi, Giacomo Bagarella, and Asmaa Rimawi, "A Just Boycott for Palestinian Rights," *The Harvard Crimson*, January 21 2014.
[402] Matthew B. McDole, "The Least Radical Cause in the World," *The Harvard Crimson*, June 15, 2017.
[403] Isselbacher and Su, "Harvard Out of Occupied Palestine Holds Inaugural Event, Invites BDS Founder."
[404] Ibid.
[405] Gregory A. Briker, "Dialogue Over Divestment," *The Harvard Crimson*, April 10, 2014.
[406] A corrigendum clarifies that Tutu "cannot be found on record stating this" and corrects other factual errors stated in this op-ed. Lena K. Awwad, Eliza M. Nguyen, and Alex R. Shams, "Fighting Apartheid with Equality," *The Harvard Crimson*, February 27, 2012.

and remove Harvard logos from its website. Gabriel M. Scheinmann '08, one of the petition creators, said "People have a right to free expression. However, they do not have the right to do so using others' financial resources."[407] In response to the petition, the Carr Center for Human Rights Policy and Weatherhead Center for International Affairs removed their logos from the website. A disclaimer was also added stating the conference views did not represent Harvard's.[408] Joshua B. Lipson '14, co-president of Harvard Students for Israel, agreed with objections in principle but did not sign the petition. He said "Ideally this discussion would not be held at Harvard. However, Harvard supports free expression for all student groups, even those with views some find objectionable or misinformed." Lipson felt calling to revoke the University's provision of space was an extreme measure.[409]

Outside commentators also opined. US Senator Scott Brown called on Harvard to cancel the conference,[410] and Dan Diker, Secretary General of the World Jewish Congress, condemned it, arguing that any one-state scenario effectively meant the destruction of Israel as a Jewish state.[411] However, in an editorial called "Deeply Wrong, But Not Anti-Semitic", the *Crimson* argued that charges of antisemitism went too far and defended the event's right to be held at Harvard. Opting for a more restrictive definition of antisemitism, the editorial board wrote:

> To call this conference, as the petition does, a forum for "one of the most ancient forms of racial hatred," is unwarranted and counterproductive. Allegations like these simply serve to stymie serious public discourse on the Israeli-Palestinian conflict. There is no evidence that the discussion at this conference expresses antipathy towards Jews as a people, which is the definition of anti-Semitism. There is definitely a line to be drawn regarding such sentiments, and we do not believe that this conference crosses it.[412]

The *Crimson* also objected to the rhetoric in Awwad, Nguyen, and Shams's earlier op-ed, comparing Israel to Apartheid South Africa: "Aside from its dishonesty, this kind of sophistry is deeply unproductive and fosters neither normalization nor dialogue between the two sides; indeed, it promotes mistrust and retrenchment."[413]

Representatives of the Progressive Jewish Alliance, Sandra Y. L. Korn '14[414] and Emily S. Unger '13, while supportive of the conference as a platform to raise the issue of equality and justice in Israel/Palestine, expressed concern about "some of the extreme rhetoric that it has triggered":

> While we would love to see a peaceful and egalitarian one-state solution to the Israeli-Palestinian conflict, we think it only practical to continue working toward a two-state solution. It is unfair to ask the Israelis and Palestinians who dream of having their own ethnic nation-states to give up these aspirations without demanding the same of every country in the world. While we theoretically

[407] Aisling H. Crane and Melanie Guzman, "Students and Alumni Protest HKS Conference on Israeli-Palestinian Conflict," *The Harvard Crimson*, February 28, 2012.
[408] Crane and Guzman, "Students and Alumni Protest HKS Conference on Israeli-Palestinian Conflict."
[409] ibid.
[410] Noah Bierman, "Scott Brown calls on Harvard to cancel 'one state' conference," *The Boston Globe*, March 2, 2012. https://www.bostonglobe.com/news/politics/2012/03/02/Fg6zeyvcyr2vnVc7sit6sM/story.html?p1=BGSearch_Advanced_Results
[411] Dan Diker, "Laundering anti-Semitism at Harvard," *The Jerusalem Post*, February 29, 2012. https://www.jpost.com/opinion/op-ed-contributors/laundering-anti-semitism-at-harvard
[412] The *Crimson* Staff, "Deeply Wrong, But Not Anti-Semitic," *The Harvard Crimson*, March 2, 2012.
[413] Ibid.
[414] Korn would ultimately become a supporter of the BDS movement, and would advocate, as member of Jewish Voice for Peace's delegation to the Presbyterian Church's General Assembly, for divestment of the church from American companies with ties to Israel. Sandra Korn, "Why I Support Presbyterian Divestment as a Jew," *Tablet*, June 19, 2014. https://www.tabletmag.com/sections/news/articles/why-i-support-presbyterian-divestment-as-a-jew

> admire the ideals of a one-state solution, in practice, a single state seems an ineffective and dangerous policy solution — and so we cannot endorse or advocate for it in today's world."[415]

As for campus discussions on the topic, they wrote:

> No solution to the conflict will be possible unless people engage each other in meaningful dialogue instead of exchanging insults of "anti-Semitism" and "racism." Any statement that seeks mainly to demonize the other side and blame the entire conflict on one group is a step away from peace.[416]

Others lamented the lack of incentive for compromise and moderation in platforms such as this conference, and the push to take sides rather than find commonalities.[417]

While some viewed the conference as a platform to explore alternative perspectives on achieving justice and equality, others argued it aimed to deny Jewish self-determination and was thus antisemitic in effect, if not intent. Significantly, non-Jews on the editorial board of the *Crimson* took a middle path, challenging the most extremely pro-Palestinian rhetoric while asking Jews to reconsider their own concepts of what constitutes offensive speech.

Israeli Apartheid Week

Israeli Apartheid Week (IAW) became a major point of contention regarding what types of speech and tactics were considered acceptable on campus. Over the years, IAW featured increasingly polarizing rhetoric and tactics that many Jewish students argued crossed a line. By the late 2010s, the week had become a difficult time for many Jewish students.

BACKGROUND

From 2013 the PSC hosted Israeli Apartheid Week, aiming to raise awareness about Palestine. IAW typically included panels, discussions, films, and art installations.[418] IAW programming expanded over the years. In 2019, the week featured a panel on Black-Palestinian solidarity with a talk by Cornel West as well as displays of art and film.[419] IAW went virtual during the COVID-19 pandemic, but in 2023, in-person events returned, highlighted by speeches by Noam Chomsky and Norman Finkelstein. As usual, an art installation called the "Wall of Resistance" was displayed, though some Jewish students said they found phrases used on it to be offensive. Hillel and other groups held counter-programming in response.[420] In 2023, the week highlighted interlinks between the Palestinian struggle and other global struggles, and featured panels on student activism, LGBTQ+ Palestinians, and solidarity with South Africa and Kurdish groups.[421]

THE EVICTION NOTICES

Some of the specific tactics used as part of IAW drew particular controversy. Using fake eviction notices was one such tactic. Advertising the first Harvard Israeli Apartheid Week, PSC members distributed over

[415] Sandra Y. L. Korn, "Working Toward a Solution," *The Harvard Crimson*, March 5, 2012.
[416] Korn, "Working Toward a Solution."
[417] Eric T. Justin, "Two Sides, One Waste of Time," *The Harvard Crimson*, March 9, 2012.
[418] Grace Lin and Paul D. Tamburro, "Palestine Solidarity Committee Holds 'Israeli Apartheid Week'," *The Harvard Crimson*, April 16, 2018, 2018. https://www.thecrimson.com/article/2018/4/16/Palestine-solidarity-committee-event/
[419] Elizabeth X. Guo and Amanda Y. Su, "Harvard Palestine Solidarity Committee Hosts Israeli Apartheid Week," *The Harvard Crimson*, April 8, 2019. https://www.thecrimson.com/article/2019/4/8/palestinian-solidarity-committee-israeli-apartheid-week/
[420] Audrey M. Apollon and Christine Mui, "Palestine Solidarity Committee Hosts Annual Israeli Apartheid Week, Drawing Backlash from Harvard Hillel," *The Harvard Crimson*, April 22, 2022. https://www.thecrimson.com/article/2022/4/22/israel-apartheid-week-2022/
[421] J. Sellers Hill and Nia L. Orakwue, "Harvard College Palestine Solidarity Committee Hosts Annual Israeli Apartheid Week," *The Harvard Crimson*, March 31 2023. https://www.thecrimson.com/article/2023/3/31/israel-apartheid-week-2023/

1,000 mock eviction notices on dormitory doors across campus in March 2013. The notices, which were posted to publicize Israeli Apartheid Week, informed residents that their rooms were "scheduled for demolition in the next three days." This referenced the demolitions of Palestinian homes that occur in the West Bank and Gaza Strip.[422]

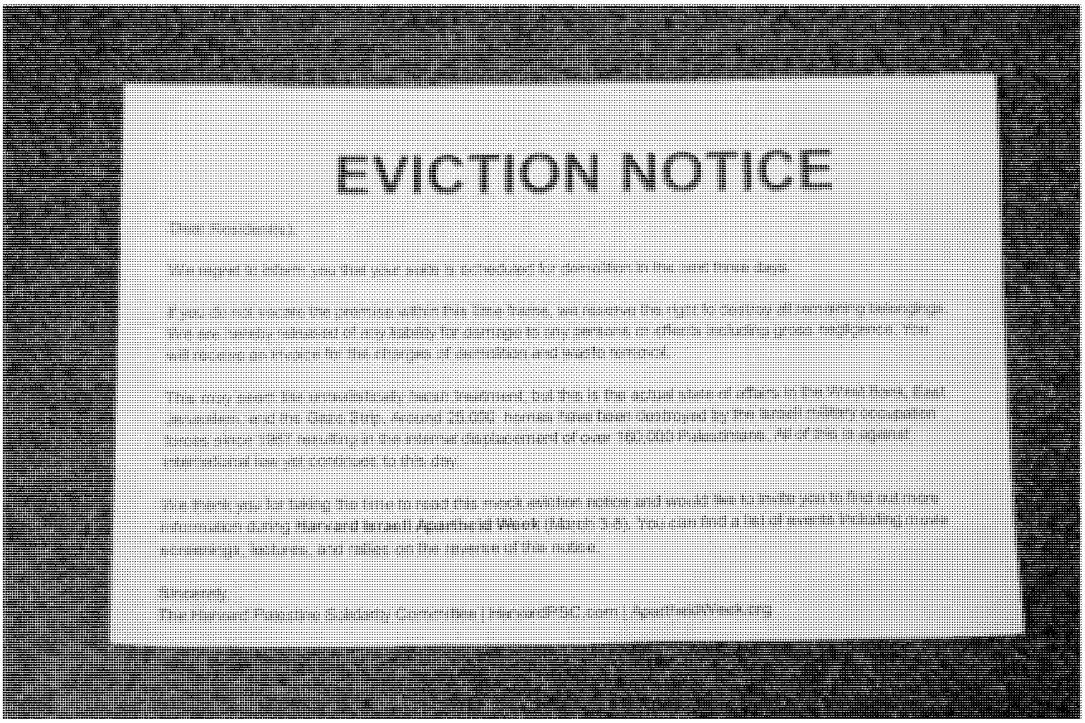


Figure 1. Mock eviction flyer posted by PSC on students' doors in March 2013.
The Harvard Crimson, *March 5, 2013.*

The mock eviction notices prompted mixed responses from students. Some felt the notices did not promote constructive debate. Steven J. Tricanowicz '13 said in an interview that he believed the PSC "did a very bad job" of promoting constructive debate and that the event went "against what Harvard stands for as a place for open academic dialogue, open thoughts, and open intellectual activity." He described Israeli Apartheid Week as an event "that promotes polarization and closed-mindedness."[423] Ariel Rubin '13 and Ariella Rotenberg '13 wrote:

> As two seniors writing theses on aspects of the Arab-Israeli conflict, we have actively sought out views that oppose our own and continue to work in an effort to understand contradicting narratives … We realize the importance of employing a framework that engages with multiple perspectives. There are limits to this framework, however, when words are based in hatred rather than facts. The Palestinian Solidarity Committee has reached this limit in its portrayals of the conflict as one-sided, revealing either a lack of understanding of history or rejection of an honest, albeit challenging, conversation about the complicated reality. The PSC's use of the word "apartheid" is ahistorical, polarizing, and preventative of informed, fact-based dialogue. The implication of the comparison to "apartheid" is that the Israelis are racist totalitarians ruling over blameless Palestinians, with no consideration for the nuances and details of the conflict.[424]

[422] Anneli L. Tostar, "Mock Eviction Flyers Incite Debate," *The Harvard Crimson*, March 5, 2013.
[423] Ibid.
[424] Ariella Rotenberg and Ariel Rubin, "The Wrong Type of Engagement," *The Harvard Crimson*, March 9, 2013. https://www.thecrimson.com/article/2013/3/9/israel-apartheid-week/

However, other students voiced support for the PSC's right to raise awareness about their events. When some notices were torn down, PSC organizer Yacoub H. Kureh '13 expressed dismay in an email to the Quincy House list.[425] PSC member Alexander R. Shams said organizers "weren't too worried [about offending people] because the kind of events we're hosting are the reality in Palestine."[426]

As in the case of the One-State Conference, actors outside of the University stepped in. The Anti-Defamation League said that the notices "crossed the line by causing supporters to feel isolated and intimidated." There was also a strong intramural response. The *Crimson* criticized Israeli Apartheid Week for using tactics that discouraged civil discourse and were unlikely to promote dialogue or peace. It noted the mock eviction notices taped to dorm doors and the separation wall display on campus may provoke thought for some, but were also likely to cause a "knee-jerk, negative reaction" from pro-Israel groups. The editorial also took issue with the analogy of comparing Israel to apartheid South Africa, saying it "ignores crucial complexities in Israel-Palestine."[427] It concluded that Israeli Apartheid Week does not further "open, respectful discourse" or constructive dialogue toward peace.[428]

THE APARTHEID WALL

Starting in 2019, during Israeli Apartheid Week, the Harvard College Palestine Solidarity Committee (PSC) erected a multi-panel art installation called the Wall of Resistance in Harvard Yard. Installations featured phrases like "Free Palestine" and references to the BDS movement, as well as a quote from Audre Lorde that read "I am not free while any woman is unfree, even when her shackles are very different from my own." Dalal Hassane '26 explained the installation as representing "the apartheid wall that currently stands in Palestine" and inviting observers to "ask themselves, 'How does this wall affect Palestinians? How does this wall affect the people that it was built to oppress?'"[429] One panel of the installation stated that "Zionism is Racism Settler Colonialism White Supremacy Apartheid." Explaining the appeal of this display, Nadine Bahour drew directly on the concept of intersectionality, linking Palestinian plight with racial injustice in the United States:

> The panels are all very powerful and they really show a lot of solidarity, because they're not all about Palestine … Each one covers a different topic and is trying to show that the Palestinian cause doesn't exist in a bubble, but it's rather very interconnected with our everyday life here in the US.[430]

Thus, the PSC connected Israel's separation barrier in the West Bank with the long history of racial segregation in the United States.

Many Jewish students found the barrier to be a source of both outrage and fear. Hillel's President at the time stated the wall was "offensive," "libelous," and "beneath the intelligence expected at Harvard."[431] Sarah Bolnick '23, co-president of Harvard Israel Initiative, described the installation as "a form of hate

[425] Tostar, "Mock Eviction Flyers Incite Debate."
[426] Ibid.
[427] The *Crimson* Staff, "Keeping Us Apart," *The Harvard Crimson*, March 8, 2013. https://www.thecrimson.com/article/2013/3/8/israel-apartheid-notices/. There were additional objections to using the term "Apartheid. "For example, Marcus B. Montague-Mfuni '23, who is from South Africa, wrote an op-ed arguing that the term had a very different meaning for non-white South Africans due to their experience under apartheid rule. While he acknowledged the oppressive conditions Palestinians face rise to international legal definitions of apartheid, he argued for preserving the unique meaning of South African "apartheid," which represented a specific form of dehumanization and trauma inflicted on generations of South Africans. At the same time, the author noted that anti-apartheid activism in South Africa inspired the BDS movement in Palestine. Marcus B. Montague-Mfuni, "Don't Call What Israel is Doing Apartheid," *The Harvard Crimson*, June 27, 2021.
[428] Ibid.
[429] Hill and Orakwue, "Harvard College Palestine Solidarity Committee Hosts Annual Israeli Apartheid Week."
[430] Apollon and Mui, "Palestine Solidarity Committee Hosts Annual Israeli Apartheid Week, Drawing Backlash from Harvard Hillel."
[431] Ibid.

speech."[432] On Hillel's website students wrote about their reactions to the wall, complaining not only about the display's contents but also about a perceived indifference to its impact on them:

> PSC's wall contained blatantly antisemitic rhetoric and imagery. It was not taken down by the administration and people walked by it for days with little outcry. Hatred towards any group of people should never tolerated, but when it's against Jews there is silence. —Jonah '24
>
> Every minority group is allowed to define what they consider to be discrimination, but when Jews deem something antisemitic, people don't take that seriously. It's saddening to see all these people who claim to be antiracist and anti-discrimination dictating to us when we are and aren't justified in feeling victimized. —Michael '23
>
> Slogans like "Zionism is White Supremacy" serve to erase the identities and experiences of the millions of Mizrahi Jews, myself included, whose ancestors never set foot in Europe, and for whom Israel provided a refuge after they were ethnically cleansed from their homes. —Michael '23[433]

The PSC rejected claims that criticism of Israel amounted to antisemitism. IAW organizer Michael A. Miccioli said, "They're trying to conflate criticism of the State of Israel with antisemitism. We have Jewish members in our organization. We had Jewish speakers come speak at our events, so I don't think that their response has been very convincing."[434] The presence of Jews in pro-Palestinian circles at Harvard would in time become an increasingly important defense against charges of antisemitism by pro-Israel activists at Harvard and beyond.

The *Crimson*'s Endorsement of BDS

After 2020, the *Crimson*'s stance on issues relating to the Israel and Palestine changed dramatically. Its previous measured criticism of Israeli policies and support for wide-ranging debate transformed into an unambiguous endorsement of BDS and Palestinian liberation.

In early 2020, the *Crimson* wrote in support of providing space for discussions of BDS on campus. The editors saw BDS as an imperfect tool but were sympathetic with the struggle for Palestinian rights. The *Crimson* editors wrote that circumstances in Israel and the Occupied Territories had changed since their predecessors came out against divestment strategies in 2002.[435] In the same editorial, the board condemned antisemitism while asserting that "blanket accusations of anti-Semitism towards BDS supporters are inappropriate and counterproductive." They acknowledged that comments at a HOOP event from BDS founder Omar Barghouti "could understandably make Jewish students uncomfortable." The board endorsed a boycott of products from West Bank settlements but said that portraying either side as wholly "evil" was unproductive.[436]

On April 29, 2022, the day after Israel's Holocaust Remembrance Day, the *Crimson* went a step further and announced unambiguous support for Palestinian liberation and endorsement of the BDS movement against Israel. It stated that "support for Palestinian liberation is not antisemitic" and that the Board opposed antisemitism "in every form." However, the editorial endorsed BDS's calls for ending the occupation of territories captured in 1967, upholding Palestinian refugees' right of return, and ending what

[432] Ibid.
[433] "What The Wall Means To Me: Reflections on the Palestine Solidarity Committee's 'Wall of Resistance'," *Harvard Hillel*. https://hillel.harvard.edu/what-wall-means-me
[434] Apollon and Mui, "Palestine Solidarity Committee Hosts Annual Israeli Apartheid Week, Drawing Backlash from Harvard Hillel."
[435] The *Crimson* Editorial Board, "A Place for Discussing BDS on Campus," *The Harvard Crimson*, February 28, 2020.
[436] Ibid.

some BDS supporters called Israel's "regime of Jewish supremacy."[437] The board maintained that calls for divestment were not attempts to politicize institutions but rather to rectify past decisions to invest in companies complicit in human rights abuses towards Palestinians. It concluded that as a board, it was "proud to

finally lend our support to both Palestinian liberation and BDS."[438]

The *Crimson* editorial prompted widespread criticism from members of the Harvard community. At a meeting of the Faculty of Arts and Sciences (FAS), government department professor Eric M. Nelson '99 directly questioned President Lawrence S. Bacow about "the eruption of antisemitism on campus." Professor Nelson cited the *Crimson* editorial alongside the Israeli Apartheid Week mural, and a swastika symbol that had appeared in Currier House.[439] President Bacow declined to comment directly on the editorial itself in response and affirmed the *Crimson*'s editorial independence. Nonetheless, he said that "any suggestion of targeting or boycotting a particular group because of disagreements over the policies pursued by their governments is antithetical to what we stand for as a university."[440] Other faculty were much more outspoken. Psychology professor Steven A. Pinker and Lawrence H. Summers were among a group of high-profile academics who signed a faculty petition denouncing the editorial.[441] Alan Dershowitz argued that the editorial applied a "double standard" by singling out Israel while ignoring "the many Israeli children, women who have been murdered by Palestinian terrorists." He argued that publishing it risked normalizing growing antisemitism on college campuses.[442]

The editorial also received significant criticism from Harvard alumni. Ira E. Stoll '94, a former *Crimson* president, wrote that the editorial's call for a boycott of Israel singled it out from all other countries in a way that was "profoundly disappointing." He wrote that the editorial contradicted "every important Harvard, journalistic and human value."[443] Another letter signed by six alumni including former *Crimson* president Michael J. Abramowitz '85 criticized the editorial for endorsing a movement that was "not a solution to the Israeli-Palestinian conflict." They argued BDS aims to eliminate Israel entirely rather than achieve a two-state solution. The letter stated the editorial betrayed "its basic journalistic responsibility to ground arguments in facts."[444]

Hillel President and *Crimson* affiliate Natalie L. Kahn '23 also authored an op-ed saying she "stood with Israel." She argued that the editorial unfairly singled out Israel by not mentioning terrorist threats it faced, or peace offers rejected by Palestinian leadership. With regards to the BDS movement's intentions, she wrote:

> "BDS founders aim to eliminate Israel entirely. If you doubt me, ask its founders: "Definitely, most definitely, we oppose a Jewish state in any part of Palestine," said co-founder Omar Barghouti, who also declared that Palestinians have a right to "resistance by any means, including armed resistance."[445]

[437] The *Crimson* Editorial Board, "In Support of Boycott, Divest, Sanctions and a Free Palestine," *The Harvard Crimson*, April 29, 2022.
[438] Ibid.
[439] Vivi E. Lu and Leah J. Teichholtz, "The *Crimson* Faces Backlash Over Editorial Endorsing BDS Movement," *The Harvard Crimson*, May 9, 2022.
[440] Ibid.
[441] Ibid.
[442] Alan M. Dershowitz, "Letter to the Editor: Editorial Normalizes Growing Campus Anti-Semitism," *The Harvard Crimson*, May 6, 2022.
[443] Ira E. Stoll, "To the Editor: In Response to 'In Support of Boycott, Divest, Sanctions and a Free Palestine'," *The Harvard Crimson*, May 4, 2022.
[444] Michael J. Abramowitz et al., "To the Editor: From Six *Crimson* Alumni In Regard to BDS," *The Harvard Crimson*, May 9, 2022.
[445] Natalie L. Kahn, "I Am a *Crimson* Editor and I Stand with Israel," *The Harvard Crimson*, May 4, 2022.

Following the publication of the editorial, some members of the newspaper's editorial board faced a significant amount of online doxxing, harassment, and threats.[446] As a result, the *Crimson*'s leadership "erase[ed] the names of Editorial editors who simply did not want to continue their affiliation at such high risk of harassment."[447] The University felt it was necessary to increase the Harvard Police's security presence to protect the newspaper's staff — "a sickening, jarring development."[448]

The editorial also received support. Daniel A. Swanson '74, a former president of the *Crimson,* applauded the editorial, saying it took "tremendous courage" and that he supported BDS.[449] Nadine S. Bahour '22 wrote that she was "proud to be at Harvard during this time" and felt that for the first time, Palestinians' voices were being heard on campus and that the *Crimson* board had offered "a defiant recognition of Israel's crimes against humanity."[450]

Over the course of the decade, discussions around Israel and Palestine at Harvard grew ever more polarized, confrontational, and divisive. Disagreements intensified around how to define antisemitism, determine what speech or tactics crossed lines, and weigh minority groups' perspectives on offense. As activism targeting Israel gained acceptance and the *Crimson* endorsed BDS, pro-Israel students felt further alienated and claims of antisemitism proliferated. By the late 2010s, campus debates had descended into personal attacks, with little consensus on basic facts or terms, demonstrating the challenges of navigating these complex issues in a way that is respectful to all communities.

The Progressive Jewish Alliance and Open Hillel

This decade also saw clashes within the Jewish community over the limits of debate at Harvard Hillel. Hillel had a history of internecine conflict. A Jewish student active at Hillel in this time period reported in an interview:

> Where the Israel stuff really felt intense, was actually inside Hillel. There was an extremely intense debate inside Hillel about Israel and about Israel politics … Hillel had an open listserv, you know, discussion listserv. And there would be these just endless … debates, the tone of which was just appalling, which were about American politics, but also about Israel politics, and … that's where I felt a tension about Israel politics was actually within the Hillel community, not between Jews and the outside … It was a bitter and unpleasant debate. I mean, people were like, angry at each other.[451]

Tensions rose in the 2010s around the Progressive Jewish Alliance (PJA) and the Open Hillel campaign, which wanted Hillel to allow for a greater range of critical voices on Israel.[452] The PJA had been active at Hillel over a range of issues including LGBTQ+ inclusion, environmental justice, and labor rights. The group joined Hillel for Israel-related activities, such as the annual Israel Fest. PJA also spoke out alongside Hillel members when antisemitic events occurred on campus, as when a swastika appeared in 2013 on a Harvard building.[453]

Despite these areas of accord, in 2012 Hillel and PJA parted ways when PJA planned an event called "Jewish Voices Against the Occupation" to be co-sponsored with the Harvard College PSC. Due to

[446] The *Crimson* Editorial Board, "The Cost of Free Speech: On Wellesley, Palestine, and Student Journalist Solidarity," *The Harvard Crimson*, November 2, 2022. https://www.thecrimson.com/article/2022/11/2/editorial-wellesley-bds/
[447] Ibid.
[448] Ibid.
[449] Dan Swanson, "To the Editor: In Support of the BDS Editorial," *The Harvard Crimson*, May 6, 2022.
[450] Nadine S. Bahour, "I Am Palestinian and I Stand With The Crimson," *The Harvard Crimson*, May 11 2022.
[451] Interview with Shai Dromi, 7/16/2024.
[452] Yoav B.G. Schaefer, "Changing the Paradigm," *The Harvard Crimson*, March 12, 2013.
[453] Hana N. Rouse, "Swastika Graffiti Prompts Condemnation from Faith Leaders," *The Harvard Crimson* 2011. https://www.thecrimson.com/article/2011/12/20/graffiti-swastika-building-hateful/

pressure from Hillel International over the PSC's support for BDS, the event was not held at Hillel.[454] Hillel International's "Guidelines for Campus Israel Activities," created in 2010, stated that Hillel may not "partner with, house, or host organizations that … support boycott of, divestment from, or sanctions … against the State of Israel." As a result, during a visit to Harvard by Avraham Burg, former speaker of the Israeli Parliament, in 2013, students met him over dinner at Hillel but then walked over to Quincy House for Mr. Burg's speech, since the event was co-sponsored by the PSC, which endorsed BDS.[455]

In response to these incidents, the PJA and students from other colleges and universities launched the Open Hillel movement in 2013,[456] petitioning Hillel International to "abolish its Standards of Partnership and embrace political pluralism and open dialogue."[457] Open Hillel supporters saw the standards as limiting meaningful engagement and debate regarding Israel-Palestine. Swarthmore Hillel became the first "Open Hillel" in 2013, officially welcoming speakers who oppose Israel, going against Hillel International's rules.[458]

Debates around these issues continued at Harvard. In 2014, Ann H. Finkel '15, Nancy Ko '17 and Justin Z. Szasz '17 wrote an op-ed announcing an Open Hillel conference at Harvard to bring together 300 students from across the country "to create the open American Jewish community that we want to see." They felt Hillel's standards precluded "any meaningful engagement between Jewish and Palestinian student groups."[459] Conversely, Aaron J. Miller '18 argued in another 2014 op-ed that "Hillel is already open" and facilitates diverse programming and viewpoints. Miller felt that groups like PSC advocating BDS "pose existential threats to the state" and that Hillel has a "responsibility to maintain its integrity as a center for Jewish life."[460]

The 2020 formation of the Harvard Jewish Coalition for Peace continued the ongoing discussions around Israel and Palestine within Harvard Hillel. According to its statement, the coalition aimed to "build on a long history of Jewish anti-Zionism which teaches us that Jewish safety or liberation will never come at the expense of other people's lives and land."[461] The coalition said it hoped to offer "a space for those who agree with its mission and have felt 'alienated' by Harvard Hillel." Hillel President Rebecca S. Araten '22 emphasized Hillel's commitment to "inclusive, multi-vocal conversation about Israel" and representing "a diversity of voices and political opinions." Some Jewish students, like Caleb J. Esrig '20, criticized the timing

[454] Sasha Johnson-Freyd, Rachel J. Sandalow-Ash, and Emily S. Unger, "An Open Hillel," *The Harvard Crimson*, November 16, 2012; Giacomo Bagarella and Alex R. Shams, "Rising Palestinian Resistance," *The Harvard Crimson*, November 26, 2012.
[455] Laurie Goodstein, "Members of Jewish Student Group Test Permissible Discussion on Israel," *The New York Times*, December 28, 2013. https://www.nytimes.com/2013/12/29/us/members-of-jewish-student-group-test-permissible-discussion-on-israel.html. This came alongside more general calls to expand discussions on Israel within the Jewish community. For example, a 2013 op-ed by Yoav B.G. Schaefer '15 called for a "new paradigm" in supporting Israel among American Jews. Schaefer wrote that some progressive Jews were becoming more critical due to Israel's rightward shift and policies like settlement growth, which they saw as undermining peace efforts. The author argued the Jewish community should engage with such viewpoints rather than push them away. Schaefer, "Changing the Paradigm."
[456] "Press Release: PJA Launches Open Hillel Campaign," *Harvard College Progressive Jewish Alliance*, January 31, 2013. http://harvardpja.blogspot.com/2013/01/press-release-pja-launches-open-hillel.html
[457] Ann H. Finkel and Justin Z. Szasz, "The Time is Now: Open Hillel," *The Harvard Crimson*, October 10, 2014.
[458] Goodstein, "Members of Jewish Student Group Test Permissible Discussion on Israel." Swarthmore Hillel changed its name in 2015 to avoid a Hillel International lawsuit over its change of policy. Elizabeth Redden, "Not In Our Name," *Inside Higher Ed*, March 17, 2015. https://www.insidehighered.com/news/2015/03/18/swarthmore-hillel-breaks-parent-organization-over-israel-issues
[459] Finkel and Szasz, "The Time is Now: Open Hillel."
[460] Aaron J. Miller, "Hillel's Already Open," *The Harvard Crimson*, October 15, 2014.
[461] Juliet E. Isselbacher and Amanda Y. Su, "Amid Criticism, Jewish Harvard Students Create Pro-Palestinian Rights Group," *The Harvard Crimson*, February 11 2020. https://www.thecrimson.com/article/2020/2/11/jewish-coalition-for-peace/

of the coalition's announcement over Hillel's open listserv on Shabbat and disagreed with their support for BDS, saying "BDS is not about human rights or social justice … It is about ending the Jewish state."[462]

Ever since the 1940s, Hillel has played an important community role for many Jewish students, but during the 2000s it struggled to accommodate the full diversity of political views around Israel among Harvard's Jewish students. A thesis based on interviews carried out in late 2022 and early 2023 found that approximately one-third of interviewees described feelings of discomfort at Hillel due to their beliefs related to Israel. Progressive Jewish students felt pressure in two directions — not to express pro-Israel views in progressive spaces on campus, but also to hold back from sharply criticizing Israel within Hillel. While Hillel claimed it represented a range of voices, some felt it had a disproportionately strong pro-Israel bent that left certain students feeling alienated from fully engaging in the community. Ongoing discussions within Hillel around events, partnerships with other groups, and responses to campus incidents revealed differences of opinion among students about the best approaches for building an inclusive space.

Heightened Challenges to Meaningful Dialogue

Discussions of Israel-Palestine at Harvard faced growing obstacles over the 2010s. Nonetheless, some initiatives and groups continued to seek opportunities for engagement, both over Israel-Palestine and, more generally, interfaith issues. Examples include:

- Sukkat Salaam: The intent of the organizers of Sukkat Salaam was to "foster interfaith understanding while celebrating the end of Ramadan … and the start of Sukkot." The event featured a kosher meal shared by students from Hillel and the Harvard Islamic Society in the sukkah structure and included "cultural performances, readings from religious texts, and discussion.[463] Over the years, the event evolved to incorporate more substantive dialogue based on passages from the Koran and Psalms and questions for discussion between students.[464]
- "here, without": Ethan Pierce '15 organized this year-long collaborative art project to explore narratives and tensions related to the region through workshops and exhibitions involving Harvard students and artists from the region. The goal was to foster discussion of contentious issues "in an 'alternative discursive space'" at Harvard. The final exhibition for the project was held at the Carpenter Center for the Visual Arts on May 4, 2015. It showcased works produced by the 35 participating "artist-residents" exploring life in the Middle East through varied creative media. English concentrator Josh Ascherman '17 contributed a mixed-media collage, and dancer Rossi Lamont Walter, Jr. '14 shared a poetic essay. Pierce saw the project as fostering "personal exploration and personal growth" for participants in addition to creating "an alternative discursive space at Harvard."[465]
- The Coalition at Harvard for Israel and Palestine (CHIP): This group was founded by Jacob Fortinsky '21 and others with the goal of promoting "a two-state solution, justice for Israelis and Palestinians, and a more nuanced discussion that acknowledges both sides' narratives on campus." CHIP is aligned with J Street U, the student organizing arm of J Street, a left-wing Israel advocacy organization.[466] Joshua B. Lipson '14 had previously advocated for J Street on campus after feeling pushed into being

[462] Isselbacher and Su, "Amid Criticism, Jewish Harvard Students Create Pro-Palestinian Rights Group."
[463] Jane Seo, "Students Celebrate Sukkat Salaam at Hillel," *The Harvard Crimson*, September 28, 2010.
[464] Katie R. Zavadski, "Muslims, Jews Eat in 'Shelter of Peace'," *The Harvard Crimson*, October 18, 2011.
[465] Elizabeth Keto, "'here, without' Explores Israel-Palestine Relations Through Art." *The Harvard Crimson*, April 28, 2015. https://www.thecrimson.com/article/2015/4/28/here-without/
[466] J Street U aims to provide "a home for students to hold nuanced views without compromising their pro-Israel values" by "educating, training, and mobilizing students" "J Street U," *J Street*. https://jstreet.org/j-street-u/. Hillel had previously held J Street events, but did not have a J Street U chapter. See Molly E. Kelly, "Hillel Event Bridges Israeli-Palestinian Gap," *The Harvard Crimson*, April 13, 2010.

labeled an "Israel advocate" or "hasbarist [propagandist]-in-training" in his previous involvement with HSI. For Lipson, such labels did not fully capture a more nuanced and pragmatic views in support of a two-state solution, which drew him to J Street as a home for students who want to support Israel but also recognize Palestinian rights and interests.[467] Caleb Esrig '20 and Fortinsky published an op-ed in the *Crimson* expressing their belief that "the cause of peace requires this mutual understanding," while criticizing PSC-organized events like Israeli Apartheid Week that they felt failed to recognize the legitimacy of the other group's narrative. They wrote, "the cause of peace requires recognizing the Jewish narrative. It demands understanding that Israel is not an abstract idea but a real refuge."[468]

These initiatives encountered stiff headwinds. Over the 2010s, multiple outbursts of violence between Israel and the Hamas ruling regime in Gaza strengthened student support for the Palestinian cause. In the wake of violence in Gaza and Israel in Spring 2021, over 900 individuals and 92 student groups co-sponsored a statement calling on Harvard to divest from companies complicit in Israeli violence and settlements.[469] In a 2021 op-ed titled "Progressive, Except for Palestine," Asmer A. Safi '24 argued that the violence faced by Palestinians, including the killing of over 250 people in Gaza that spring, was the work of an "apartheid regime" practicing "systemic violence and dispossession" against Palestinians by Israel. Safi insisted that as students at Harvard with a duty to foster justice, "it is unjust of us to turn a blind eye towards incessant violence that has targeted innocents across generations."[470] In September 2023, as in previous years, the Convocation ceremony for first-year undergraduate students was disrupted by PSC members calling for Harvard to divest from and otherwise boycott Israel.

In this climate, attempts at conversation between the opposing sides on campus became increasingly challenging, as demonstrated by PSC's campaign against Israel Trek, which was discussed above. Trek leaders argued that they were supportive of dialogue with PSC and other pro-Palestinian groups on campus, but the PSC rejected the invitation.[471] Nadine Bahour of the PSC explained: "Israel Trek leaders refuse to admit that the reality on the ground is ethnic cleansing, is apartheid, and is directly killing people … These are some very basic understandings that need to be agreed on before any sort of conversation happens."[472] Conversations, in her view, were impossible when there was an unequal power dynamic at work: "I think when you have someone who served in the [IDF] military that was the oppressor when I was back home and I was standing on the checkpoint, that means that when they come here, we are not just two students."[473]

By 2023, some Jewish students had come to the conviction that conversations about Israel on campus led to a dead end and quickly descended into slogans. As a result, some Jewish students began to avoid engaging in discussions about Israel/Palestine in an attempt to prevent heated and divisive arguments.[474]

In the early 2020s, Israel/Palestine was inserted into controversies that ostensibly had nothing to do with it. In 2021, HDS and AAAS Professor of the Practice Cornel West claimed that the University denied his request for a tenured position due to his vocal criticism of Israel's treatment of Palestinians. He stated, "I do think the support of this critique of Israeli occupation is a plausible hypothesis, given what I know

[467] Joshua B. Lipson, "Why J Street?," *The Harvard Crimson*, April 8, 2013.
[468] Caleb J. Esrig and Jacob A. Fortinsky, "Silent No Longer," *The Harvard Crimson*, April 5, 2019. https://www.thecrimson.com/article/2019/4/5/esrig-fortinsky-silent-no-longer/
[469] "Statement by Palestine Student Groups at Harvard University on Violence Against Palestinians," updated May 12, 2021. https://docs.google.com/document/d/1NtNoEeGoHUFPhUJJxhw0EXKJTpC0n9fi_bXrx3YbVYU/edit
[470] Asmer A. Safi, "Progressive, Except for Palestine," *The Harvard Crimson*, June 24, 2021.
[471] Ibid
[472] Ibid
[473] Ibid
[474] Ibid, 73-77.

about earlier candidates who have been denied."[475] (West had already been embroiled in accusations of antisemitism after calling President Summers a bully and "the Ariel Sharon of American higher education" in 2002).[476] Hillel Executive Director Jonah Steinberg criticized West as well as a student petition supporting West.[477] West defended his belief, saying that he "will not allow charges of anti-Semitism to somehow trump a serious discussion about the Israeli-Palestinian situation."[478] Jeremy Stepansky '21 — a member of the coalition that drafted the petition — defended the document and referred to what the coalition of West supporters understood to be the underlying issue at play: Harvard's treatment of Black scholars and academics who are critical of Israel's treatment of Palestinians."[479]

The Cornel West affair, like the SodaStream and Sabra hummus controversies before it, demonstrate how the Israeli-Palestinian conflict began to penetrate into the nooks and crannies of everyday life at Harvard, from the food and beverages consumed in the dining halls to the basic operational matters of hiring, tenure, and promotion. In this atmosphere, Jewish students felt growing unease, not only because of their religious or personal connections with Israel, but also because of the potential for critique of Israel to jump its banks and manifest itself as outright antisemitism.

Continuing Experiences of Antisemitism

Over the 2010s, Jewish students at Harvard experienced and reflected on antisemitism as they had not in previous decades. In 2012, three Jewish students wrote an opinion piece for the *Crimson* discussing the "history of persecution faced by Jews globally" and arguing that Israel provides "a haven for the most persecuted population in human history."[480] After the 2018 Tree of Life synagogue shooting in Pittsburgh, some at Harvard called for "more recognition of antisemitism on campus." David J. Benger argued in the *Crimson* that Harvard should formally adopt the definition of antisemitism endorsed by International Holocaust Remembrance Alliance (IHRA).[481] In response to student concerns, Hillel hosted an event where Professor Jay Harris explored how antisemitism targeted Jews "from both political extremes." Undergraduate president Corey A. Gold '19 said it aimed to help understand antisemitism's rising prevalence.[482]

Additionally, the Harvard community experienced a wide range of antisemitic incidents ostensibly unrelated to Israel-Palestine:

- In 2010, the Westboro Baptist Church, known for anti-gay protests, planned to picket outside Harvard Hillel on December 3, to protest Jews as the killers of Jesus. In response, student groups organized a "Surprise Absurdity Protest"; around 200-300 counter-protesters gathered at Hillel with "whimsical" signs saying things like "God hates figs." The Westboro protesters ultimately stayed for only a short time. Lilli R. Margolin '11, Hillel's vice-president for community relations, said that the counter-protest "really outshone them."[483]

[475] Alex Koller and Taylor C. Peterman, "Harvard Hillel Executive Director Accuses Cornel West, Supporters of Furthering 'Anti-Jewish Conspiracy Theory' in Tenure Controversy," *The Harvard Crimson*, March 11 2021.
[476] Anemona Hartocollis, "Cornel West Is in a Fight With Harvard, Again," *The New York Times*, March 2, 2021. https://www.nytimes.com/2021/03/02/us/cornel-west-harvard-tenure.html
[477] Koller and Peterman, "Harvard Hillel Executive Director Accuses Cornel West, Supporters of Furthering 'Anti-Jewish Conspiracy Theory' in Tenure Controversy."
[478] Ibid.
[479] Ibid.
[480] Anna V. Gommerstadt, Yair Rosenberg, and Rachel E. Zax, "To Save The Jews," *The Harvard Crimson*, March 2, 2012.
[481] David J. Benger, "Recognize, Define, and Condemn Anti-Semitism," *The Harvard Crimson*, October 31 2018.
[482] Isabel L. Isselbacher, "In Wake of Pittsburgh Shooting, Jay Harris Speaks on Anti-Semitism in the U.S.," *The Harvard Crimson*, November 7, 2018.
[483] Kelly K. W. Lam, "Harvard Students Counter WBC with 'Absurdity'," *The Harvard Crimson*, December 6, 2010.

- In late November 2012, flyers were distributed under doors at Harvard River Houses promoting a fake final club called "The Pigeon." The flyers contained the language "Jews need not apply" and "Coloreds OK." They also included a reference to the date-rape drug Rohypnol.[484]

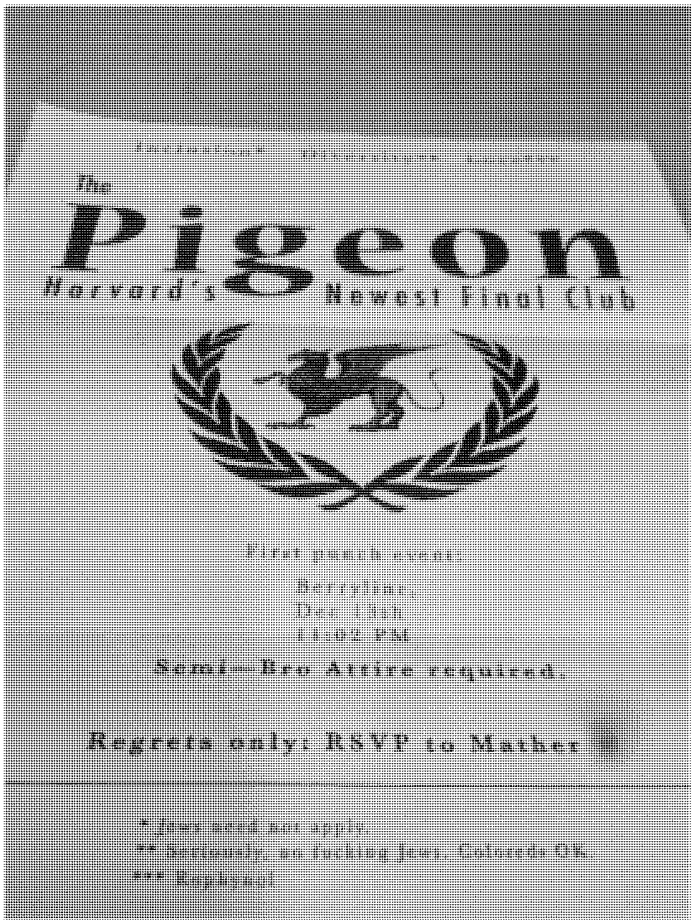


Figure 2. Flyer circulated to nine River Houses. The Harvard Crimson*, November 30, 2012.*

- In November 2013, the Harvard *Ichthus*, a Christian student journal, published a blog post implying Jews were responsible for Jesus' death. The post stated, "We, the Jews, collectively rejected God and hung Him up on a cross to die, and thus we deserved the punishments that were heaped on our heads over the last 2000 years." This blog post faced backlash from the Jewish community.[485]
- In November 2018, "deeply disturbing and offensive images" were found drawn on a public whiteboard in McKinlock Hall at Leverett House. A photo sent to the *Crimson* depicted faces labeled with racist terms alongside antisemitic comments referring to George Soros and using terms like "globalists" and "[migrant] caravan."[486]
- In the following month, a man toppled over a large menorah erected by Harvard Chabad on Cambridge Common.[487] In response to the incident, dozens of Harvard affiliates and local residents

[484] Rebecca D. Robbins, "Campus Reacts To Inflammatory Flyers," *The Harvard Crimson*, November 30, 2012.
[485] Anneli L. Tostar, "Harvard Christian Publication Apologizes for Blog Post Saying Jews 'Deserved' Punishments," *The Harvard Crimson*, November 24, 2013.
[486] Shera S. Avi-Yonah and Ruth A. Hailu, "Harvard Administrators Investigating Racist Drawings Found in Leverett House," *The Harvard Crimson*, November 20, 2018.
[487] Amanda Y. Su, "Harvard Hillel and Chabad to Increase Security Following Anti-Semitic Attacks," *The Harvard Crimson*, January 7, 2020.

gathered at the site to light candles on the menorah. Cambridge Mayor Marc C. McGovern spoke about the incident as "a time in which the fundamental principles of this country have been challenged." McGovern honored Pulitzer Prize-winning journalist Ron S. Suskind and others who had worked to restore the menorah after it was initially knocked over.[488]

- In May 2019, the Harvard *Lampoon* published a digitally manipulated image depicting Holocaust victim Anne Frank, leading students and the Harvard Hillel to condemn the image. The Lampoon leaders apologized.[489]
- HUPD investigated a July 2019 email containing racist and antisemitic content that was sent to Harvard students and President Bacow.[490]
- In 2021, two incidents of vandalism at Harvard Hillel were reported and investigated by HUPD.[491]
- In November 2022, members of the neo-Nazi group Nationalist Social Club 131 intimidated and threatened passers-by at Harvard Square.[492]

Traditional antisemitism based in bigotry, religious hatred, and economic resentment was a marginal, yet persistent and visible, issue at Harvard. Although probably unrelated to anger over the Israeli-Palestinian conflict, there was considerable risk for a blending of the two.

Conclusion

An interview-based senior thesis, using 2022-2023 data, found that a significant number of Jewish students experienced significant levels of discomfort, alienation, and in some cases discrimination in expressing their Jewish and pro-Israel identities at Harvard University. Specifically:

- 69% of the author's Harvard student interviewees claimed that at some point their Judaism or connections to Israel made them censor themselves in academic or social settings.
- 63% said that they or peers they knew had experienced antisemitism at Harvard. Incidents of antisemitism ranged from microaggressions and stereotyping to outright and intentional discrimination. This atmosphere led some student reticence to discuss or display their Jewish identity.
- 83% said they experienced anti-Zionism on campus. This rubric included employing the term "Zionist" as a slur rather than a neutral descriptor. Students felt that a double standard was being applied, as other countries such as China or Russia could be critiqued without suggesting that they should not exist as independent states. Pro-Israel students also expressed frustration at organizations such as the IOP and the *Crimson*, where they felt singled out and attacked.
- One-third felt uncomfortable expressing their views about Israel. This feeling was shared by students who spoke critically of Israel at Hillel as well as pro-Israel students elsewhere, as both groups feared negative social consequences for speaking their mind. Progressive students felt especially pressured not to express pro-Israel views.

[488] Shera S. Avi-Yonah, "After Menorah Knocked Down, Cambridge Residents Gather to Light Hanukkah Candles," *The Harvard Crimson*, December 7, 2018.
[489] Shera S. Avi-Yonah and Delano R. Franklin, "Students Criticize Harvard Lampoon for Anti-Semitic Image of Anne Frank," *The Harvard Crimson*, May 15, 2019.
[490] Molly C. McCafferty, "Harvard Police Investigating Racist, Anti-Semitic Email Sent to Students, Bacow," *The Harvard Crimson*, July 19, 2019.
[491] Alex Koller and Taylor C. Peterman, "HUPD Investigating Two Vandalism Incidents at Harvard Hillel Amid Nationwide Rise in Anti-Semitism," *The Harvard Crimson*, June 8, 2021.
[492] Sarah Girma and Brandon L. Kingdollar, "Neo-Nazi Group Threatens Residents in Harvard Square," *The Harvard Crimson*, November 16, 2022.

- Israeli students perceived significant discrimination, social alienation, and personal attacks due to their nationality.[493]

These findings align with several developments that this section has highlighted:

- By October 2023, discussions of Israel and Palestine at Harvard had become increasingly divisive. While some student initiatives continued seeking understanding through dialogue, assertive activism targeting Israeli activities on campus became more normative. With the growth of stronger pro-Palestinian position rejecting compromise, pro-Israel students reported feeling further alienated and silenced.
- A key development was the diminished ability to find common ground or acknowledge opposing perspectives. As anti-normalization stances discouraged engagement without preconditions, there was less opportunity and interest in discovering what speech or actions others found offensive and why that was the case.
- Jewish students described an increased willingness by classmates to discount their own testimony about offensive speech and to attribute claims of antisemitism to pro-Israel political motivations. Debates around antisemitism intensified, with multiple parties (Jewish and non-Jewish) feeling empowered to make claims about what is, is not, or should not be offensive to Jews. Dismissal of the salience of the impact of speech as opposed to its intent weakened the legitimacy of Jewish students' reports about their own experience. As Eric I. Kalimi '26 and Isaac Mansell '26 wrote at the end of 2023: "Even though we feel largely physically safe, we have noticed a disturbing, reductionist narrative at Harvard and beyond, which unilaterally invalidates the Jewish experience. We have witnessed the denial of genuine instances of antisemitism, paired with the subsequent invalidation of Jewish reactions and even emotions. This silencing is something that no group, least of all a historically marginalized group, should have to face."[494]

Progressive Jewish students faced particular challenges in finding a home for their views on campus. While some felt Hillel did not fully represent the diversity of political opinions around Israel among its members, progressive forums increasingly adopted stances rejecting compromise that left these students unable to fully express support for Israel's existence. As a result, progressive Jews reported pressure not to express pro-Israel views in progressive spaces, yet also faced obstacles bringing their critical position towards Israeli policies into Hillel. The lack of outlets accommodating Jews with views straddling the divide served to further isolate and alienate these students.

During the 15 years prior to October 7, 2023, the political atmosphere at Harvard became gradually but visibly more polarized. Over the same period, and particularly from the end of the 2010s, Israel/Palestine became a central issue of concern on campus — at least as great as America's political dysfunction and the global climate crisis, and certainly the greatest source of contention and controversy. The "Palestine exception" that received much attention within the Harvard community was predicated upon an "Israel exception" that of all states this one's actions, and perhaps its very existence, represented a distinctly grave injustice that must be reversed. All of these factors were in play before the Hamas massacre of October 7th and Israel's massive military response.

[493] Based on a qualitative methodology of 60 semi-structured interviews with 47 Harvard students. Goldfischer, "The Death of Discourse: Antisemitism at Harvard College."
[494] Eric I. Kalimi and Isaac Mansell, "The Disturbing Denial of Jewish Grief," *The Harvard Crimson* 2023. https://www.thecrimson.com/article/2023/12/29/kalimi-mansell-jewish-grief/

Conclusion

The history detailed in this report demonstrates that the current state of Jewish life at Harvard has roots reaching back to the 1980s. These enduring issues include the challenge of balancing rights of free expression with protection against hate speech and debates whether Jewish students' complaints of antisemitism should be accepted at face value or subject to critical scrutiny. One significant transformation over time has been a shift in Jewish students' concerns about their place in the Harvard community. In the early to mid-20th century, these concerns primarily centered on forms of unvarnished antisemitism such as discrimination and stereotyping. From the 1960s and 70s, older forms of antisemitism faded, the numbers of Jewish students at Harvard increased markedly, and Jews began to feel at home within the University. In the 1980s and 1990s, however, there were signs of new sources of tension — in part having to do with Israel, and in part linked with Black-Jewish relations, in the United States in general and at Harvard in particular. These tensions were mild and transient.

After 2000, Israel/Palestine became a central and contentious issue on campus. But in the early 2000s, as in previous decades, criticism of Israel centered around specific policies, pro-Palestinian students often called for a two-state solution that recognized Israel's right to exist, and students with varying viewpoints on the conflict sought out opportunities to learn about each other via respectful dialogue. Despite some rough patches, in general the experience of Jewish students at Harvard remained positive for a decade or more after the turn of the millennium.

The position of Jewish students became more difficult in the 2010s and 20s as encounters between students with differing perspectives regarding Israel/Palestinian have given way to statements and manifestos that reject compromise, favor boycotts of Israeli universities, and oppose "normalization" — that is, interacting publicly, or even privately, with Israelis or those who actively support the Jewish state. Debates about Israel have questioned Israel's legitimacy and identity. Challenging Israel's very existence or right to self-determination as a Jewish state has made many Jewish students feel that their own identities are under attack. Even before October 7th, Jewish students who identified both with Israel and with progressive political and social causes were made to feel uncomfortable or unwelcome in progressive spaces on campus if they did not embrace anti-Zionism. Also over the last several years, Harvard's Jewish community itself has become more divided, with a small but vocal minority defining itself in terms of support for Palestinian rights.

The Hamas massacre was a massively significant geopolitical event. At Harvard, it accelerated and intensified longstanding issues on campus, with Jewish students under ever greater challenges to navigate a landscape where their concerns about discrimination, hate speech, and communal harm are viewed with decreasing sympathy by many of their peers.

CHAPTER 2

Historical Context: Harvard Since October 7, 2023

This section narrates the events of the tumultuous period at Harvard from October 7, 2023, to the end of the Fall 2024 academic term. With the advantage of hindsight, we can better understand now which events of this period seem to have been the most damaging to our community and hypothesize why that was the case. That said, this narrative only partially captures the range of student experiences and perceptions of that period. Chapter 3 tells the story from the point of view shared with us by some of Harvard's Jewish students. Chapters 2 and 3 should therefore be read in tandem.

The National Context

Harvard does not dwell in a vacuum. Since October 7, 2023, its turmoil has resembled that experienced by dozens of other American colleges and universities. Disruptions on campuses, in turn, are reflections of broader tensions in American society. These tensions are evident in the prevalence of negative views about Jews. According to the Anti-Defamation League, almost a quarter of Americans subscribe to multiple negative views about Jews, and young people are even more likely than their elders to hold such views. It is not surprising then, though deeply regrettable, that antisemitism exists at Harvard and at other colleges and universities nationwide.[495]

In September 2024, a report prepared by Eitan Hersh and Dahlia Lyss for the Jim Joseph Foundation presented data from a series of surveys of American college students conducted between 2022 and 2024.[496] The data showed that in 2024, Jewish students reported experiencing targeted antisemitic language on social media (16%), in campus settings (11%), and in the classroom (8%). When asked if they deliberately avoid Jews, 4% of White students and almost twice as many Black, Hispanic, and Asian students answered in the affirmative. When classified by religion, 15% of Muslim students and 5% of Christian students reported avoiding Jews.

The surveys primarily examined non-Jewish and Jewish students' attitudes about Israel, particularly regarding support for its existence as a Jewish state. In late 2023, Jewish students were twice as likely as in Spring 2022 to say, in the words of Hersh and Lyss, "that they hide their Jewish identity to fit in on campus, that people judge them negatively for participating in Jewish activities, and that Jewish students broadly pay a social cost for supporting the existence of Israel as a Jewish state."[497] These perceptions registered in 2022 and 2023 appear to be corroborated by the 2024 survey, which found that 20% of non-Jewish students said they would not "want to be friends with someone who supports the existence of Israel as a Jewish state." Notably, the figure climbed to 40% among students who identify as "very liberal."[498]

According to the surveys, unwillingness to befriend Jewish students who identify with Israel varies meaningfully by not only political views but also race, ethnicity, sexual orientation, and gender identity. For instance, while 12% of White students indicated they would not wish to be friends with those who support Israel, almost twice as many Black students expressed this view. Similar percentages and disparities characterize the views of straight versus LGBTQ+ students. These figures are largely in keeping with broader trends in American public opinion. Research by Eitan Hersh and Laura Royden, for example, has

[495] *Antisemitic Attitudes in America 2024* (https://www.adl.org/resources/report/antisemitic-attitudes-america-2024).
[496] Eitan Hersh and Dahlia Lyss, *A Year of Campus Conflict and Growth: An Over-Time Study of the Impact of the Israel-Hamas War on U.S. College Students. A Report to the Jim Joseph Foundation* (September 2024).
[497] Ibid, 4. For Jewish students with "low" Jewish background the percentage climbed from 30 to 55.
[498] Ibid, 55-56.

shown that Black and Hispanic Americans are more likely than White Americans to hold antisemitic views. This trend does not, however, hold true for White Americans on the far right of the political spectrum, who hold even higher levels of antisemitism.[499]

The surveys reveal that most college students are not antisemitic, and to the extent they are, they reflect American public opinion in general. These findings, however, do not give any college or university a right to be complacent. Far from it. Colleges, particularly residential ones, are uniquely positioned to combat antisemitism because of their close-knit communities and intense contact between students and faculty who have a responsibility to teach and model values embracing pluralism and mutual respect. To the extent that Harvard has not taken strong and decisive action to combat antisemitism on campus, this report provides guidance as to what needs to be done. But no treatment plan can proceed without a full understanding of the gravity and extent of the illness.

There are two other national trends worth mentioning before proceeding to recent events at Harvard. The first is that while holding views hostile to Israel and holding antisemitic views can overlap, survey data suggests this to be relatively uncommon. A survey released in August 2024 by the Maurice and Marilyn Cohen Center at Brandeis University showed that about 15% of American university students held views hostile to Israel but do not hold negative views about Jews, whereas a similar percentage of students are antisemitic but do not oppose Israel's existence. Some 2% of students are both severely antisemitic and anti-Zionist.[500] These findings suggest that while antisemitism and anti-Zionism overlap, they are not identical. At Harvard, as elsewhere, some proponents of the Palestinian cause invoke this distinction to defend their freedom to engage in protest, including engaging in disruptions of campus life. Pro-Palestinian expression and action do not, however, need to be deemed antisemitic in order to be considered in violation of Harvard's stated values, policies, and norms (e.g., regarding the appropriate time, place, and manner of protest, and prohibiting discrimination against and bullying of individuals based on their national origin, religious faith, or political beliefs).

The second trend is the diversity of opinion within the Jewish community itself regarding Israel, suggesting that the conflation of Jewishness with support for Israel should not be taken for granted. The Hersh and Lyss surveys mentioned above show that between 10 and 18% of Jewish students nationwide feel that Israel should not be a Jewish state. Understanding the past year at Harvard involves considering not only the clash of views between students who identify as pro-Palestinian or pro-Israel, but also divisions within Harvard's Jewish community itself. Intolerance and exclusion can flourish in intra-communal as well as inter-communal spaces.

From October 7th to President Gay's Resignation

Early in the morning on Saturday, October 7, 2023, the Jewish holiday of Simchat Torah, Hamas guerrillas invaded Israel. They attacked agricultural settlements, army bases, and a music festival close to the Gaza-Israel border. Hamas guerrillas and other Palestinian militants killed almost 1,200 people and took around 250 hostages. The attack was designed to exploit social media, with Hamas fighters livestreaming gruesome and heart-wrenching videos as part of their military strategy. Differing reactions on the Harvard campus in the first days after the massacre set into motion patterns of behavior — particularly regarding discourse and activism — that continued for months thereafter.

[499] Eitan Hersh and Laura Royden, "Antisemitic Attitudes among Young Black and Hispanic Americans," *The Journal of Race, Ethnicity, and Politics*. 2023;8(1):105-123.
[500] Graham Wright, Shahar Hecht, Sasha Volodarsky, and Leonard Saxe, *Antisemitism on Campus. Understanding Hostility to Jews and Israel* (August 2024).

As the horrific news hit, Harvard's campus witnessed outbursts of grief, horror, fear, anger, and frustration. More than 100 Jewish and Israeli Harvard students and faculty gathered at Harvard Hillel (and a few joined virtually through Zoom) on Saturday afternoon to mourn the victims of the attack and extend support to those directly affected. Harvard Hillel released a statement expressing the pain its members felt as they learned of the devastating attack and affirming Hillel's support for the people of Israel.[501] On Sunday, October 8, then-President Claudine Gay and then-Provost Alan Garber went to Harvard Hillel for dinner, and that same evening more than 200 Harvard affiliates, including President Gay, Provost Garber, Dean of the Faculty of Arts and Sciences Hopi Hoekstra, and Dean of Harvard College Rakesh Khurana, joined together for a candlelit vigil.[502]

At Cabot House, one of Harvard College's undergraduate residences, a group of Jewish students organized an impromptu gathering. There, a moment of connection and mutual sympathy was shared with a Palestinian student. A quite different reaction, no doubt reflecting anger and indignation, came from the Harvard Undergraduate Palestine Solidarity Committee (PSC), which on October 7, 2023 released a statement that held "the Israeli regime entirely responsible for all unfolding violence … The apartheid regime is the only one to blame … We call on the Harvard community to take action to stop the ongoing annihilation of Palestinians."[503] The PSC's statement was originally co-signed by 33 other Harvard student organizations, but the number of students represented by those organizations, and who consented to this message being released on their behalf, is unknown. Many student members of these organizations would later say they had not been consulted on the statement.

The PSC's statement — and the student organizations that endorsed it — drew intense criticism from within Harvard and beyond, including politicians. It caught the Jewish community, both at Harvard and elsewhere, at a moment of intense emotional vulnerability, as gruesome stories of violence filled their social media feeds in a way that appeared to intentionally echo the great tragedies of Jewish history, from pogroms in *fin de siècle* Russia to the Holocaust. Over 4,000 Harvard affiliates, including over 500 faculty members, signed on to a statement that condemned the attacks, denounced the PSC's statement, and demanded that the organizations that signed onto the statement revoke their signatures.[504] The Joint Statement was first circulated on Monday, October 9 and officially released on Tuesday, October 10. Amid national backlash, the PSC's original statement was updated on Tuesday afternoon to remove the names of the signatory organizations.[505] Before this, at least five of the original 34 student organizations had withdrawn their endorsements of the statement and released public apologies via Instagram.

Despite the removal of the signatories of the PSC's statement, individuals and websites continued to publish the names of affiliated students, sharing some students' personal information and social media profiles online, leading to targeting and doxxing of students.[506] Bill Ackman '88, for example, reposted Ian Bremmer's X post with a list of student organizations that signed onto the PSC's October 7, 2023

[501] Harvard Hillel (@harvardhillel), "The following statement was drafted and signed by many before University President Claudine Gay released a statement condemning Hamas's terror attacks …", October 10, 2023. https://www.instagram.com/p/CyO8daRuqRL/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA percent3D

[502] Joyce E. Kim, "Harvard Affiliates Mourn Israeli Victims of Hamas Attacks at Candlelit Vigil," *The Harvard Crimson,* October 10, 2023. https://www.thecrimson.com/article/2023/10/10/hillel-vigil-israel/

[503] J. Sellers Hill and Nia L. Orakwue, "Harvard Student Groups Face Intense Backlash for Statement Calling Israel 'Entirely Responsible' for Hamas Attack," *The Harvard Crimson*, October 10, 2023. https://www.thecrimson.com/article/2023/10/10/psc-statement-backlash/

[504] Google Docs, "Joint Statement on War in Israel," Accessed March 6, 2025. https://docs.google.com/document/d/1Fg1FCm6nuIrzUSM00bUx8D6TUfjFyYTVwoGxWOXLC24/edit?pli=1 percent22+ percent5C&tab=t.0&usp=embed_facebook

[505] Ibid.

[506] "Harvard Students Doxxed, Groups Withdraw Signatures Amid Continued Backlash to Israel Statement," *The Harvard Crimson*, October 11, 2023. https://www.thecrimson.com/article/2023/10/11/student-groups-withdraw-israel-statement/

statement, expressing hope that employers would take note of these organizations and ensure that they do not hire any of the students involved with these organizations in the future.[507] By the evening of Tuesday, October 10, at least four websites had published the list of organizations that signed onto the PSC's statement as well as personal information of affiliated students.[508] A billboard truck sponsored by Accuracy in Media (AIM) drove around Harvard Square, close to campus, on Wednesday, October 11 and Thursday, October 12.[509] The truck displayed names and photos of students alleged to be connected to the PSC's statement under the title "Harvard's Leading Antisemites." Harvard University Executive Vice President Meredith Weenick '90 condemned the doxxing, and out of concern for student safety, University officials closed overnight public access to Harvard Yard between Thursday, October 12 and Monday, October 16.

The PSC, together with another organization, Harvard Graduate Students 4 Palestine (GS4P), responded to the backlash it received from its October 7, 2023 statement and the subsequent doxxing of its members via an Instagram statement on October 11 that "the PSC staunchly opposes all violence against all innocent life and laments all human suffering." Nonetheless, the PSC denounced what it called a "hierarchy of suffering," which it alleged privileged the deaths of Israelis over those of Palestinians and condemned Israeli air strikes that had already killed 1,000 Palestinians over just a few days.

The week following the attacks, University leadership tried to manage the campus turmoil by issuing a series of statements.[510] According to a published report of the Committee on Education and the Workforce in the US House of Representatives, there was considerable disarray, confusion, and disagreement regarding how the first statement should be worded.[511] The version ultimately released did not specifically condemn Hamas or the PSC's original statement, and it came a full two days after the massacre, thereby angering many Harvard affiliates and alumni, as well as some politicians. President Gay released a second, more strongly worded, statement on the morning of Tuesday, October 10, but the following day, the Harvard Club of Israel addressed a letter to President Gay, condemning the Harvard administration's lackluster response to the October 7th attacks and ensuing events on campus.[512] "Anything less than full support for Israel's right to defend itself and its citizens and unequivocal denunciation of this terrorism is unacceptable." The letter went on to compare the University's slow response to October 7th to its strong and immediate reaction to other geopolitical events, such as Russia's invasion of Ukraine, and a range of significant events in the US, such as the killing of George Floyd. In response to these and other criticisms, President Gay released yet another message — this time in video

[507] Ackman, Bill (@BillAckman), "I have been asked by a number of CEOs if @harvard would release a list of the members of each of the Harvard organizations that have issued the letter assigning sole responsibility for Hamas' heinous acts to Israel, so as to insure that none of us inadvertently hire any of their members…," X, October 10, 2023, 1:00PM. https://x.com/BillAckman/status/1711788747086233661?ref_src=twsrc percent5Etfw percent7Ctwcamp percent5Etweetembed percent7Ctwterm percent5E1711788747086233661 percent7Ctwgr percent5E2f95f12f91c598cd9bdfd0f4ca100e8e2c2cf3e7 percent7Ctwcon percent5Es1_&ref

[508] "As Students Face Retaliation for Israel Statement, a 'Doxxing Truck' Displaying Students' Faces Comes to Harvard's Campus," *The Harvard Crimson*, October 12, 2023. https://www.thecrimson.com/article/2023/10/12/doxxing-truck-students-israel-statement/

[509] Ibid.

[510] President, Harvard University. "War in the Middle East," Harvard University President, October 9, 2023. https://www.harvard.edu/president/news-gay/2023/war-in-the-middle-east/

[511] https://edworkforce.house.gov/uploadedfiles/10.30.24_committee_on_education_and_the_workforce_republican_staff_report_-_antisemitism_on_college_campuses_exposed.pdf

[512] "Israeli Harvard Alumni Slam University Over Response to Hamas Attack," *The Harvard Crimson*, October 20, 2023. https://www.thecrimson.com/article/2023/10/20/israel-harvard-alumni-backlash/

form — on Thursday, October 12.[513,514] She affirmed the University's rejection of terrorism, hate, and harassment as well as its commitment to free speech, even when many may consider the contents of such speech morally problematic.

To some extent, it could be argued, Harvard inadvertently created a trap for itself. Throughout the 2010s, the University and its senior leaders had commented on certain matters of national and global importance, fostering an expectation among some segments of the Harvard community that the University would champion their specific concerns on such matters, whatever they might be. Now, the University was thrust into the spotlight as a result of the PSC's October 7, 2023 statement, and it would be impossible to satisfy all stakeholders.

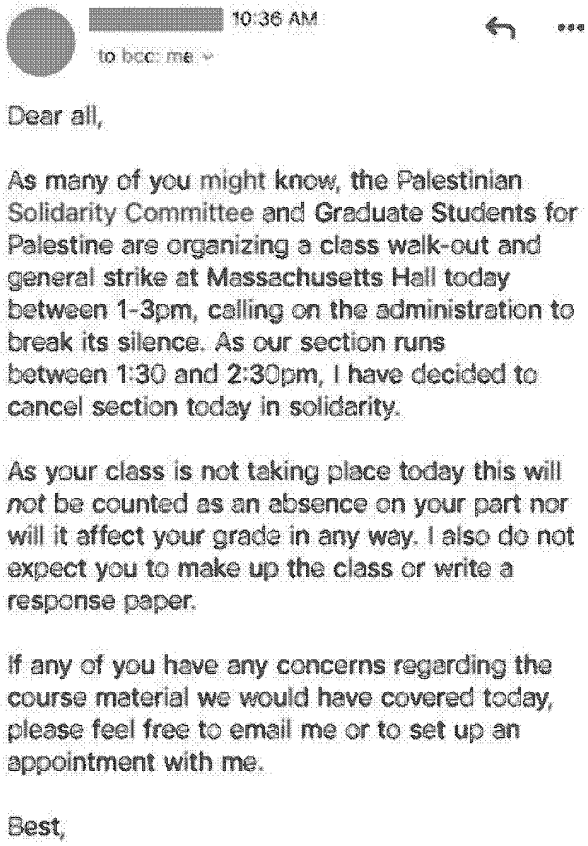
On Friday, October 13, a group of Republican lawmakers, all Harvard alumni, sent a letter to President Gay, criticizing the University's response to the PSC's statement and writing that Gay's administration "intentionally foster[s] an environment that allows rampant and dangerous antisemitism."[515] Ten days later, former Maryland Governor Larry Hogan announced in an open letter to President Gay that he would withdraw from two Harvard fellowships — one at the Harvard Kennedy School (HKS) and the other at the Harvard T.H. Chan School for Public Health — largely due to the rise of "dangerous antisemitism on campus."[516] And on the following Monday, the Wexner Foundation announced in a letter to Harvard's Board of Overseers its intention to end its 34-year relationship with Harvard and HKS due to the University's "dismal failure" in responding to and condemning the PSC's statement.[517]

Reactions from Harvard's Schools ranged from the perfunctory to the pointed. The latter characterizes a statement issued on October 11 by five administrators and one visiting professor all associated with Harvard Divinity School's (HDS) Religion and Public Life program (RPL). In RPL's newsletter, these individuals encouraged readers to "challenge single story narratives that justify vengeance and retaliation"[518] They went on to say, "Start with the rockets fired into Israel by Hamas on October 7, 2023, and not with the illegal occupation of Palestinian land by Israel and the blockade of Gaza since 2007, and you have an entirely different story." The HDS dean at the time seemed to distance himself from this statement, clarifying that the six individuals "do not speak for their program, for HDS, or for its wider community."

Meanwhile, pro-Palestinian activism picked up quickly in the days following the massacre. On October 14, the PSC and GS4P jointly organized a protest against Israel's anticipated ground invasion of Gaza.[519] More than 1,000 demonstrators were reported to have attended the protest, which was held on the steps of

[513] "Harvard President Claudine Gay Fiercely Condemns Hamas, Rejects Calls to Punish Students for Israel Statement," *The Harvard Crimson*, October 13, 2023. https://www.thecrimson.com/article/2023/10/13/gay-video-address/
[514] President, Harvard University, "Our Choices," Harvard University President, October 12, 2023. https://www.harvard.edu/president/news-gay/2023/our-choices/
[515] "GOP Harvard Alums Condemn Response to PSC Statement as 'Too Little, Too Late' in Letter to President Gay," *The Harvard Crimson*, October 18, 2023.
[516] "Larry Hogan Withdraws From Two Harvard Fellowships, Citing 'Dangerous Anti-Semitism' on Campus," *The Harvard Crimson*, October 24, 2023. https://www.thecrimson.com/article/2023/10/24/hogan-withdraws-fellowships/
[517] "Wexner Foundation Cuts Ties With Harvard After 'Dismal Failure' To Condemn Hamas," *The Harvard Crimson*, October 17, 2023. https://www.thecrimson.com/article/2023/10/17/wexner-cuts-ties-harvard/
[518] "Dean Distances Harvard Divinity School From Israel Statement Issued by Religion and Public Life Program Leaders," *The Harvard Crimson*, October 13, 2023. https://www.thecrimson.com/article/2023/10/13/hds-distances-rpl-statement-israel-palestine/
[519] "More Than 1,000 Rally on Harvard's Campus to 'Free Palestine' Ahead of Expected Ground Invasion of Gaza," *The Harvard Crimson*, October 15, 2023. https://www.thecrimson.com/article/2023/10/15/gaza-protest-harvard/

Widener Library.[520] In isolated cases, we heard, instructors excused students from class to join protests like this one that became a frequent occurrence:


[redacted] 10:36 AM
to bcc: me

Dear all,

As many of you might know, the Palestinian Solidarity Committee and Graduate Students for Palestine are organizing a class walk-out and general strike at Massachusetts Hall today between 1-3pm, calling on the administration to break its silence. As our section runs between 1:30 and 2:30pm, I have decided to cancel section today in solidarity.

As your class is not taking place today this will *not* be counted as an absence on your part nor will it affect your grade in any way. I also do not expect you to make up the class or write a response paper.

If any of you have any concerns regarding the course material we would have covered today, please feel free to email me or to set up an appointment with me.

Best,

Text message from an instructor to students.
(Image submitted anonymously and redacted to protect privacy.)

At the protest on October 14 a student analogized the Black Freedom Movement to the fight for Palestinian liberation, while another student representing the African and African American Resistance Organization (AFRO) claimed, according to the *Crimson*, that the group is "in full support of Palestine resistance against the settler colonial apartheid regime that is Israel."[521] (The PSC later distanced itself from that latter student's comments and clarified that "that specific member … does not speak for the PSC.")

Four days later, the PSC and GS4P jointly organized a protest and die-in, marching through Harvard Square to the Harvard Business School (HBS) campus in response to a blast at the al-Ahli Baptist Hospital in Gaza that was widely, yet incorrectly, attributed to Israel.[522] This protest became notorious when an Israeli Jewish student attempted to film the attendees. Protesters tried to remove the man, yelling "shame" as he left the scene. Videos of this incident, which appear to show the student being pushed, were widely circulated on social media and cited as evidence of antisemitism on Harvard's campus.[523]

[520] Ibid.
[521] Ibid.
[522] "Hundreds of Harvard Protesters Stage 'Die-In' to Demand End to Violence Following Gaza Hospital Blast," *The Harvard Crimson*, October 19, 2023. https://www.thecrimson.com/article/2023/10/19/harvard-die-in-palestine/
[523] NBC Boston, "VIDEO: Minor Clash at pro-Gaza Harvard Die-In," Accessed March 7, 2025. https://www.nbcboston.com/news/local/video-minor-clash-at-pro-gaza-harvard-die-in/3163853/

Two graduate student attendees were charged with assault in connection with the incident: a second-year HDS student who was also a proctor at Harvard College — a resident graduate student or administrator charged with "create[ing] an academic and social community" in first-year dorms — and a second-year student at HLS.[524] Many Harvard affiliates demanded that the University remove the former student from his position as a proctor due to his involvement in the incident, and the University relieved him from proctorial duties on November 8.[525,526] The Harvard Faculty and Staff for Justice in Palestine (HFSJP) responded with an open letter expressing its dismay that the University had strayed from its stated commitment to valuing "the dignity of each person."[527]

The Israeli military response to the October 7th attacks, which would later devastate Gaza with tens of thousands killed and more than a million people displaced, further inflamed passions on campus, and pro-Palestinian protests on campus swiftly became more frequent and vocal.

On Thursday, October 19, an estimated 500 Harvard affiliates and individuals not affiliated with Harvard participated in a walkout, march, and protest, which made its way through the Science Center, through HLS's campus, and then through Harvard Square to HKS's campus.[528] According to reports, some protesters used noisemakers, disrupting classes in session, and briefly halted traffic in Harvard Square.[529] The protest, jointly organized by the PSC and GS4P, targeted Harvard's financial ties to Israel.

A week later, on Friday, October 27, the PSC and GS4P organized another die-in, this time outside of Memorial Hall, presumably hoping to catch visiting parents on campus for Family Weekend.[530] The protest included a march from HLS through Science Center Plaza and a demonstration demanding, according to the *Crimson*, that University administration do more to support Palestinians on campus. On Thursday, November 2, the PSC and GS4P held a sit-in to mourn Palestinian lives lost in the Israel-Hamas war and to protest the bombing of the Jabalia Refugee Camp the previous week. The PSC and GS4P then organized a "week of visibility" during the week of November 13 to mourn those killed in the Israel-Hamas war. Hundreds of Harvard affiliates attended that week's events.[531]

Perhaps the most notable event of the week was the occupation of University Hall — situated in the heart of Harvard Yard and housing the offices of the Deans of the Faculty of Arts and Sciences, including the Dean of Harvard College — by nine students affiliated with Jews for Palestine, an student organization that is not recognized by Harvard College's Dean of Students Office and receives neither funding nor access to University space.[532] According to the *Crimson*, the students demanded that Harvard's

[524] "Proctors | Harvard College Dean of Students Office," Accessed March 7, 2025. https://dso.college.harvard.edu/office/proctors#:~:text=Proctors percent20are percent20graduate percent20students percent20and,with percent20your percent20adjustment percent20to percent20Harvard
[525] "Harvard Chabad President Rabbi Zarchi Calls on University to De-Recognize Palestine Solidarity Committee," *The Harvard Crimson*, November 9, 2023. https://www.thecrimson.com/article/2023/11/9/rabbi-zarchi-psc-statement/
[526] "Harvard Proctor Indefinitely Relieved of Duties Following Confrontation at Protest," *The Harvard Crimson*, November 11, 2023. https://www.thecrimson.com/article/2023/11/11/thayer-proctor-relief-of-duties/
[527] Palestine, Harvard Faculty and Staff for Justice in "Statement in Support of Harvard Student Elom Tettey-Tamaklo," *Medium* (blog), December 5, 2023. https://medium.com/@harvardfsjp/statement-in-support-of-harvard-student-elom-tettey-tamaklo-cdb164760bf3
[528] "Hundreds Disrupt Classes, March Through Harvard Law School, Kennedy School in Support of Palestine," *The Harvard Crimson*, October 20, 2023. https://www.thecrimson.com/article/2023/10/20/psc-protest-hls-hks/
[529] Ibid.
[530] "Harvard Students Stage Die-In During Family Weekend, Alleging Lack of Support for Palestinian Students," *The Harvard Crimson*, October 31, 2023. https://www.thecrimson.com/article/2023/10/31/palestine-protest-die-in/
[531] "Harvard Student Groups Hold Visibility Week for Thousands of Deaths in Gaza," *The Harvard Crimson*, November 13, 2023. https://www.thecrimson.com/article/2023/11/13/palestine-visibility-week/
[532] "University Hall Occupied By Harvard Jews For Palestine, Group Demanding Ceasefire in Israel-Hamas War," *The Harvard Crimson*, November 17, 2023. https://www.thecrimson.com/article/2023/11/17/university-hall-occupation-jfp/

administration publicly call for a ceasefire in Gaza, issue a statement that anti-Zionism and antisemitism are not the same, and create a committee to investigate Islamophobia, anti-Palestinian racism, and suppression of pro-Palestinian speech on campus. One of the students said in a speech: "What did we come here for? We came here to get fucking arrested or Ad-Boarded if our demands weren't met." The students remained in the building overnight, and the Faculty Dean of Adams House — faculty deans in Harvard College are leaders of the residential Houses — brought them burritos for dinner.[533]

Another "week of action" organized by activists in late November included rallies, a class walkout and ,we heard, disrupted classes.[534] During this week, the student co-founder of the African and African American Resistance Organization (AFRO), was reported to have led chants of "Long live Palestine; long live the intifada; intifada, intifada; globalize the intifada."[535]

Many Jewish students felt doubly traumatized — first by the massacre of Israelis on October 7th and subsequently by the rapid transformation of the Harvard campus, especially after Israel's military response to the massacre, into what appeared to be a space for the unfettered expression of pro-Palestinian solidarity and rage at Israel — a rage that many Jewish and especially Israeli students felt was directed against them as well. In response to the October 7th attacks, Harvard Hillel and Harvard Chabad jointly organized a vigil on Sunday, October 15, attended by more than 1000 people, to mourn the victims of the attacks and stand in solidarity with Israel.[536] One speaker responded to the PSC and GS4P protest held the prior day, asking "Are they [the pro-Palestinian organizations] calling for the eradication of the State of Israel? … Are they calling for the killing of my family?" Harvard Hillel and Harvard Chabad again joined efforts to assemble a Shabbat table in Harvard Yard, with 240 seats, each one a tribute to the 240 people kidnapped by Hamas on October 7th.[537]

The distance between Israel and Harvard, already truncated by the scope and barbarity of the killings on October 7th, was made even smaller by the insecurity that many Jewish students began to feel within the confines of the campus. A major source of concern was the messaging app Sidechat, an online platform primarily used by college students where users can anonymously post and engage in discussions within their specific School forum. Cruel and hateful posts regarding Israel, Jews, and the Holocaust appeared on the Harvard Sidechat forum in the days and weeks following October 7th and again after President Gay's resignation in January — discussed in more detail below — when Sidechat posts from some student supporters of President Gay blamed the Jewish community for her departure.

This sense of insecurity was further heightened by the slogans chanted by pro-Palestinian demonstrators on Harvard's campus. Some pro-Palestinian students insisted that one of the most popular chants, "From the river to the sea, Palestine will be free," referred to a land in which both peoples, Israeli and Palestinian, would be free and equal. Many Jewish and Israeli students were skeptical, however, and we heard that even more explicit variations of the slogan were employed that substituted the word "Arab" for "free." These variations, along with the popular chant "Globalize the intifada," were widely perceived as antisemitic.

Tensions between Jewish Harvard affiliates with attachments to Israel and Harvard affiliates who were supporters of the Palestinian cause quickly escalated. At the October 15 vigil mentioned above, the Harvard Chabad Rabbi Hirschy Zarchi condemned what he termed "animalistic" behavior though, as the

[533] Ibid.
[534] "Harvard Pro-Palestine Groups Organize 'Week of Action,' Drawing Criticism for 'Intifada' Chants," *The Harvard Crimson*, December 4, 2023. https://www.thecrimson.com/article/2023/12/4/pro-palestine-week-of-action/
[535] Ibid.
[536] "At Sunday Vigil, More Than 1,000 Mourn Victims of Hamas Attacks, Stand in Solidarity with Israel," *The Harvard Crimson*, October 16, 2023. https://www.thecrimson.com/article/2023/10/16/hillel-israel-vigil/
[537] "Harvard Hillel, Chabad Students Install 200-Foot Shabbat Table to Represent Hundreds Held Hostage by Hamas," *The Harvard Crimson*, November 7, 2023. https://www.thecrimson.com/article/2023/11/7/shabbat-tribute-hillel-chabad/

Crimson noted, it was unclear whether he was referring to the October 7th attacks or the individuals he viewed as justifying them. The PSC interpreted his remarks as targeting them and characterized the rabbi's speech as "anti-Palestinian racism," demanding that the University hold him accountable.[538] In response, the rabbi emailed Chabad affiliates, calling for the University to remove the PSC from the list of officially recognized student organizations.[539]

In mid-November, the labor union for Harvard graduate students voted to endorse the Boycott, Divestment, Sanctions (BDS) movement against Israel and call for a ceasefire in Gaza.[540] This decision ignited outrage among many Jewish and Israeli union members, leading 33 graduate students to resign in protest.[541] The University found itself caught in the crossfire, facing pressure from opposing student factions, outside advocacy groups, elected politicians, and prominent public figures like former Harvard president Larry Summers and alumnus Bill Ackman '88.

In apparent response to these multiple pressures, President Gay announced the formation of an advisory group on October 27.[542] This group, officially called the Antisemitism Advisory Group (not to be confused with our Task Force, which was formed later by President Gay's successor) was initially composed of eight members. Their mandate was to work closely with President Gay to develop "a robust strategy for confronting antisemitism on campus." Less than two weeks later, President Gay announced that, following the advisory group's recommendation, the University would implement antisemitism education and training for Harvard affiliates.

President Gay's statement also condemned phrases frequently employed by pro-Palestinian demonstrators, including "from the river to the sea." This condemnation drew swift and sharp backlash from a segment of the Harvard community, with critics — including some Jewish students and faculty — arguing that it was an unwarranted attack on free speech and a distraction from the humanitarian crisis in Gaza.

President Gay's already difficult position worsened dramatically on Tuesday, December 5, when she and the presidents of the Massachusetts Institute of Technology and the University of Pennsylvania testified on Capitol Hill before the House Committee on Education and the Workforce. Congresswoman Elise Stefanik '06, among others, aggressively questioned President Gay, pushing her to state definitively whether a call to commit genocide against Jews violated Harvard's code of conduct. What seemed to many like President Gay's strained efforts to avoid providing a clear yes or no answer ignited a firestorm of criticism nationwide. Within days, the US House of Representatives launched an investigation into antisemitism at Harvard, and the US House of Representatives passed a bipartisan resolution calling for Gay's resignation.[543] Although many on the Harvard faculty continued to express confidence in her leadership, the crisis continued to escalate and evolve. President Gay resigned in early January, less than a month after her congressional testimony.

[538] "Harvard Chabad President Rabbi Zarchi Calls on University to De-Recognize Palestine Solidarity Committee," *The Harvard Crimson*, November 9, 2023. https://www.thecrimson.com/article/2023/11/9/rabbi-zarchi-psc-statement/
[539] Ibid.
[540] "Harvard Grad Union Endorses BDS and Calls for Ceasefire, Drawing Member," *The Harvard Crimson*, November 13, 2023. https://www.thecrimson.com/article/2023/11/13/hgsu-bds-statement/
[541] "Dozens Resign from Harvard Grad Union Over Response to Hamas Attacks and Jewish, Israeli Student Concerns," *The Harvard Crimson*, November 21, 2023. https://www.thecrimson.com/article/2023/11/21/hgsu-members-resign-bds/
[542] "Harvard President Gay Forms Advisory Group to Combat Antisemitism on Campus," *The Harvard Crimson*, October 30, 2023. https://www.thecrimson.com/article/2023/10/30/gay-hillel-speech/
[543] "House Passes Bipartisan Resolution Calling for Harvard President Claudine Gay's Resignation," *The Harvard Crimson*, December 14, 2023. https://www.thecrimson.com/article/2023/12/14/house-gay-resolution-passes/

Winter 2024: Reduced But Still Simmering Tensions

In the chaotic months after October 7th, the Harvard administration faced an unprecedented crisis fueled by a confluence of student activism, intensive media attention, scrutiny from Washington, and complaints from alumni and major donors. For example, both Len Blavatnik and Ken Griffin '89, who had previously donated $200 million and $300 million respectively, placed future donations on hold out of concerns about antisemitism at their alma mater. President Gay's resignation did little to quell the storm.[544]

In January 2024, a Harvard graduate student and an organization called Students Against Antisemitism filed a lawsuit alleging that the University had failed to protect Jewish students from antisemitic intimidation, threats, and bullying.[545] This development coincided with a shift in pro-Palestinian activism on campus. Although large-scale outdoor demonstrations subsided somewhat during the winter months, protests regularly continued, with a change in focus. Instead of primarily calling for a ceasefire in Gaza, activists began demanding that Harvard divest from Israeli companies linked with the Occupied Territories and sever institutional connections with Israeli universities.

Some pro-Palestinian groups, as we understand it, began holding protests on the steps of Widener Library without formal permission. These demonstrations, sometimes organized in collaboration with both officially recognized and unrecognized student organizations, seemingly violated Harvard policies. We were told these protests disturbed many Jewish students. However, the University administration and police seemed reluctant to intervene once a demonstration was underway, apparently fearing escalation into physical violence.

Over the winter, the University implemented a variety of efforts to manage the crisis. In January 2024, it strengthened and clarified its policies on protest and dissent through a new statement.[546] Also in January, the Harvard administration engaged with Sidechat, which agreed to restrict platform access to Harvard undergraduate students, as it had been inadvertently opened to anyone with a harvard.edu email address.[547]

During this period, various centers and programs at Harvard hosted events related to the Israeli-Palestinian conflict. While units like the Belfer Center at the Harvard Kennedy School of Government and the Weatherhead Center for International Affairs within the Faculty of Arts and Sciences made efforts to present a range of perspectives through high-quality speakers and balanced panels, others garnered significant criticism.

Specifically, the Religion and Public Life (RPL) program at Harvard Divinity School (HDS) and the Palestine Program for Health and Human Rights at the Harvard T.H. Chan School of Public Health faced accusations of presenting one-sided narratives. For instance, critics pointed to the RPL program events at HDS featuring a pro-Palestinian activist paired with a Jewish activist who identified as anti-Zionist and pro-Palestinian. Similarly, they noted that the Palestine Program at the Harvard Chan School organized events featuring pro-Palestinian activists, with limited inclusion of perspectives from Jewish individuals, regardless of their stance on Zionism. As detailed in Chapter 4, some felt that the Palestine Program's events also often characterized Israeli actions as intentionally targeting Gaza's healthcare system, while neglecting to adequately address the broader context of the conflict.

[544] "Billionaire Megadonor Ken Griffin Says He Will Stop Donations to Harvard," *The Harvard Crimson*, January 31, 2024. https://www.thecrimson.com/article/2024/1/31/ken-griffin-pausing-harvard-donations/
[545] "Jewish Students Sue Harvard University, Allege 'Severe' Antisemitism on Campus," *The Harvard Crimson*, January 12, 2024. https://www.thecrimson.com/article/2024/1/12/harvard-lawsuit-campus-antisemitism/
[546] "Senior Harvard Officials Clarify Protest Guidelines as Students Return to Campus," *The Harvard Crimson*, January 20, 2024. https://www.thecrimson.com/article/2024/1/20/protest-guidelines-university-statement/
[547] "Harvard Asks Sidechat to Enforce Content Moderation as Jewish Students Decry 'Vicious' Antisemitism," *The Harvard Crimson*, January 22, 2024. https://www.thecrimson.com/article/2024/1/22/sidechat-antisemitism-enforce-moderation/

The events hosted by the RPL program and the Palestine Program sparked strong reactions among some members of the Harvard community. Many Jewish and non-Jewish affiliates told us they found much of the event content hateful and lodged numerous complaints with various Harvard officials. Several Jewish students at the home Schools of these programs related to us that their experience with these programs contributed to their feeling that the Schools harbored a systematic bias against them.

Many pro-Palestinian students at Harvard, including some Jewish students, maintained that their opposition to Israel was distinct from antisemitism. However, incidents on campus raised concerns about the potential for anti-Israel sentiment to spill over into hostility towards Jews. Following winter break, posters displayed in Harvard Yard depicting Israeli hostages were defaced — we do not know by whom, or what, if any, connection they had with Harvard — with offensive imagery and statements such as "Israel did 9/11."[548]

Later, on Monday, February 19, the PSC and AFRO posted a classic antisemitic cartoon on their Instagram pages. Seeking to link the causes of Black and Palestinian liberation, they used a cartoon from a 1967 flyer originally published by the Student Nonviolent Coordinating Committee, a major force in Black American activism at the time. The flyer included a drawing that, in the words of the *Los Angeles Times* "shows a white hand, marked with a dollar sign inside a Star of David, tightening nooses around the necks of a Black man [Muhammad Ali] and an Arab man [Gamal Abdel Nasser]."[549] Adding to the controversy, the image was subsequently reposted on Instagram by Harvard Faculty and Staff for Justice in Palestine.

Michael Fischbach, an expert on the Black Power movement's relationship with the Palestinian cause, told the *Los Angeles Times* that "by using symbols like dollar signs and Stars of David, one can well imagine that they were going to get a hostile reaction … It doesn't take a lot of thought to see that, whatever you meant, this is really going to rankle people." The image indeed sparked outrage among numerous Jewish student groups and others in the Harvard community, prompting then-Interim President Alan Garber to issue a clear statement of condemnation. The Harvard groups responsible subsequently deleted the image from their social media accounts, issuing an apology for the offense caused. However, their decision to replace it with a picture of Stokely Carmichael (later, Kwame Ture), a prominent figure in the Black Power movement known for his sharp opposition to Israel, including his statement that "the only good Zionist is a dead Zionist," fueled further controversy.

Even amidst the heightened tensions of February, Harvard students made tentative attempts to restore a sense of campus community reminiscent of earlier years. One such effort involved a student-organized "Unity Dinner" at one of the residential Houses, featuring kosher and halal food alongside speeches from both a Muslim chaplain and a Hillel rabbi. While the dinner proceeded smoothly, it nonetheless attracted a demonstration by pro-Palestinian students who distributed pamphlets and, we understand, appeared intent on disrupting the gathering.

Over the following two months, a climate of low-intensity protest and disruption persisted on campus. At the First-Year Faculty Dinner — a semesterly event in Annenberg Hall designed to foster connections between first-year students and faculty members — on February 28, 2024, protesters affiliated with the PSC unfurled banners. According to the organization's Instagram, the banners listed the names of Palestinians who had died in Gaza, and the protesters urged faculty to address what they described as "the

[548] "Anonymous Posters, Vandalism Spur Tensions on Harvard's Campus," *The Harvard Crimson*, February 14, 2024. https://www.thecrimson.com/article/2024/2/14/anonymous-posters-campus-tensions/
[549] Jarvie, J. "The Antisemitic Cartoon Roiling Harvard? It's Not the First Time It Caused a Firestorm," *Los Angeles Times*, February 23, 2024. https://www.latimes.com/world-nation/story/2024-02-23/the-antisemitic-cartoon-roiling-harvard-its-not-the-first-time-it-caused-a-firestorm-for-student-groups

ongoing genocide of the Palestinian people."[550] Two weeks later, on the same day as Match Day at Harvard Medical School — an annual event at which students learn which residency program they will be attending — pro-Palestinian affiliates from Harvard Schools and affiliated hospitals in the Longwood Medical Area protested the presence on campus of American Medical Association (AMA) President Jesse Ehrenfeld, who was there to deliver the Class of 1958 Commemorative Lecture. According to the *Crimson*, the protesters cited "the AMA's insufficient response to the war in Gaza."[551]

Calls for Harvard to divest from Israeli companies intensified in early April. The HLS student government called on the Harvard Management Company to "divest completely from weapons manufacturers, firms, academic programs, corporations, and all other institutions that aid the ongoing illegal occupation of Palestine and the genocide of Palestinians."[552] Concurrently, a committee within the Harvard Graduate Students Union called on the University to divest from "companies and institutions involved in the ongoing attacks in Gaza."[553] While undergraduate students attempted to initiate a referendum on Israel divestment, their efforts were blocked by two officers of the Harvard Undergraduate Association.

This period marked a time of heightened anxiety for many Jewish students, while many Muslim students and students of color voiced concerns about the University's response to ongoing doxxing attacks targeting members of their communities. As data from the Joint Task Force Survey conducted in Spring and Summer 2024 indicates (See Appendix 5), the events of the 2023-24 academic year significantly impacted the campus climate. Students who identified as being of Jewish, Israeli, Muslim, or Arab origin reported feeling uncomfortable, unsafe, and unwelcome on campus at markedly higher rates than other Harvard students.

The Encampment

Pro-Palestinian protests escalated significantly at Harvard in late April 2024, following a wave of demonstrations across university campuses sparked by the arrest of student activists who had established an encampment at Columbia University. On Monday, April 22, Harvard College suspended the PSC. Two days later, in the largest demonstration at Harvard in months, the *Crimson* estimated 500 people protested the suspension, with some students erecting an encampment in front of University Hall in the heart of Harvard Yard. Access to the Yard was restricted to Harvard students, faculty, and staff to prevent participation of protesters from outside the University. Despite the tense atmosphere, the Harvard University Police Chief defended the students' right to protest, stating, "You can see in the Yard right now — we are keeping our students safe and they are protesting peacefully and it's their right and we are going to support that."

While generally maintained in a clean and orderly fashion, the encampment generated complaints from some students regarding disruptive behaviors. These included chanting slogans, playing loud music, and, on one occasion, raising Palestinian flags over the John Harvard statue while placing a keffiyeh around its neck. Some Jewish students reported feeling uncomfortable walking near the encampment, describing incidents of being followed and verbally harassed. Several Jewish first-year students residing near the encampment expressed distress over its proximity, noise level, and the nature of the chants. Additionally, a

[550] Harvard Undergrad PSC (@harvardundergradpsc), "We are proud to see first years raise awareness at this year's faculty dinner. They dropped banners that listed 4,000 of the 10,000+ lives lost in Gaza and implored…," November 9, 2023. https://www.instagram.com/harvardundergradpsc/reel/CzcjU3iJjLx/
[551] "Harvard Medical School Affiliates Protest American Medical Association President on Match Day," *The Harvard Crimson*, March 18, 2024.
[552] "2 Members of HLS Student Government Resign After Resolution to Divest From 'Illegal Israeli Settlements'," *The Harvard Crimson*, March 30, 2024.
[553] "Harvard Graduate Union's BDS Caucus Circulates Letter Calling for Divestment From Israel," *The Harvard Crimson*, April 11, 2024. https://www.thecrimson.com/article/2024/4/11/harvard-union-divest-israel-letter/

Jewish faculty member recounted walking through the encampment and receiving alarming calls from alumni warning them about being discussed in student demonstrator WhatsApp groups, causing this faculty member to fear for their physical safety.

The appearance of a map within the encampment of Israel and the Palestinian territories without marking any Jewish communities implied that the pro-Palestinian students' goal was the physical elimination of Israel. On Sunday, May 12, a crudely drawn image of President Garber depicted as a devil with horns and a tail appeared within the encampment, shocking many Jewish students, faculty, and staff for whom the image recalled medieval antisemitic tropes of Jews as Satan's minions. This incident prompted a member of the Task Force on Combating Antisemitism and Anti-Israeli Bias to write in the *Crimson*: "Make no mistake, while I stand by my characterization of many protesting students as good-intentioned, there is certainly antisemitism and hate among that movement."

As the encampment continued into May, concerns arose about the potential for police intervention and student backlash as had happened on many other campuses in the country. Encampment leaders demanded that Harvard's leaders engage in negotiations regarding divestment from Israel, a call echoed by more than 300 Harvard faculty members who signed a statement urging the administration to negotiate. On Friday, May 10, following a series of unheeded warnings regarding the continuation of the encampment, the administration began placing students allegedly involved on involuntary leaves of absence. The following day, protesters from outside Harvard attempted to breach the closed-off Harvard Yard after they cut the locks at Johnston Gate but were prevented from entering by Harvard police officers and security personnel.

Despite these escalations, the encampment concluded without violence or arrests, marking it as one of the shortest-lived such protests in the country. Students began leaving the encampment as the examination period ended and summer approached, with a formal announcement of its voluntary closure by Harvard Out of Occupied Palestine (HOOP) — the coalition that led the encampment — on Tuesday, May 14.[554] This decision followed a commitment from President Garber to arrange meetings for its representatives.

A late May 2024 study from Harvard Kennedy School compared Harvard University's experience with pro-Palestinian protests to those of dozens of other colleges and universities since the previous fall.[555] The study found that Harvard's encampment, lasting just a few weeks, ranked 22 out of 30 in terms of duration. Despite its relatively short lifespan and no police interventions required or administered, the encampment garnered significant national attention. This amplified perception was arguably fueled by HOOP's consistent use of aggressive rhetoric on social media, which effectively magnified the protest's popularity and influence beyond the reality on the ground.

Commencement

While the conclusion of the encampment allowed for Harvard University's 2024 Commencement exercises, scheduled for Thursday, May 23, to proceed as planned in Tercentenary Theater — the large open portion of Harvard Yard traditionally used for graduation ceremonies — the year's contentious events cast a shadow over the ceremony in two significant ways: a walkout during the official proceedings by hundreds of students, and two controversial Commencement Week addresses.

[554] "Harvard Out of Occupied Palestine Ends Harvard Yard Encampment," *The Harvard Crimson*, May 14, 2024. https://www.thecrimson.com/article/2024/5/14/harvard-encampment-ends/

[555] J. Ulfelder, "Crowd Counting Consortium: An Empirical Overview of Recent Pro-Palestine Protests at U.S. Schools," Ash Center, May 30, 2024. https://ash.harvard.edu/articles/crowd-counting-blog-an-empirical-overview-of-recent-pro-palestine-protests-at-u-s-schools/

On Thursday, May 18, the Harvard College Administrative Board — the committee that oversees academic regulations and social conduct standards for Harvard's undergraduate students — announced disciplinary actions against roughly two dozen students for their involvement in the pro-Palestinian encampment in Harvard Yard.[556,557] Five students received suspensions, while the rest were placed on probation. Notably, 13 seniors among those disciplined were effectively barred from graduating with their class the following week, as the actions rendered them not in "good standing" with the College. In an unprecedented series of events, the Faculty of Arts and Sciences voted to amend the list of degrees recommended for conferral in May, seeking to reinstate the 13 seniors. However, the Harvard Corporation, which is the University's highest governing body and holds final authority over degree conferral, ultimately overruled the faculty's decision.[558] During the May 23 Commencement exercises, hundreds of students staged a walkout, chanting "Let them walk!" — a reference to the 13 seniors — and waving Palestinian flags. The students then proceeded out of Harvard Yard to the nearby Harvard-Epworth Church (not affiliated with the University) where they held an alternative "People's Commencement" ceremony.

The principal speaker at the 2024 Commencement exercises on Thursday, May 23, was Maria Ressa, a Filipino-American journalist and recipient of the Nobel Peace Prize in 2021. When her selection was announced earlier in that spring, Ressa, and the choice itself, drew backlash from some American media outlets and Congresswoman Elise Stefanik '06 for comments critical of the Israeli occupation and the bombardment of Gaza.

During her address, Ressa deviated from her prepared remarks, stating:

> Because I accepted your invitation to be here today, I was attacked online and called antisemitic by power and money, because they want power and money. While the other side was already attacking me because I had been on stage with Hillary Clinton [who had refused to condemn the war in Gaza]. Hard to win, right? But I'd already survived Information Operations from my own government: free speech, used to pound you to silence.

These comments were absent from her original text, which read:

> According to social media, exploited and used by power and money for power and money, I was: A criminal. A communist. A CIA agent. Antisemitic. Anti Palestine. A Princeton grad. I am a Tiger. The rest are lies. And the truth is simple. I'm a journalist.[559]

Ressa's ad-libbed remarks extended to praising student speakers who had addressed the topic of Palestine. She omitted a section from her prepared speech that gently challenged the pro-Palestinian protesters among the assembled students:

> For the protestors: when you hid your face in a keffiyeh, did you place yourself in the shoes of another student wearing a yarmulke just wanting to walk to class? Or the faculty administrator, who's never faced this before and whose task is to protect every student or donor? ... Were there more nuanced and creative ways to handle these protests on all sides?[560]

[556] "Administrative Board — Office of Academic Integrity and Student Conduct," Accessed March 11, 2025. https://oaisc.fas.harvard.edu/administrative-board/
[557] "5 Harvard Students Suspended, More Than 20 Face Probation for Encampment Participation," *The Harvard Crimson*, May 18, 2024. https://www.thecrimson.com/article/2024/5/18/harvard-encampment-protesters-suspended/
[558] The Harvard Corporation eventually conferred diplomas to 11 of the 13 seniors: https://www.thecrimson.com/article/2024/7/23/harvard-corporation-diplomas-encampment/
[559] https://web.archive.org/web/20240523202351/https://www.harvardmagazine.com/2024/05/harvard-commencement-2024-maria-ressa-address
[560] Ibid.

Ressa deleted other conciliatory language from her speech as well ultimately delivering a message about confronting political opposition that was far more assertive and defiant than her prepared remarks suggested.

Shortly after Ressa finished speaking, toward the end of the Commencement ceremonies, Rabbi Hirschy Zarchi of Harvard Chabad approached Ressa on stage and quietly requested clarification on the portion of her speech he found antisemitic.[561] According to one media account, "Zarchi said he could not properly hear Ressa's response due to the ongoing address but said that when he felt it was clear she would not oblige, he left early." Zarchi went on to criticize Ressa in a statement for supporting pro-Palestinian students, "arguing that she had ignored how the students had 'hijacked' the Commencement ceremony to support protesters who had violated Harvard policies."[562] Two days later, Ressa issued an apology on X, stating her words were "misinterpreted or taken out of context," and clarifying that the "they" of her controversial remarks referred to Big Tech. She added, "if my words caused offense, I apologize" and reiterated her message about "defending democratic norms and principles." Despite this, Ressa's remarks attracted significant negative media attention and became intertwined with the year's pro-Palestinian activism at Harvard.

On Tuesday, May 21, preceding the main Commencement events, Sunn M'Cheaux, a Gullah instructor in Harvard's African Language Program, delivered the "faculty keynote" at the Affinity Celebration Honoring Black Graduates.[563] Affinity celebrations, held on campus in recent years for various affinity groups at Harvard throughout Commencement week, are "student-led, staff-supported events that recognize and celebrate the accomplishments of graduates from historically marginalized communities."[564] They are described as "in addition to" the University's main Commencement and School-based graduation ceremonies.[565]

In his address, M'Cheaux expressed explicit support of the Palestinian cause, criticizing Israel as an "apartheid state" backed by US dollars and weapons.[566] Prefiguring sentiments Maria Ressa would make later in the week, M'Cheaux criticized tech and social media companies for stifling online activism and free speech. M'Cheaux further accused Israel and the United States of backing "atrocities and genocide" against the Congolese people and condemned the Harvard Corporation's decision to withhold degrees from sanctioned student protestors. Reflecting on the personal costs of activism, he questioned, "Do we get to struggle with despondency, depression, childhood trauma, self-doubt, self-harm, bereavement, social anxieties, eating disorders and so forth when Zionist overlords starve Falastini infants to death?" He then affirmed, "Yes. Yes, we do."[567] Despite employing the phrase "Zionist overlords," M'Cheaux's speech attracted virtually no media attention or apparent concern from the audiences.

Refusal to Discipline and Reversal of Sanctions

Harvard's response to the spring encampment protests fueled perceptions of inconsistency and a lack of transparency in its disciplinary processes, with some Schools declining to impose sanctions while others faced internal disagreements and reversals. Some students who received sanctions for their participation in the encampment appealed their punishment to the Faculty of Arts and Sciences' (FAS) Faculty Council, an elected body of professors that effectively serves as an executive committee for the FAS, which includes

[561] Shah, Neil. "Rabbi Zarchi Confronted Maria Ressa, Walked Off Stage Over Her Harvard Commencement Speech," *The Harvard Crimson*, May 24, 2024.
[562] Ibid.
[563] "Affinity Events Celebrating Graduate." Accessed March 11, 2025. https://edib.harvard.edu/affinity-grads-programs
[564] "Affinity Celebrations for Graduates," Harvard College Calendar." February 5, 2025. https://web.archive.org/web/20250205155645/https:/calendar.college.harvard.edu/event/affinity_celebrations_for_graduates
[565] Ibid.
[566] Sun M'Cheaux, "Educators should embody the values they convey to students," *The Emancipator*, May 29, 2024.
[567] Ibid.

Harvard College, and advises the Dean of the FAS. On July 9, the Faculty Council, according to media reports, concluded that the disciplinary sanctions were too severe, and remanded the cases to the Harvard College Administrative Board, which downgraded the sanctions on five undergraduate students. These sanctions, reports noted, were replaced with short probation periods (one term or less), and existing probationary terms were also reduced. This contrasted with the Harvard Kenneth C. Griffin Graduate School of Arts and Sciences' earlier decision on Tuesday, June 25, to place 10 students on probation — seven for six months, and three for an entire academic year — for their roles in the same protest.[568]

Reflecting the significant autonomy of each Harvard School in managing disciplinary matters, the varying outcomes of these cases contributed to a sense of unevenness when viewed across the University. This unevenness, coupled with the failure of some Schools to impose discipline and the overall opacity of the process, reportedly frustrated Harvard's Central Administration, which includes the Office of the President and Provost. The *Crimson* described the Central Administration's view of the Schools' administrative boards, responsible for handling disciplinary matters, as "ineffective, too autonomous, and overly deferential to student protesters."[569]

On Thursday, July 18, University leaders, among them the president, provost, and School deans, announced that the University Committee on Rights and Responsibilities would engage in standardized fact-finding procedures for disciplinary cases involving more than one Harvard School.[570] This modest measure may have indicated both the Central Administration's awareness of the need to institute major reforms in Harvard's disciplinary procedures and the difficulties it faces doing so. The University summarized some of the actions.[571]

Conclusion: Looking Back and Ahead

The 2023-24 academic year at Harvard was tumultuous and tense. The same Harvard Kennedy School study cited earlier regarding the duration of the encampment showed that, out of all major universities in the United States, Harvard had the second-highest number of days with protest activity during that academic year (approximately 70, compared with roughly 40 for most of Harvard's peer institutions, though less than one-third that of Stanford). Fall 2024, when much of this report was written, did not witness the large-scale protests that the University experienced the prior year, which may be partly due to the University issuing revised policies over the summer regarding the use of campus grounds and buildings in an effort to minimize future disruption.[572]

In Fall 2024, protest activity of a pro-Palestinian character, in and around the University and not all definitively involving Harvard affiliates, primarily took two forms. On the one hand, there were silent protests in libraries (including Widener, Harvard's flagship library, and the libraries at several Schools,

[568] "Harvard Places 10 Graduate Students on Probation for Encampment Participation," *The Harvard Crimson*, June 26, 2024. https://www.thecrimson.com/article/2024/6/26/gsas-places-10-students-on-probation/; "Harvard Reverses Decision to Suspend 5 Pro-Palestine Protesters Following Faculty Council Appeal," *The Harvard Crimson*, July 10, 2024. https://www.thecrimson.com/article/2024/7/10/harvard-reverses-encampment-suspensions/

[569] Quoted in *The Harvard Crimson*, 11 November 2024, summarizing material submitted to the House Committee on Education and the Workforce and published in its November 2024 report. https://www.thecrimson.com/article/2024/11/11/encampment-discipline-administration-criticisms/

[570] John S. Rosenberg, "Harvard Overhauls Disciplinary Procedures." *Harvard Magazine*, July 18, 2024. https://www.harvardmagazine.com/2024/07/usrr-statement-harvard

[571] https://www.harvard.edu/task-force-on-antisemitism/#implementationupdates

[572] "Campus Use Rules," Office of the Executive Vice President. Accessed March 11, 2025. https://evp.harvard.edu/campus-use-rules

including HLS, HDS, and GSD), where groups of students or faculty had been gathering in a study space and display their support for the Palestinian cause through signage affixed to their computers.[573]

On the other hand, there were scattered but distressing acts of vandalism and apparent hate crimes on and around Harvard's campus. For example, on the night of Tuesday, October 8, an unknown perpetrator or perpetrators — it is not known whether they had any connection to Harvard — broke windows in University Hall and poured red paint (presumably symbolizing blood) on the nearby statue of John Harvard. A video seemingly made by the perpetrator(s) during the vandalism and posted on social media called it "an act of solidarity with the Palestinian resistance."[574] A week later, stickers bearing a swastika against the blue and white background of the Israeli flag and emblazoned with the words "Stop Funding Israeli Terrorism," were found posted — again, the perpetrator(s) are unknown, as is whether they have any connection to Harvard — just outside Harvard's campus in Harvard Square, close to Harvard Hillel's Rosovsky Hall. Similar incidents, including swastika stickers, were reported near the University of Michigan and Georgetown University, as well as along a major street in Brookline, Massachusetts, a heavily Jewish Boston suburb.[575]

At the start of the 2024-25 academic year, the First-Year Convocation, a ceremony to welcome new undergraduate students to the Harvard College community, proceeded without incident. This marked a departure from previous years when the event had been interrupted by pro-Palestinian demonstrators. However, the relative quiet on campus did not heal the ongoing fracture within the Harvard community At the time we are writing these lines — the first weeks of the Spring term of 2025 — occasional disturbing and offensive incidents continue to occur. Harvard encompasses numerous communities, defined by race, ethnicity, religion, political orientation, and other factors. Some of these communities view a connection with the Palestinian cause as paramount, while others view certain kinds of pro-Palestinian activism as a threat to psychological well-being and even personal safety. The challenge, which we address in the remainder of this report, is how expression, including protest, can be carried out in a manner commensurate with the values of a university — to educate rather than indoctrinate, to challenge rather than threaten, and to disagree without turning away from, or, even worse, against each other.

[573] "More Than 70 Harvard Students Stage Study-In at Widener Library," *The Harvard Crimson*, October 30, 2024. https://www.thecrimson.com/article/2024/10/30/third-widener-palestine-study-in/
[574] "Windows Smashed, John Harvard Statue Vandalized in Act of 'Palestinian Resistance'," *The Harvard Crimson*, October 8, 2024. https://www.thecrimson.com/article/2024/10/9/john-harvard-statue-vandalism/
[575] "Police Investigating Antisemitic Stickers Discovered Near Harvard Hillel," *The Harvard Crimson*, October 15, 2024. https://www.thecrimson.com/article/2024/10/15/antisemitic-stickers-outside-hillel/

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CHAPTER 3

Findings

The Task Forces on Combating Antisemitism and Anti-Israeli Bias and Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias engaged in separate but similarly comprehensive approaches to understand the experiences of Harvard students, faculty, and staff. These approaches included each Task Force holding a series of listening sessions, primarily in March and April 2024, followed by a joint online survey conducted by both Task Forces from May to August 2024 across Harvard's Schools.

During the listening sessions, members of our Task Force met with groups of students, faculty, and staff, gaining valuable qualitative insights. These sessions, along with private conversations and other communications involving the Task Force co-chairs, provided a foundation for understanding the community's experiences.

The subsequent survey of students, faculty, and staff across Harvard's Schools, corroborated and contextualized much of what we heard in the listening sessions, suggesting widespread feelings of discomfort, alienation, and fear among students identifying as Jewish, Israeli, Muslim, or Arab.

This chapter examines the striking congruence between the quantitative results from the survey and the qualitative data gathered from the listening sessions. It focuses primarily on the negative experiences of Jewish and Israeli Harvard affiliates — "affiliates" being a Harvard term encompassing students, faculty, and staff — with an emphasis on students, especially in the wake of the events of October 7, 2023. Below, we begin by reviewing the findings of the online survey to establish a quantitative foundation before turning to a thematic summary of what the Task Force heard in the listening sessions, supplemented by insights the co-chairs gained through private conversations and other communications with community members.

Harvard-Wide Joint Survey

The survey attracted some 2,300 responses from students, faculty, and staff, with high levels of participation among Jewish, Israeli, Muslim, and Arab affiliates relative to their likely numbers within the Harvard community.[576] Of the participants in the survey, 477 identified as Jewish. Among this group, substantial numbers of Jewish students indicated experiencing discomfort and alienation at Harvard: 39% did not feel at home at the University, at least to some extent, while 26% felt physically unsafe and 44% felt mentally unsafe. Nearly half (49%) felt their well-being was not supported at Harvard, and 46% felt uncomfortable expressing their beliefs or opinions to people "whose political views may be in conflict with mine and/or go against my sense of identity/nationality."

Responding to a somewhat differently worded question, 67% of Jewish students reported feeling discomfort expressing their opinions generally, with a significant 73% uncomfortable expressing their

[576] As mentioned in the Executive Summary, the survey was distributed to faculty, staff, and students using various channels that ranged from emails with an embedded survey link to sharing with relevant affinity groups and mentions in the *The Harvard Gazette* and *The Harvard Crimson*. The intent was to complement the listening sessions and provide a convenient and anonymous survey that could be taken by Harvard campus community members who were impacted by and/or had views on the issues related to the Task Forces' mandate. Since this population is not readily identifiable *a priori* and also because the survey was not administered or marketed as a University-wide survey (such as the 2019 Pulse survey), it is not as feasible to provide accurate response rates. While we do provide relative demographic coverage comparisons to the 2019 Pulse survey, the Task Force joint survey is best viewed as a way to incorporate more opinions from those community members who wanted to weigh in on their experiences on campus and observations during the Fall 2023 to Summer 2024 period.

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political opinions specifically. Almost 60% of Jewish students indicated they had experienced some form of "discrimination, stereotyping, or negative bias on campus due to [their] views on current events," and only a quarter believed there was no "academic or professional penalty" at Harvard for expressing their views.

Expanding to include Jewish faculty and staff within the surveyed group, the data showed somewhat lower levels of alienation and discomfort. This difference may be attributable to faculty and staff — given their different life circumstances — being less likely than students to experience backlash, retaliation, bullying, and social isolation.

Across nearly every category, Jewish students reported greater levels of discomfort and alienation than their Christian or atheist/agnostic peers, but lower levels than Muslim students. The experiences of Muslim students are examined in depth in the companion report of the Task Force on Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias.

It is important to emphasize here that neither Task Force aims to minimize or dismiss the experiences of any group by engaging in comparisons of suffering. Rather, our shared aim is to understand the perceptions and experiences of students within our respective purviews over the 2023-24 academic year, identify the sources of their pain and distress, and develop strategies to foster a greater sense of community and mutual respect at Harvard.

Listening Sessions

Between March and May 2024, members of our Task Force conducted approximately 50 listening sessions, engaging with more than 500 participants across the University's Schools and key administrative units. While most of these sessions were intended for students — both undergraduates (in first-year dorms and upper-level residential Houses) and those enrolled in the graduate and professional Schools — sessions following the same format were also held for staff and faculty, including one specifically for the faculty deans who oversee Harvard College's residential Houses. Additionally, sessions were organized for students involved with various Jewish student groups, among them Harvard Hillel and Harvard Chabad. Attendees reflected a diverse range of religious observance levels, Jewish backgrounds and identifications, and attitudes towards Israel.

Each session was facilitated by at least two Task Force members, with an administrative staff member present to take notes. All sessions followed a similar format. After establishing ground rules and emphasizing the Chatham House Rule to ensure confidentiality, facilitators posed open-ended questions and primarily listened, encouraging participants to share their experiences and perspectives. (More information about the format of listening sessions can be found in Appendix 4.)

In these sessions the participants' views were documented via typed notes in which all identifying features of the speaker were anonymized except for the nature of their affiliation (e.g., undergraduate, graduate student, faculty, staff, school). Participation in the sessions was lively, with many, most, or all participants sharing their views. Our documentation of the sessions therefore reflects the contributions of hundreds of individuals.

Several major themes emerged from the listening sessions:

1. October 7th and the Deterioration of Campus Climate

- A substantial number of Jewish students reported experiencing a more hostile campus atmosphere in the aftermath of October 7th. This shift in climate was felt particularly in residences, classrooms, student organizations, and communal spaces like Harvard Yard and the Science Center Plaza.
- Israeli students reported feeling particularly targeted and ostracized, frequently experiencing social shunning.

- Fear of encountering hostility led some Jewish students, according to their own accounts, to conceal their Jewish identity from classmates.

2. Perceptions of Bias in Specific Schools, Units, and Instructors

- Some participants identified certain Harvard Schools, departments, centers, and instructors as promoting or tolerating anti-Israeli critique that they felt was problematic and, in some cases, blurred into animosity towards Jews.

3. Concerns with Student Discipline and Complaint Processes

- Participants widely perceived the administrative response to student complaints as opaque and unacceptably slow.
- Many participants considered disciplinary actions against students who allegedly engaged in bullying, harassment, or intimidation related to these issues to be lax and inadequate.

4. Perceptions of Disparate Treatment and Indifference

- A widespread sentiment emerged that anti-Israeli and anti-Jewish expression was tolerated to a greater degree than similar hostility toward other minority groups, such as Black or LGBTQ+ students. Numerous participants did not perceive Harvard's offices for Equity, Diversity, Inclusion, and Belonging (EDIB) as adequately addressing antisemitism or considering it a serious form of bias within their purview.

5. Distinctive Experiences of Israeli Students

- Many Israeli students reported experiencing heightened social isolation, ostracism, and hostility following the events of October 7th, with several feeling unfairly labeled as "soldiers" due to Israel's mandatory conscription policy. These students described a pervasive sense of being held personally accountable for Israeli government actions, facing social exclusion and uncomfortable encounters, and some even feeling compelled to conceal their Israeli identity for fear of negative reactions from peers.

6. Effects of Social Media

- Participants identified social media as exacerbating challenges by enabling the rapid and sometimes anonymous creation and dissemination of cruel and hateful messages online, negatively impacting the reported well-being of many Jewish students.

7. Experiences of Anti-Zionist Jewish Students

- Some Jewish students who identify as anti-Zionist reported experiencing bullying and shunning, similar to that reported by numerous Jewish students who identify as Zionist, from some pro-Palestinian students.

8. Need for Enhanced Course Offerings and Academic Programming

- Participants expressed a need for more robust academic programming and course offerings to help address the campus climate and facilitate constructive, informed, and respectful dialogue on events in Israel and the Palestinian territories.

The following sections, organized thematically, offer a glimpse into the range and intensity of negative experiences described by many Jewish and Israeli students after October 7th. Our emphasis in these sections is on presenting illustrative examples of these experiences as students themselves described them, often using students' own words. These accounts were shared with us in listening sessions, private meetings, and written correspondence. We did not independently verify each account. When selecting examples for these sections, we focused on patterns of experiences reported by multiple students and excluded any account we had reason to doubt.

Theme 1 — October 7th and the Deterioration of Campus Climate

Many Jewish students spoke of October 7th as profoundly affecting their life at Harvard:

> *I'm American. I always felt comfortable here. As an undergrad, I felt like I fit in. The change in the social dynamics [after October 7th] was instantaneous and alarming. [Graduate student]*

> *My experience has been different before and after October 7th. Before October 7th, being Jewish was largely irrelevant. It was not a barrier. I was proud to be Jewish. When it came up, it was positive. After October 7th, I experienced the following in this order: first there was pressure, then there was chaos, then hostility, and in certain spaces, the normalization of subtle discrimination like, "We'll welcome you in this space if you align in a certain way. If not, you can't come here." This has to do with the enforcement of rules. [Graduate student]*

Some students noted that the Israeli-Palestinian conflict felt as if it seeped into all areas of campus life, much to their consternation:

> *I'm an older student. Many of my interactions on campus are more professional. I'm less impacted than other students. I was a union member, and a little uncomfortable with antisemitic overtones as I perceived them. However, I held that grad students needed help bargaining and thought it was essential to have a union to engage in collective bargaining due to the harsh realities for grad students. But then things exploded. The union started releasing public statements that made me acutely uncomfortable. I didn't resign initially. I tried to talk to people about it and asked to let us say that not all members subscribe to these views. My objection was that they were releasing statements saying they spoke for everyone. So then, I resigned. The whole thing made me acutely uncomfortable. [Graduate student]*

Many Jewish students perceived the word "Zionist" as being widely employed as a pejorative and a means of pillorying Jews:

> *There's a tendency to replace the word Jewish with Zionist. "All Zionists should burn in hell" — it's very frightening, there's an incongruency between how different sides would define the term Zionist. People are proudly referring to themselves as anti-Zionist but there's a strong overlap and it feels like this is an excuse to use a different term to make the point that they are anti-Jewish. [Undergraduate student]*

> *An undergrad tells a story about choosing an event to attend: one option was in the Quad, one at Hillel. A blockmate said, "I don't want to go to Hillel, I fucking hate Zionists." The undergrad sees this as an example of something that falls squarely into the antisemitic category, but doesn't think the blockmate realized it, and thinks there are other examples of antisemitism that are even harder to categorize. [Undergraduate student]*

The Harvard administration's responses during this period were described as tardy and clumsy:

> *I've had positive interactions with the administration. They just don't know what to do. They didn't expect this level of anti-Zionism. The [name of student's Harvard School] didn't expect having to draw a line between free speech and harassment. Anti-Zionism is considered an intellectual exercise and not as discrimination by some in the administration. [Graduate student]*

Many students described a social atmosphere that had rapidly deteriorated and become dominated by pervasive feelings of rejection and fear:

> *If I was killed by a terrorist in America, as an American, my classmates would at least superficially mourn. If I was killed by a terrorist in Israel, as a Jew, my classmates would say I had it coming. And when other people are killed in ethnic, religious, or political conflicts, my classmates frankly don't care for longer than a few days at a time. [Graduate student]*

The social exclusion and shunning of Israeli students lies at the core of the Harvard experience for many. From my first days on campus, I noticed students in pre-orientation avoiding conversation with me, simply out of fear of being associated with an Israeli. My friend has been told that others would not attend social gatherings if I was present, as they couldn't risk the social consequences of being seen with an Israeli. Students have also chosen not to join an organization I led simply because I served in the IDF. Like other Israeli students currently at Harvard, I was excluded from the invitation list to comp for a final club, with members openly stating that IDF soldiers do not align with the club's values. Israeli students at Harvard are not merely subjected to implicit bias but instead face explicit, deliberate discrimination. [Undergraduate student]

People can have political views of their choice, but the social fabric has degraded. There has been an increase in antisemitism on campus, which is a fact. I have many friends who have experienced this. An incident occurred on October 7th, which happened over the weekend. A group of five guys lived in a suite. The door was usually unlocked, but they had to lock it due to feelings of tension and a lack of safety in their own home. This is a sign that something has gone wrong. People don't trust each other. Otherwise, why would we need to lock our doors? [Graduate student]

Accounts of social shunning emerged as one of the most alarming indicators of the breakdown of Harvard's on-campus community:

The strategy used by BDS groups involves encouraging students and faculty to avoid normalizing relations with Jewish students. This involves social shaming, which is a particularly harmful tactic in academia and the impact can vary depending on your field. [Undergraduate student]

The notion that acceptance in a politically liberal or progressive on-campus space is contingent upon disavowing Israel was a recurring theme:

A Jew who doesn't renounce Zionism and who is gay can't feel comfortable in a gay students' association [Undergraduate student]

I did feel shunning, especially in progressive spaces which I have long been part of. On the [name of a progressive student organization], there's a good-Jew bad-Jew dynamic. I'm a Zionist. The experience of being a Jewish student at Harvard in progressive spaces requires incredible emotional labor. People like to pretend they're unaware of antisemitism. I try to go to every event where Israel is discussed [to explain things] so people can't claim ignorance. I've had to bare my soul in progressive spaces to show I can be accepted as Jewish and progressive. I've sat shiva three times recently. Israel and the Jewish religion are connected. I need to tell people this. I'm used to being the first exposure people have to Judaism. It's exhausting and embarrassing for Harvard. [Graduate student]

Numerous Jewish students, many of whom expressed a deep connection to Israel, spoke of feeling lumped together and collectively blamed for the situation of the Palestinians. They noted that students with analogous ties to other countries engaged in wars and conflicts are not typically prejudged in this way:

Jewish students had to bear the burden of defending themselves in the face of global politics. The same feeling was not mirrored for a Russian friend when the war broke out. The Jewish community is not a monolith. How we teach the greater community not to fall into those stereotypes is important. [Undergraduate student]

As a result of their negative experiences on campus after October 7th, some Jewish students said that they were concealing their Jewish identity:

At intramural practice, there is extra conscious[ness] about not self-identifying. You have to think about it all the time. [Undergraduate student]

Not outright antisemitism towards me, but the antisemitic culture on campus has increased since Oct 7th. Friends who are more outwardly Jewish and Israelis, the things they are experiencing are horrible. I feel lucky I don't look Jewish. I know if I do the "wrong thing" I might get the antisemitism. So, put your headphones in, make sure you're not outwardly Jewish, and just walk to class. [Undergraduate student]

Some Jewish students with critical views about Israel, including members of anti-Zionist student groups, reported that they were concerned with both insensitivity from some pro-Palestinian peers to the horror of October 7th and what they saw as Harvard's one-sided institutional response:

There are some people who have glorified what happened on Oct 7th. That was triggering and harmful for me. [Undergraduate involved in anti-Zionist campus organizing]

Harvard seems more afraid of Elise Stefanik than about helping students … Harvard's responses have been encouraging antisemitic behavior. The way Harvard has cracked down on organizers, I would probably want to say horrible things too about Zionists. Given that Harvard is acting effectively as a Zionist organization, it's understandable that people don't want to have anything to do with Zionists. [Student involved in anti-Zionist campus organizing]

Some faculty and staff also reported that they noticed a fraught and uncomfortable atmosphere on campus that was not apparent to them until the aftermath of October 7th:

I am at [Harvard unit] but I don't have much interaction with students. For several months since Oct 7th, I drove in, went straight to my office … and left. I didn't feel unsafe physically, but I felt unsafe emotionally. I did not want to see anything happening in [my office building] that I couldn't unsee. There have been several incidents there. My office and colleagues were a safe space, but I couldn't emotionally handle what was going on elsewhere in my workplace. [Staff]

Only since Oct 7th have I become aware that antisemitism is a problem at Harvard. I've been here 24 years, so I'm embarrassed. I was in a conversation with a Jewish colleague about incidents happening with our students, and she said, "Well I know how that is, from being here. It's been going on for years." I was so shocked; I had tears in my eyes and felt sad that I was so completely unaware of something that someone I am close with was going through. It told me I had a lot to learn, which is why I am here. [Faculty]

Theme 2 — Perceptions of Bias in Specific Schools, Units, and Instructors

Many of the concerns expressed above came from undergraduate students in the College and from graduate students throughout the University, with most coming from four of Harvard's graduate Schools.

Harvard T.H. Chan School of Public Health

To give some context, [the School is] a microculture. Students lean left more than Harvard in general, with a big focus on social justice and equity as stated missions of the School. This has affected my experience. Social justice and advocacy are part of the mission and ethos of the School. In the aftermath of October 7th, among students and in part the faculty, the zeitgeist is very pro-human rights and manifested as pro-Palestine in many ways. This is not the same as antisemitism, but the relationship is complex. Antisemitism is built into how some people are advocating for Palestine. [Graduate student]

I was told by [a School administrator] that I violated the student code of conduct by deleting social media posts from a student group account. There was pretty vile stuff posted in October. I asked someone in the group to remove a post that was disturbing and people requested it be taken down. It was like "Elders of Zion" kind of stuff. I asked the person to remove it. The person said no. So I, as an administrator of the group, removed the post. The poster and the president of the student government reported the incident to the Office of Student Affairs. That office claimed it was a Harvard program social media group. So the office

stepped in. The poster asked their friends to report me to the Office of Student Affairs. Students started saying I was infringing on free speech. That office told me I was in a whole world of trouble, but they couldn't explain why. They said I was infringing on student speech. [Graduate student]

Harvard Law School

We brought the families of hostages to campus and the administration moved us for our safety. This is disgusting and these students need to be punished. They walk around like they own the place. It's ridiculous. [Graduate student]

What can HLS do about the dirty looks and unwelcome feeling? If you have an event in Belinda Hall, everyone must be welcome. But there are about 10–20 people who consistently break the rules. They are at the tops of their [student] organizations. They dictate norms. Everyone goes along. The administration needs to make sure organizations follow the rules. [Graduate student]

Students have reported antisemitic activity, they've done a great job with programmatic efforts, holding space for each other. The difficulties arise with the protests and where they're taking place. Because of their Jewish identity they've been singled out when activities are taking place and people assume things don't align with their beliefs. This is where the reported accounts from Jewish students being singled out [come from]. Everyone wants to feel seen, heard, and respected. Where the protests are taking place, it feels like certain individuals are being centered. [Staff]

Harvard Divinity School

HDS should be a leader in situations like this. It's a flop. There's a diversity of views. We're supposed to find the divine in ourselves and others. Opposing views should be discussed together …There was an interruption at a community dinner. I have a photo. "Harvard out of occupied Palestine." Part of the dinner's purpose was for prospective students, what's the message for them? They commandeered the lifeblood of HDS for their own purposes. I lodged a complaint. The response was vapid. There were no consequences. They're entitled to their views, but they're also entitled to follow the rules. At a Hanukkah event, the host expressed dismay that it was canceled. A pro-Israel student was booted off a WhatsApp page because they made a snarky comment. But that wouldn't have happened to the other side. My reaction reflects an earlier view of anti-Israel rhetoric. "Zionism is racism" is a canard. They're entitled to that view, but not to intimidate. [Graduate student]

Harvard Medical School

A more recent thing was during Admitted Students Week, there was a Med School music video. It was a big deal. Students from a pro-Palestine organization asked other students if they wanted to make the Admitted Student video a protest against the Israeli occupation. Because Admitted Students Week is a big thing, the administration said this is not okay, we fund this. But it took the administration a long time. It took students complaining to get action. The overall message is — if you are a Jewish student with Israeli connections, you don't have a place here. During Admitted Students Week, a lot of the current students made it clear they wanted to send a message to visiting students to discourage Zionist students from coming here. There are very few Jewish students in my class and few Jewish students feel comfortable at the Med School. I wish the administration thought more about the admitted student experience and how they feel with this kind of thing happening. [Graduate student]

Specific Instructors

Students also raised concerns about specific faculty and teaching fellows, citing examples such as faculty who "gave time at the end of class for students to promote various solidarity groups, including the

Palestine Solidarity Committee (PSC)" or "ended class early on the day of a protest, which seemed like an encouragement to join the protest." Some students complained of "one-sided syllabi" concerning the Israeli-Palestinian conflict and expressed apprehension about taking courses from instructors who had signed pro-Palestinian statements.

The antisemitic cartoon described in Chapter 2 was a particular source of anxiety for some students due to its reposting by the organization Harvard Faculty and Staff for Justice in Palestine. One student recalled, "When the antisemitic cartoon was posted, I was baffled. How could this be posted by Harvard faculty [along with] student groups? Then it became clear to me that there are no consequences." Another student told us some Israeli students felt apprehensive in Arabic language classes, and "stopped going … because they didn't feel safe."

While there were relatively few comments about Teaching Fellows (TFs), some experiences were shared. One student described an instance where "a student said in class [they] didn't believe IDF soldiers should attend Harvard. The teaching fellow supported [the student who said this]."

Another student recounted a situation with a TF who "openly expressed solidarity with the Palestine Solidarity Committee and allied movements." This student expressed frustration with the administrative response, noting that after they brought this to administrators' attention eight times, "their response was that slogans and chants can mean different things to different people. I wonder if they would ever say the same to a member of another minority group."

Theme 3 — Concerns with Student Discipline and Complaint Processes

Concerns about opaque processes for reporting complaints and seemingly inconsistent disciplinary responses were among the most common issues raised during the listening sessions:

> *The officials I spoke with were confused about the policies and they were not sure who's in charge. That's a common theme — policies are unclear, people don't know if a policy is a University or School policy. All this to say, there's a lack of accountability about what rules should be and how they should be followed. This is a pattern throughout the University, there are policies but people are refusing to enforce them. [Graduate student]*

> *I understand the importance of freedom of speech, but this institution needs to establish some boundaries. [Student]*

Many students criticized what they perceived as a lack of discipline for disruptive actions, such as interrupting classes or holding unauthorized protests. Although we were told that students who disrupted classes did face consequences, many Jewish students still felt that on the whole Harvard's Schools were not consistently applying their own policies or holding students accountable for violations:

> *On the policy side, rules are violated and there are no consequences — for example, the rules around protests. Earlier this year, there were class disruptions. The School knows who the people were. The handbook describes what the punishment should be but still nothing happened to them. [Graduate student]*

> *There seems to be a total lack of fear of consequences among the [members of certain student groups]. There are no repercussions for those who interrupt classes.[577] There appears to be a lack of consequences, but there should be some form of accountability for [student group] organizers. [Undergraduate student]*

[577] As noted, this quote is the account of one undergraduate student and therefore their impression. We note that students at Harvard College who interrupt classes can face serious repercussions.

Harvard's decentralized structure, in which each of the Schools is responsible for its own disciplinary matters, was a source of much frustration:

If there's a disaster, you don't care how FEMA is structured or organized. Harvard needs to solve this. I don't care how. There's impunity here, people who make antisemitic comments on this campus enjoy it. Nobody else on campus enjoys that impunity … We have a student handbook with rules, they need to be enforced promptly and publicly so people can see justice done. I understand there are limits, but absent that we all understand it's open season. There's impunity for antisemitism. We don't just need to talk about education, we need to enforce existing rules quickly and rigorously. [Graduate student]

Many students were unsure how the complaint system worked and spoke of tardy, curt, or nonexistent responses:

Sometimes you send off this very painful report and then it just gets lost in the shuffle. The fact that there isn't a response to students also makes them feel like their very pressing worry has not been dealt with. [Undergraduate student]

I am tired of fighting. It's the same group of students, whose sole objective seems to be to harass and intimidate Jewish students. Despite reaching out to every office, everyone says it's not their problem. [Graduate student]

There are some things Harvard could do much more humanely. Following up with people to ask how they are. Right now people feel like nobody cares. There are limits to what can be done. But it's possible to tell students, "Hey, we got your thing, we don't have any update, but we just want to check in on you." [Undergraduate student]

Theme 4 — Perceptions of Disparate Treatment and Indifference

Our listening sessions revealed significant concerns about perceived indifference towards Jewish students by Harvard's offices for Equity, Diversity, Inclusion, and Belonging, which exist at both the University and the School level. These concerns were often accompanied by claims that animosity against other groups at Harvard have been, and would be, taken with more seriousness than those against Jewish students:

The issues related to free speech are being misdiagnosed. This was pointed out in an article by [Professor] Danielle Allen. She makes a good point — people can argue about what "Intifada" means, but she said as a person of color, she wouldn't feel comfortable in a place displaying "White Power" signs, even if it's free speech. The question of whether it's legal to yell "Globalize the Intifada" is not the most relevant issue here. Yes, you can say that, but community standards and norms need to be part of the conversation, too, not just the laws surrounding free speech. [Undergraduate student]

Hearing the "river-to-the-sea" chants on campus is troubling. I approached an administrator about this, and their response was that these words could have multiple meanings. If I were part of the LGBTQ community and complained about offensive language, no one would tell me I was wrong to be upset because the language could be interpreted in multiple ways. The same would be true if I were Black and someone used offensive language around me. Why am I being told what is and isn't antisemitism by an administrator? Why am I being told that my fear is unjustified when offensive language is used around me? It's inappropriate and insensitive for administrators to respond in this manner. [Undergraduate student]

Jews are the only minority [against whom] people speak [but] enjoy maximalist First Amendment protections. Every other minority group is defended by the administration against hate speech. There's absolute freedom for antisemitic speech. I agree with the Supreme Court case about the neo-Nazi march in Skokie. It's right for the country but not for Harvard. [Graduate student]

Harvard's process for receiving and handling complaints of discrimination — governed by the University's Non-Discrimination and Anti-Bullying (NDAB) Policies, which went into effect on September 1, 2023 — often described by students as cumbersome and slow, was a recurring theme, often fueling their perception of disparate treatment:

> *Don't explain the lack of response by saying the University is a big, decentralized place. If there's a racist remark, communications go out quickly. So, the University knows when it wants to act quickly. If the issue involved someone who's Asian, Black, or gay, it would be different. You can't blame it on the University being slow because it clearly isn't slow all the time. [Undergraduate student]*

Some students distinguished between discrimination against Jews and discrimination against those who identify as or are considered Zionists. They argued that because Zionism is a political belief, it should be protected under Harvard's existing non-discrimination policies:

> *Harvard's non-discrimination policy prohibits discrimination on the basis of political belief. If you describe Zionism as such, it does fall under policy. [Undergraduate student]*

Some Harvard affiliates we met with noted a persistent lack of awareness and sensitivity regarding the Jewish calendar among some faculty and administrators, particularly concerning the autumn High Holidays, which often coincide with start of term activities:

> *There was a welcome picnic on Yom Kippur, a mandatory doctoral meeting on Rosh Hashanah. A tenured professor asked one of my Jewish friends if it was true that Yom Kippur was really a reason why students couldn't come to class. I explained … that it was countercultural as a Jewish American of my generation to speak up about inclusion because I was taught these institutions were not built for us. Maybe it's not the same extent as for Black people, but we were not welcome here so we can't have expectations that the institution is built for us. We as a community have worked very hard to make sure that as the doors have opened for us, we have not slammed them shut behind us. That ideal has not been honored here. [Faculty]*

Theme 5 — Distinctive Experiences of Israeli Students

Many Israeli students at Harvard had a particularly hard time in the wake of October 7, 2023, and even in the period preceding it. We heard numerous accounts of them being subjected to social shunning and other negative behaviors based on their national identity. Additionally, because the State of Israel has mandatory conscription, and most Israeli young people serve in the Israel Defense Forces, many reported finding themselves labeled as "Israeli soldiers" even though they are no longer in the military and are no more "soldiers" than their peers from any other country in the world with conscription. These concerns all came up in the listening sessions:

> *Some people, upon learning that I'm Israeli, tell me they won't talk with someone from a "genocidal country." [Undergraduate student]*

> *Before October 7th, we were in class discussing the random rooming policy. A student said she didn't think the policy was appropriate because she could get roomed with an IDF soldier. [Undergraduate student]*

> *It has become accepted to not be nice to someone because they are Israeli. But you can not like what someone's country is doing without ostracizing them. [Undergraduate student]*

> *From his first day at Harvard, he has had encounters with people who refused to speak to him because he is Israeli. At an orientation program, he was speaking and getting to know people, met a guy from [a country in the Middle East], speaking in Arabic. When the guy from [the Middle Eastern country] found out he was from Israel, in mid-sentence, he turned around and walked away. [Israeli Arab undergraduate student]*

In my research group, we had an Iranian national. I had a nice interaction with her. The idea that I'd hold her personally responsible for the policies of the Iranian government is absurd. And I never brought up contentious political issues with her at work. Once she brought up Iranian history and politics at a staff retreat and we spoke. I engaged with her on her terms. That's the way to treat people with respect from different countries even when the countries are at odds. That's not the way Israelis are treated. We're treated unlike people from any other country. If people are consistent about their opposition to ethnostates, I'm okay with that. But they don't treat others like they do Israelis. There's selective outrage against Israel and Israeli students are treated with ostracism and disrespect. [Graduate student]

Three people in my cohort think they understand better than me what's going on in Israel … I know. They didn't bother asking me or talking to me. They just tell me they don't support Israel killing children. Are they implying I do? It's so wild. They tell me Israel is an apartheid and colonial state. Why do they think they're right and I'm wrong? They've never been there? I have two Russian girls in my department. Nobody treats them differently because of what Russians are doing. And Chinese students never get blamed for the Chinese government's actions. Jewish people are blamed for Israeli policies. This is antisemitic. [Graduate student]

The anti-normalization idea is that Jews on campus with ties to Israel must be anti-Zionist to be welcomed. I've lost friends who abandoned me. They knew I was Jewish, and my mom was Israeli, and I was not ashamed of those connections. I was involved with international law. I'm part of some progressive groups, and the moment October 7th happened, I was traumatized because I didn't align with the binary view. The anti-normalization idea is to normalize ostracization. That is a foundational source of tension. The constant dirty looks are disgusting to me. This has become the dominant thinking — [graduate] school should be about disagreeing and having difficult conversations. It's hard because … we want to convince ourselves it's antisemitism. But the way it's manifested is tied to social dynamics. We can't fix social dynamics by banning protests. It's a systemic cultural problem. I'm censoring myself in class and with friends. I can't visit friends because their roommates are anti-Zionist. This shouldn't be happening … [Graduate student]

[There was] one experience of an Israeli grad student in the department who has effectively been bullied out of the graduate lounge where all graduate students assemble on the basis of a series of difficult conversations/confrontations including one which was an atrocity-denial about October 7th, doubts being thrown on the incident, and the effects on this student have been noticeable. [Faculty]

Theme 6 — Effects of Social Media

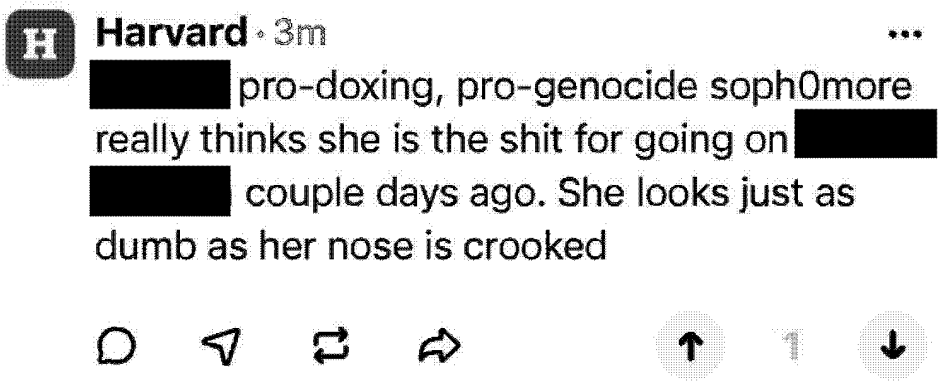
As documented in Chapter 2, the aftermath of the October 7th attacks saw Sidechat and other social media platforms flooded with cruel, offensive, and hateful comments regarding Jews and Israel. One graduate student described a veritable avalanche of hostile social media posts that began on Saturday, October 7 and continued unabated through Sunday, with some students apparently feeling increasingly emboldened to express hateful statements. By the time classes resumed on Monday, October 9, the combined impact of the PSC's October 7, 2023 statement blaming Israel for the attack and the persistent frenzy of violent social media posts had a profound effect on many Jewish students.

In a letter to the editor in the October 24, 2024 issue of the *Crimson*, the student president of Harvard Hillel's undergraduate student Jewish community wrote: "Being Jewish at Harvard today is vastly more difficult than it was [for college students] in the '90s."[578]

[578] https://api.thecrimson.com/article/2024/10/24/gershengorn-harvard-hillel-attacks-jewish-life/

We were surprised to learn just how correct this seems to be. Many Jewish students at Harvard today say they contend with antisemitism from their fellow students and in some University programs. Some Jewish students told us that they avoid certain degree programs, classes, and panel discussions sponsored by various departments and centers at Harvard because of antisemitism. Unfortunately, we fear that they may have good reason to do so.

We illustrate this point first with evidence from social media postings and group chats that were shared with us, which demonstrate the extent to which Jewish and Israeli students have encountered bigotry from their peers. We received many dozens of examples of social media posts that caused concern. Here, we provide here just a small sample to convey a sense of the climate of discourse to which Harvard students were being subjected.





Posts from the Harvard community page of Sidechat, an independent platform not affiliated with Harvard. (Image redacted to protect privacy.)

The Task Force also received complaints from students about other students who peppered their speech with derogatory references to Israelis and Jews:

> *[I] count … among my peers many students who regularly posted social media images like "Decolonisation is not a metaphor" (with Jewish blood dripping from the text) and who seemed generally unable to convene*

for any sort of social function (drinks, dinners, etc) without bringing up Palestine and "Israeli scum," "Zionist dirtbags" etc. [Graduate student]

We reviewed many other similar complaints and messages; some of them are provided in Chapter 4. This exercise illustrates the far greater levels of casual bias many Jewish and Israeli students experience today compared to a few decades ago:

I was on Sidechat for a while, enjoyed it, but had to delete it after October 7th. The comments were so awful, along lines of "Israel deserved what they were getting," many people in support of Hamas. There was no room for conversation because of the anonymity. It could be the person you just sat with at section and you just didn't know. It made campus feel different in a way it never felt before. I never wore a Star of David, but if I did, I would have taken it off, knowing that people hide behind the guise of anonymity. People in support of Jewish identities got downvoted. Anything in support of Hamas would be upvoted. It was a binary thinking. [Undergraduate student]

It's surprising to see people who are educated posting horrible things and seeing people in the street the next day knowing what they just posted. [Undergraduate student]

In another incident in early November, after October 7th, I faced backlash on social media for posting pro-Israel content. As part of a social organization, I noticed a bunch of highly antisemitic posts [online] .... One post, directed at me, accused me of humiliating an Arab student, which is something I would never do. My best friend here is Arab. [Undergraduate student]

I understand not everyone's your friend and belongs to your club. A major theme at Harvard is wanting to have your cake and eat it too. People want to make anonymous statements with no accountability, and yet want the prestige to speak on behalf of Harvard students. In the absence of the University speaking, we need a much more careful discussion about public vs private speech. You shouldn't expect to make bold public announcements anonymously without putting your name under it. Doxxing is a distraction from the need for accountability around speech. [Graduate student]

The most blatant things are happening online. Sidechat, no one can see it other than what undergrads share. There is anonymity so can't be regulated by Harvard. Exists on other campuses. Students are very active on it. Some antisemitic posts and students are perceiving things that outside cannot know of. [Faculty]

Theme 7 — Experiences of Anti-Zionist Jewish Students

While most of the Jewish students at our listening sessions focused on experiences of hostility against them from non-Jews, a smaller but active and organized segment of Jewish students who identify as anti-Zionist felt that one of the primary sources of their discomfort was the main Jewish chaplaincy organizations that serve members of the Harvard community (Harvard Hillel and Harvard Chabad) as well as various Jewish student organizations in the Schools. For these students, Israel was the key point of division: they felt unwelcome in Jewish campus organizations where support for Israel seemed assumed or even demanded:

I've never felt comfortable at Hillel or Chabad because of how staunchly pro-Israel they are. I have problems with Israel and how those speaking out against Israel have been targeted by those groups and our University. Much harder to be open about being Jewish and Israeli because of how these groups and the University have created a playing field in which Jews are addressed in a whole different realm. In reality, Islamophobia, racism, antisemitism, problems in Israel/Palestine are not separate from each other. [Undergraduate student]

Some Jewish students, including members of various anti-Zionist organizations active in the College and some of the graduate and professional Schools, expressed sadness and frustration at feeling shunned by fellow Jews and Jewish organizations on campus who do not share their views on Israel and the Israeli-Palestinian conflict:

All of the advocacy I do — protests, risks I take — it is because I am Jewish. Deeply rooted in these values. They've influenced every aspect of my life. It's never been as disrespected as it is here by other Jewish students in the [Harvard School name]. [Graduate student]

We've done our best to put out statements condemning doxxing [of pro-Palestinian students]. Through that, we have been accused of antisemitism throughout year … I have spent my entire life in predominantly Jewish spaces. Super important part of my identity. I quickly left [a Jewish student organization], made to feel wasn't Jewish enough because I grew up Reform. Programming was conservative-focused … Dropped out of doing Jewish related things at [my School]. My roommate was doxxed, our apartment was doxxed … the most frustrating thing is that students have been weaponizing antisemitism to accuse people of acting out Judaism in a way they don't like. I'm not antisemitic because I'm doing Judaism differently, and that's how it's been seen. [Graduate student]

The largest form of antisemitism I have experienced has been from other Jewish students who are interested in policing the bounds of Jewish identity one way or the other. They've called me a kapo or a useful idiot to Hamas or a non-Jew. [Student]

Some students expressed concern that the University's leaders, in the way they engaged on issues related to Jewish matters, conflated Harvard's Jewish community with prominent organizations like Harvard Hillel, Harvard Chabad, and others they perceive as pro-Zionist:

The first thing that comes to mind is the President's Office, administration, Hillel, and Chabad excluding anti-Zionist and Zionist-questioning people, making them feel excluded from Jewish spaces. It feels like they're defining antisemitism without considering what many Jewish people feel is actually antisemitic. Using the label antisemitism to take down movements or student organizers is a real misuse of antisemitism. As a result, it's challenging to combat real forms of antisemitism that exist all over the world. [Student]

The non- or anti-Zionist Jewish students we met with called for more openness to their perspectives within the broader Harvard Jewish community, as well as greater institutional support for their spiritual needs and the social events they wish to organize:

In my experience, the hardest part has been feeling constant need to invoke my Judaism because people around me are being called antisemitic. My grandfather is from Israel. I have family whose houses were burned down on Oct. 7th. That's not something I wanted to share, but everyone around me was being called antisemitic for an article and I felt like I had to share this deeply personal family information because people around me were being called antisemitic for voicing their opinions. This institution is the reason that talking about Israel is hard. I have family members I profoundly disagree with, but we can still talk. [Graduate student]

I would like to envision a more diasporic Jewish life on campus. Practical limitations to what Hillel International could do. But to have a group to coexist alongside Hillel, I think that would be amazing. Share members. I also go to Hillel. But there are practical limitations to what it can do. My roommate and I have been hosting Passover and it's been getting bigger and bigger. We're struggling to fund it. Having grants would help. Supporting different approaches to Jewish life on campus. [Undergraduate student]

Theme 8 — Need for Enhanced Course Offerings and Academic Programming

As described in Chapter 2, the October 7th Hamas massacre immediately and sharply deepened pre-existing divides between students with clashing perspectives on Israel/Palestine. In our listening sessions, many students spoke of a lack of opportunities for what they considered informed, wide-ranging, and unbiased education about Israel/Palestine at Harvard. Some attendees, however, expressed doubt that students would avail themselves of such opportunities if they existed and willingly challenge their preconceptions and engage in open dialogue, as opposed to seeking confirmation of their existing views:

> *If Harvard sponsored conversation about Israel and Palestine, some of my peers would laugh at that, and say how could Harvard, supporter of a colonizer state, possibly host this conversation? There is animosity towards even the idea of Israel right now, and that's where a lot of the antisemitism lies. [Undergraduate student]*

Despite this skepticism, the Task Force felt this subject was far too important to be left solely to students alone to navigate, especially given some of the accounts we heard:

> *One of my suitemates knew nothing about the Israel/Palestine conflict and the student tried to talk about it without going too deep, because they didn't feel comfortable talking about it with non-Jews. There's a fear of having conversations about anything related to Israel/Palestine because people don't know enough to participate and don't want to say the wrong thing. But they can listen. [Undergraduate student]*

> *People want to talk about Jews, but not know anything about Jews. This creates the atmosphere … in which I have a continuous sense that my classmates do not respect my ethnicity at all. They don't want to learn about Jews, they only want to tell some of us that we deserve to die. [Graduate student]*

While there was little if any University-wide academic programming on Israeli-Palestinian issues, various Harvard Schools, centers, and affiliated organizations (such as Harvard Hillel) attempted to address the need for such programming with events ranging from impromptu teach-ins to panel discussions held at venues like HKS's Belfer Center and FAS's Weatherhead Center. Many students expressed a strong desire for substantive engagement on these issues:

> *I attended a conversation at Hillel moderated by Michael Sandel, and I've never felt prouder to be Jewish. In a moment of so much loss, people were able to take a step back and have an intellectual discussion, which is similar to how they were raised. I wish more people saw that side of Zionist students, and Jewish students, and they don't see that. [Undergraduate student]*

These events, however, seemed aimed at particular campus communities, which could be seen as problematic:

> *Something I've noticed and want to flag and create a conversation thread around is separation. I have a desire for there to be more bridging conversations instead of separation conversations. On [one particular] quad, there was an event for Israeli and Jewish students, and one for Arab and Muslim students, as if to say there's no overlap or nothing to be gained by mixing. I'm frustrated by this narrative of separation. I think it was a departmental decision. I asked if we could have a shared, joint event. There were discussions that followed. I would love Harvard to focus on bringing people together across boundaries. [Graduate student]*

Some students emphasized the need for courses that contribute to greater religious literacy, both for its intrinsic value and to promote pluralism in general:

> *I have managed to get through HDS without taking courses on Hinduism or Buddhism, both of which are hugely important and demographically much larger than Judaism. I think that is a failing on my part, but also on the part of HDS. How can we be pluralists if we are ignorant? [Graduate student]*

Numerous students we spoke with expressed concern that courses addressing the Israeli-Palestinian conflict presented a biased perspective, unfairly critical of Israel:

> *It's unfair to have a very biased curriculum on a subject this tense [the Israeli–Palestinian conflict] without addressing the counterargument. We should hold our professors to that standard. If you have a class that has one leaning, you had better include the other argument. If you personally cannot, invite a guest lecturer. [Undergraduate student]*

Another student suggested that sensitivity and professionalism on the instructor's part could mitigate this concern, allowing discussion of events like the Gaza crisis without imposing personal political viewpoints. The same student emphasized the need for courses on Israel to showcase the country's multifaceted nature beyond conflict:

> *Israel is more than war — it's a vibrant and diverse country … A lot of students don't know what Israel is really like. [Undergraduate student]*

During listening sessions, faculty members grappled with a range of challenging questions arising from the campus climate, particularly regarding how to foster constructive dialogue in the classroom on difficult topics like the Israeli-Palestinian conflict, and how to engage diverse and sometimes conflicting viewpoints with both directness and mutual respect. In this connection, one faculty member spoke positively of the work being done at the Edmond and Lily Safra Center for Ethics, a University-wide initiative, and at HKS in sponsoring conversations on a wide range of contentious subjects. This faculty member emphasized that such conversations "need to step away from patronizing and protecting" participants, and instead demonstrate a firm commitment to presenting diverse, and at times discomforting, views.

However, some expressed concerns that such engagement could potentially expose instructors to personal risk. One faculty member, for example, shared that while considering developing a course on antisemitism, a concern on their mind was the possibility of doxxing and harassment targeting the course's would-be teaching fellows:

> *Part of the difficulty here is how the discussion about antisemitism in particular has been dominated by certain very loud voices. Some students come to me and whisper, which is so sad. They feel that someone else doesn't think they have the right to talk about threats as a Jew because they have the wrong view on Israel. We have multiple layers of untangling to do. As a Jewish faculty member, I feel a lack of support for professors because of social media attacks, which makes me not want to speak out. [Faculty]*

Ultimately, fostering productive discourse among Harvard students on complex issues like Israel/Palestine requires Harvard faculty to effectively explain and exemplify how to engage constructively with diverse perspectives, even when personal political commitments differ. This demands modeling how to momentarily transcend entrenched positions and find common ground:

> *[Universities like Harvard should hold] public events about how/why we [the faculty] are able to work together so well even though all have different political viewpoints. We have avoided this … It's difficult to do. Let's turn it into intellectual discourse. We're not talking about how to disagree agreeably, we're talking about how to do it in an intellectual way, which is what universities should do to produce not just knowledge but understanding. [Faculty]*

Communications with the Task Force Co-Chairs

The summaries and quotations provided above represent only some of the voices the Task Force heard during listening sessions. Yet, they illustrate the profound sense of crisis experienced by many Jewish and Israeli students at Harvard during the 2023-24 academic year. They reveal not only the depth of pain endured, but also the students' fervent desire for the University administration to implement swift and comprehensive measures addressing their concerns.

The gravity of the situation was further underscored through private conversations and direct communication with the Task Force co-chairs. Below, we present a selection of these accounts, focusing on three themes of special concern: perceived threats and safety concerns, challenging academic experiences, and social derision and shunning. These accounts provide additional context to the challenges reported to us by many Jewish and Israeli students.

Perceived Threats and Safety Concerns

In a complaint submitted to Harvard officials shortly after October 7, 2023, and later shared with the Task Force co-chairs, an Israeli American graduate student expressed that given the ensuing turmoil they had "not felt comfortable or safe walking on campus without a Harvard police escort." The student also described an incident in early December 2023 where, while posting flyers in in support of Israel in Harvard Yard, they were observed, photographed, and approached by a man who questioned their actions. While the man did not attempt to harm the student, we were told they nonetheless felt badly shaken by the encounter.

A faculty member provided another first-hand account that touched on the theme of physical safety:

> *I want to document my experience around the encampment in case it is useful to shed light on how these "peaceful" protests may have impact in ways they don't realize or intend. I don't feel safe going into the yard at this time, not because I fear physical violence, but because I'm not comfortable being surveilled and targeted as a "Zionist" by protestors using the label to be denigrating and derogatory, which is what happened when I walked over last Friday night in a spirit of learning.*
>
> *While I quietly stood watching the open mic in the encampment (I attended alone and not in "counter protest"), a Harvard alum and former student called me on the phone, and then texted several times, which is not normal. When we were able to speak after I left the yard that night, he informed me that he had seen my name come up on an internal chat (apparently a large group communication for "marshals of the encampment") and that there was concern with my presence there. I was described so that others could recognize me and identified as a "Zionist." It was unclear if he was alerting me to warn me to be careful or to ask me to leave, but during our brief conversation he wrongly associated me with counter protest and communicated that he was hoping I'd act in an especially nonthreatening way because my presence was a concern. It was chilling.*
>
> *What I'm taking from this, and perhaps I've internalized it in the wrong way, is that I was surveilled, identified by name, and profiled as a "Zionist" threat in a chat that reached far enough that an alum not at the protest, who I had no idea was even involved, knew exactly where I was and reached out with concern. I have not shared any of my views (complex and ever-changing) with students or in any public setting save for asking a question at a "teach in." I have no idea what I did to end up on a blacklist, but whatever the reason I was profiled, beliefs about me that are inextricable from my Jewishness seem to have made me a potential target.*
>
> *This experience is personally significant in diminishing my sense of freedom from religious discrimination on campus. [Faculty]*

A graduate student informed the co-chairs that, in May 2024, the student submitted complaints regarding the pro-Palestinian encampment in Harvard Yard and the behavior of some individuals within it, which the student characterized as harassment. The student, the co-chairs were told, contacted multiple administrators, and submitted several Title VI complaints, which the student said were deemed not to rise to the level of discrimination:

> *Throughout the past weeks, the encampment engaged in disruptive activities that significantly interfered with my ability to carry out my academic and professional responsibilities. Loud demonstrations, amplified chants, and the occupation of a large section of the Yard occurred daily, often late into the evenings. The noise and disruption made it very difficult for me to focus on my work, research, and duties … [Graduate student]*

The student felt threatened by many of the slogans and much of the signage in the encampment:

> *Hearing such rhetoric being promoted in my place of residence and work … created feelings of fear and distress … The pervasive use of this violent language throughout the encampment created a hostile and intimidating environment for … many … Jewish first-years who live in the Yard. [Graduate student]*

Challenging Academic Experiences

An undergraduate student reported to the co-chairs enrolling in a class on the Israeli-Palestinian conflict in academic year 2023-24 but ultimately dropping it. According to the student the course had what they perceived as a one-sidedly pro-Palestinian tone, which they said led them to feel defensive and uncomfortable in the classroom setting.

An Israeli graduate student shared an account of their experience three years prior, when they said they had taken a course on Israel and the Palestinians. The student described the course as explicitly one-sided from their perspective. They reported that throughout the term, they felt consistently singled out and asked to justify their decision not to emigrate from Israel, as well as to account for their actions during their military service. The student told the co-chairs they had been engaged in peacebuilding activities since high school, but felt this background was disregarded in the class. The student felt they were, as they put it, not allowed to be a human being in the eyes of fellow students.

Social Derision and Shunning

An Arab-Israeli undergraduate student shared that from their first days at Harvard, they encountered what felt like social discrimination by some people of Arab descent. The student reported that some people refused to speak with them altogether or broke off conversations upon learning they were Israeli. They said they lost many friendships with fellow Arab students, and described feeling attacked by strangers for their involvement in the annual Israel Trek — a peer-led trip to Israel for Harvard students during spring break. According to the student, the PSC urged students to boycott the trip and refused to meet with them or other Israel Trek leaders. The student also mentioned knowing of a Palestinian student who, they said, initially talked openly with Israelis upon arriving at Harvard, but over time cut off ties with Israelis after associating with what the Arab-Israeli student described as more radical students.

An Israeli undergraduate student reported to the co-chairs that they were called a murderer to their face, felt compelled to drop their course in Arabic due to what they described as a hostile atmosphere, and believed that they were the target of malicious comments by classmates. They also told us that a Muslim woman who had befriended them was called a "Zionist" by others.

The co-chairs received an account from an eyewitness to encounters between an Israeli graduate student and a classmate. According to this account, the classmate allegedly said "you worked in the government, so you are a Zionist. I don't respect Zionists." (We understand that the Israeli student worked for a civilian ministry.) The eyewitness, who identified as neither Israeli nor Jewish, claimed the classmate pressured

other students to shun the Israeli, suggesting they might be seen as supporters of genocide and the killing of children if they did not. The eyewitness provided the following statement:

> *Judging someone based on their country, religion, or the actions of others is UNACCEPTABLE … It's troubling that someone I share the identity of being a Harvard student who holds such narrow views and acts in such a way toward a fellow student. It's even more concerning that [the classmate] used a global conflict to create a hostile environment and stain the name of a fellow student in a space meant for learning. I don't mind if [the classmate] dislikes me or chooses not to be friends. This is something which doesn't even matter to me but I strongly object to [the classmate's] connecting me with "killing children" or "genocide" when it has nothing to do with my interactions or opinions except for knowing [the Israeli student in question].*

Conclusion

The Task Force found that Jewish and Israeli student reactions to the events of the 2023-24 academic year, especially in the aftermath of the October 7th attacks, were diverse and intense. Many of the students we spoke with described experiences of being bullied or shunned by fellow students, singled out for negative attention by instructors, and feeling ignored by administrators. Other students reported few or no hostile encounters, but a segment still admitted to a degree of self-censorship and self-concealment about their Jewish identity and views on Israel to avoid what they perceived as potentially unpleasant situations with their classmates.

Notably, many Jewish students who identified as anti-Zionist reported to us that they felt the main source of hostile behavior against them was other Jewish students.

Overall, a substantial majority of the students we met expressed some level of discomfort with their position within the Harvard community, with reported experiences ranging from mild to severe. This qualitative assessment appears to be corroborated by the quantitative survey data presented at the beginning of this chapter.

It is important to note that while these accounts provide valuable insights into student experiences, they represent individual perspectives and perceptions. The Task Force's role has been to listen to and report these experiences as they were shared with us. These narratives, combined with the quantitative data, form a crucial piece in understanding the full picture of Jewish and Israeli students' experiences at Harvard. They can help us better comprehend the concerns of these students and work towards envisioning and creating a more inclusive and supportive campus environment for all members of the Harvard community.

CHAPTER 4

Case Studies from Harvard's Schools

The Task Force received a significant volume of complaints about specific programs, classes, and protests at Harvard that some students, faculty, staff, and alumni experienced as antisemitic or involving bias against Israelis. Some of these concerns came to the Task Force through listening sessions, while others came through emails and personal meetings with members of the Task Force. Chapter 3 presented a sampling of these concerns. The accounts received made it clear that, particularly during academic year 2023-24, many Harvard affiliates had negative experiences and found that the University's channels for addressing complaints about experiences of bias, discrimination, and bullying were not functioning effectively. In Chapter 5, we offer policy recommendations aimed at improving the University's ability to receive and address such complaints.

This chapter examines the perceived failure by some administrators and faculty to manage courses, academic programming, and School-related events while upholding the principles of open-minded inquiry, civility, and respectful disagreement. While troubled by the incidents described, the Task Force acknowledges that it could not and should not serve as a substitute for a functional system for handling complaints and discipline actions at Harvard.

Moreover, we want to underscore an important point we made in the Introduction. The Task Force did not view its charge as serving as an investigative body. We have listened to and are reporting on what we were told. We did not seek counterarguments or counterevidence. It is also important to note that the University and individual Schools may have taken or may be in the process of taking actions to address the concerns outlined here. The University summarized some of the actions it has taken since our Task Force released our Preliminary Recommendations in June 2024.[579]

Therefore, the information presented in this chapter should be considered the starting point of a broader evaluation of these potentially problematic programs, not the end point. A complete assessment requires that the Schools housing these programs conduct a full and fair investigation of these concerns (an activity beyond the scope of the Task Force), seeking out possible counterevidence and counterarguments and gathering more in-depth information from the individuals involved.

In this report, we define antisemitism as an identity-based bias that has kept Jewish Harvard affiliates from fully participating in Harvard's educational, co-curricular, and social life. Similarly, we define anti-Israeli bias as an identity-based bias that has kept Harvard affiliates with Israeli nationality or background from fully participating in Harvard's educational, co-curricular, or social life. Based on what the Task Force heard, we believe both antisemitism and anti-Israeli bias under these definitions exists at various places at the University but seems to be particularly pronounced in certain programs at a few Schools, as is discussed below.

Some on Harvard's campus described experiencing direct expressions of antisemitism and anti-Israeli bias, which manifested in the following ways, listed in descending order of reported frequency:

1. ostracism of Zionist and Israeli students that adversely affects their participation in both classroom and co-curricular settings;
2. politicization of instruction or academic settings that effectively makes a specific view on the Israel-Hamas conflict a litmus test for full classroom participation and ends up disparately impacting many Jewish and Israeli students; and

[579] https://www.harvard.edu/task-force-on-antisemitism/#implementationupdates

3. politicized instruction that mainstreams and normalizes what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias.

While reported less frequently, the third category — politicized instruction that mainstreams and normalizes antisemitism and anti-Israeli bias — was especially concerning as it often occurs in the context of instruction about Israel/Palestine, a subject of considerable student interest, but one with a shortage, in our view, of high-quality offerings meeting Harvard's standard for intellectual excellence. Also, such instruction can negatively influence the broader campus climate, creating a knowledge vacuum that allows problematic offerings to unduly shape campus discourse and culture.

The following sections examine each category in turn, providing examples of the kind of behavior we heard occurred on campus in academic year 2023-24, and offering one in-depth, illustrative case study. The chapter concludes with an analysis of potential causes and possible remedies.

Ostracism of Zionist and Israeli Students and Their Exclusion from Full Participation in Both Classroom and Co-Curricular Settings

Many Jewish students shared accounts with us of experiencing shunning from their peers for their support or presumed support of Israel. In this student politics, Jews are objects of suspicion, who some students and instructors view as presumptively holding "bad views," and the response of some students is to choose not to engage with them as fellow humans or Harvard community members. These experiences appear to be widespread, with reports emerging from students in Harvard College, Harvard Law School, Harvard Graduate School of Education, Harvard Divinity School, Harvard T.H. Chan School of Public Health, Harvard Kenneth C. Griffin Graduate School of Arts and Sciences, and Harvard Medical School. Israeli students, both Jewish and non-Jewish, encountered a more severe version of the same problem since their Israeli identity is often very obvious to their fellow Harvard community members:

> *On paper, I went to the best … school in the world, but Jewish students weren't really part of the vision they had for their diverse community. I largely felt that there was a problem but nobody wanted to do anything about it. It just seemed to be the case that antisemitism was just okay. And as an Israeli it was just okay to alienate me and not include me. Friends of mine were bullied for being friends with me — one was told that it would "hurt his career to associate with a Zionist and to be publicly associated with a Zionist." He posted a picture of us studying together on Instagram and people attacked him for being with me. I never even did pro-Israel things — I just existed [as an Israeli and a Jew]. This ruined my experience. I was cheated out of what I should get to experience as a student at Harvard. Going to Harvard meant everything to me — to spend [my time at Harvard] being bullied and ostracized was horrible. I was not invited to participate in the social life of my [cohort] because of this and I missed out on opportunities. [Graduate student]*

The experiences students related, such as overhearing friends urging classmates to drop a student solely because of that student's Jewish and Israeli identity, are deeply concerning. One faculty member told the Task Force that students had expressed interest in their course but ultimately decided not to enroll because the faculty member was "a Zionist." Similarly, a student reported to us overhearing a non-Jewish classmate ask another student about a Jewish peer: "Is she a fanatical racist Zionist or just a Jew?":

> *I had friends over … to my apartment. Of the people who attended, 13 of them were my closest friends that I had made at [Harvard] up to that point. At one point, a small group of them brought up that they did not feel safe around an Israeli student on campus because of his nationality. I passionately defended him as a person and his right to be a student here. The topic of the Israeli/Palestinian conflict itself did not arise during the conversation. After the discussion ended, we went back to doing other things (talking, playing games, etc.). Only three of my friends were part of the argument, the others were in another room or doing something else.*

Soon after the party, I noticed an uncomfortable distance between myself and all 13 of my friends. Invitations to hang out stopped, texts were not replied to, and one person had blocked me on Instagram. I reached out to a few of the people, asking to chat or meet to discuss what had happened, but the texts were either ignored or I was told they were busy.

[Later], I reached out to a few of the friends who I thought would be most receptive to meeting with me. They agreed, and I met with four of them. All of them expressed that they had no issue with me personally, and that they were sorry for the exclusion I had experienced. However, they viewed the incident as a disagreement amongst friends that they were not willing to mediate or intervene in. As such, when that group spends time together, I will not be invited anymore because some of the people do not want to associate with me.

It was in these discussions that I learned that one of the people in the friend group had labeled me a Zionist. They had called me a Zionist to others and made clear that they were not willing to meet with me or speak with me at all for that reason. As such, I have not been able to sit down with them to have a conversation, clear the air, and reach a mutual understanding. I can only assume that my subsequent social isolation (and Zionist labeling) was for expressing my view that the Israeli student had a place on campus, and that students should not feel unsafe on campus because he is Israeli. [Graduate student]

Examples like this illustrate how anti-Israeli bias can easily spill over and affect American Jews.

Even before October 7th, prejudice and shunning based on perceived connections to Israel were already experienced on Harvard's campus. For instance, as noted in the introduction, the Task Force heard an account from a few years ago of an Israeli student in a Harvard degree program was assigned to a group project with another student. That student informed the faculty member who made the assignment that their pro-Palestinian politics prevented them from participating in the group project with an Israeli. While stating there was nothing academically wrong with collaborating with their assigned partner, the student requested a different group assignment, citing their political views as justification. The instructor reportedly granted the request.

Another example involves the Palestine Program for Health and Human Rights at the François-Xavier Bagnoud (FXB) Center for Health and Human Rights, based at the Harvard Chan School. Until very recently, the Palestine Program operated a study abroad program in partnership with Birzeit University.[580] Birzeit, a Palestinian institution, maintains an official policy of academic boycott, refusing academic contact with Israeli universities. This collaboration for several years raised concerns that a Harvard program effectively tolerated a boycott of Israeli academia, and was, potentially, serving as a model for such practices for its students. The Task Force suggests that a more constructive approach would have been for Harvard to condition its collaboration with Birzeit on the inclusion of an Israeli university partner.

[580] In late March 2025, the Harvard T.H. Chan School of Public Health informed us that the Memorandum of Understanding (MOU) with Birzeit University's Institute of Community and Public Health, which initially established the FXB Center's initiative on Palestinian health, has expired. The formal collaboration with Birzeit has ended, though individual faculty collaborations remain possible. The FXB Center has removed Birzeit's logo from its website, which now reflects a broader range of international partnerships.

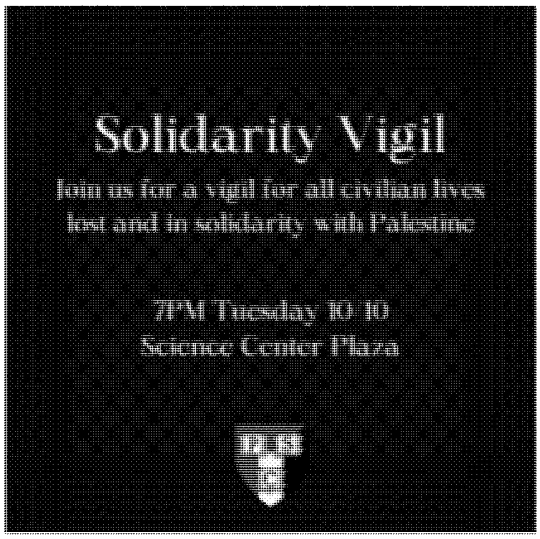
Politicization of Instruction and Other Academic Activities

The second category of concern observed in numerous Schools across campus, involved the introduction of what effectively amounts to a political litmus test regarding the conflict between Israelis and Palestinians, even in courses seemingly unrelated to the subject.

One example relates to multiple concerns expressed to the Task Force about the actions of some faculty at the Harvard Chan School in relation to protests during the 2023-24 academic year. Several students reported feeling that some faculty appeared to endorse pro-Palestinian protests on campus. For instance, one student expressed concern that a faculty member canceled and rescheduled class, seemingly to allow students to participate in the "Palestine Solidarity Global Strike" on Friday, October 20, 2023. This student reported feeling "disheartened, isolated, and scared" as a result. The Task Force believes that when faculty take actions that could be perceived as signaling to students that their grades will not be affected if they miss class to join a specific protest — especially if that protest aligns with the instructor's political commitments — such actions have the potential to undermine the Harvard Chan School's stated aim of producing an inclusive and welcoming environment. (We understand that the School's leadership has subsequently communicated to its faculty that canceling classes so students can attend protests is, going forward, unacceptable.)

Similarly, the Task Force received a report that a Teaching Fellow at Harvard Law School sent an email to students in their class on October 10, 2023, which included the following:

> I have tried to normalize the practice of bringing your whole identities and ideologies to the law school and classroom. I am sure you have been apprised of the ongoing violence in Gaza. To say the least, the news may seem overwhelming and confusing. I remain a resource for you all as a peer and TF to help process what we are seeing. I've found that spaces like the event below, a vigil at 7pm tonight at the Harvard Science Center, are very grounding. I invite you to take time to process your emotions, develop your commitments, and be in the community.



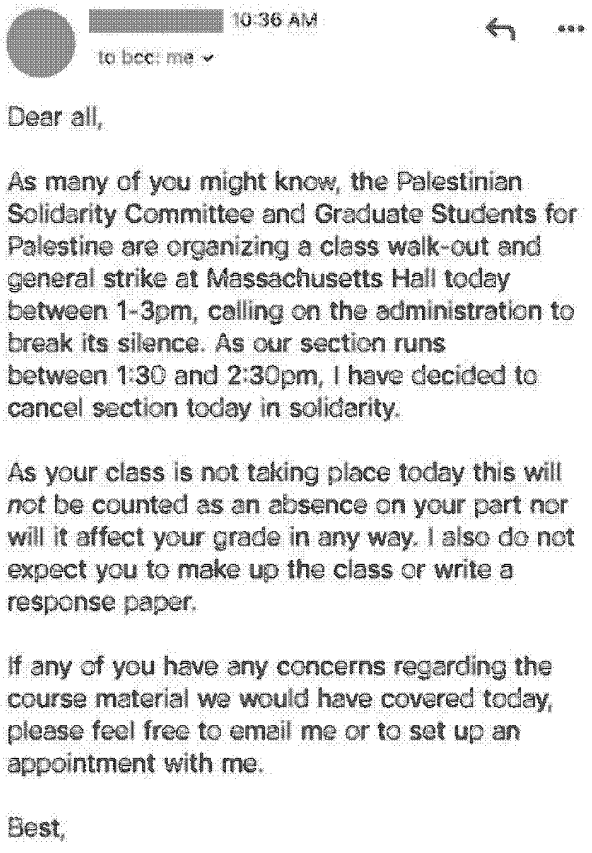
The student described in a letter to the Task Force how this made them feel:

> *[The Teaching Fellow] made no mention of the horrific terrorist attacks on civilians in Israel and made it seem that this was a one-sided issue, echoing the abhorrent statement written by the Harvard Palestinian Society Committee that was released days earlier and signed by 34 student organizations … [The Teaching Fellow] also stated in [their] email, "I remain a resource for you all as a peer and TF to help process what*

we are seeing." By explicitly calling out that [they are] a TF, [they] called on [their] authority and role as an employee of the University to further [their] agenda. Finally, [they] encouraged students to attend a Palestinian Vigil, making no inclusion for any of the Israel Vigils we were also being conducted to help students. [The Teaching Fellow] encouraged students to only mourn the lives lost in Gaza …

The professor in the course, upon learning of this email, immediately intervened to prevent its recurrence and made clear to all students in the class that the email had not been authorized by him. No further emails of this sort were circulated.

The Task Force received a similar concern about a Teaching Fellow's decision to cancel a class at Harvard College:


[redacted] 10:36 AM

to bcc: me

Dear all,

As many of you might know, the Palestinian Solidarity Committee and Graduate Students for Palestine are organizing a class walk-out and general strike at Massachusetts Hall today between 1-3pm, calling on the administration to break its silence. As our section runs between 1:30 and 2:30pm, I have decided to cancel section today in solidarity.

As your class is not taking place today this will *not* be counted as an absence on your part nor will it affect your grade in any way. I also do not expect you to make up the class or write a response paper.

If any of you have any concerns regarding the course material we would have covered today, please feel free to email me or to set up an appointment with me.

Best,

Text message from an instructor to students.
(Image submitted anonymously and redacted to protect privacy.)

In a course focused on reimagining education through diverse learning methods — including storytelling, art, drama, games, and community action — the instructor, a visiting fellow who was at Harvard for a short, one-week visit, posted a course welcome video that began, "We have inherited a world where a genocide is happening in Gaza." The application of the term "genocide" to the humanitarian crisis in Gaza is hotly contested. Beginning a course unrelated to the Middle East with this assertion effectively establishes a political viewpoint as a prerequisite for full participation in the course.

This framing significantly affected some students:

It was clear that genocide is not the professor's area of expertise, and yet [they] felt the need to frame this controversial argument as a fact, as part of [their] "welcome" to the students in the course. No context to the war was given, no mention of the suffering of people in Israel or the hostages, or of the countless devastating

> *conflicts in the world. Needless to say, there is no connection between the comment and the course. As an Israeli student, when I hear these as the first words of a course, I know that I am no longer welcome in this course … this environment puts me in a situation where I need to think twice before enrolling into a class, before saying where I am from when professors or students ask, give examples from my experience, or even if I should speak in class and draw more attention to myself. And more importantly, the atmosphere results in me as [a small number of Israelis] at HGSE being singled out. My Jewish peers and I continue to be marginalized from some classes and opportunities other students have access to. HGSE's curriculum clearly values equity and inclusion, but I am left feeling that this is a hollow promise when it comes to me and my Jewish peers. [Undergraduate student]*

While instructors have the right to express their political viewpoints in civic and political contexts, their role as educators, especially when teaching unrelated subject matter, requires them to exercise restraint in expressing personal political views. This restraint helps ensure that all students feel able to participate in the class on an even footing. In the case of the visiting fellow, who was on campus for a very short period of time, the Task Force is concerned that basic professional norms regarding the role of an instructor were not communicated. We note that as soon as the administration was notified of the problem, they acted to remove the offending video from the course website.

Similar to the issue of shunning, the Task Force heard accounts of what some described as political litmus tests being present at Harvard prior to 2023. One notable example involved the "Settler Colonial Determinants of Health" course, taught annually at the Harvard T.H. Chan School of Public Health. A 2021 email from the EDIB Standing Committee of the Department of Global Health and Population that was distributed to the full department described the course as part of a broader initiative that ultimately resulted in the creation of two courses:

> Our students, faculty, researchers, and staff come from every region of the globe, bringing together diverse backgrounds, identities, and perspectives. As scholars and as colleagues, we work towards building an inclusive and welcoming environment, where everyone can feel valued and accorded dignity and respect.
>
> Since the designation of the standing committee, we have been working through the materials gathered in our retreat, the priority plans from the school, and the previous recommendations from the EDIB committee to chart the optimal next steps. Although we are still sorting through the optimal strategy, we have already seen some progress so far. The Department has developed a course on Decolonizing Global Health … and a course offered this Winter session, *The Settler Colonial Determinants of Health* …; the Brown Bag Seminar has diversified its speakers. The doctoral and SM2 student communities have some mentorship programs that have developed organically. We will update you as we progress in our learning and actions.

The first instructor of the first class mentioned in this email, "Decolonizing Global Health," described their vision for the topic on social media in a post that students shared with us:



This social media post appeared to suggest that success in the course might be contingent upon political support for a specific side in a heated political contest. It also arguably conveyed a message that students who disagreed with this viewpoint might not be welcome. Indeed, several students with different political views who were initially interested in the course told the Task Force they chose not to enroll due to fear of discrimination. It should go without saying that academic performance should never depend on a student's political opinions or commitments. If this course adopted a specific political agenda, as the social media post suggests, such an approach would undermine Harvard's academic mission and integrity.

This situation also raises concerns about whether instructional quality met Harvard's standards of excellence. In any event, the decision-making process surrounding this course does not serve as a model for how Harvard departments should implement significant new curricular initiatives.

The Task Force heard similar concerns about actions related to the Israel-Hamas conflict in other areas of the University that some perceived as imposing a viewpoint litmus test. For example, protests at Harvard Medical School in Spring 2024 sparked concerns that the atmosphere at recruiting events for newly admitted Harvard students could discourage open and constructive discourse on the Israeli-Palestinian conflict. Some worried that these protests might create pressure to conform to a particular viewpoint, potentially discouraging prospective students who hold dissenting views from enrolling.

To provide context for the concerns, we will share some background information, relayed by HMS faculty, students, staff, and alumni, about the events that took place in the 2023-24 academic year at the Admitted Students Preview Days at HMS.

Many HMS affiliates described a deeply politicized environment, where outward expressions of social and political commitments were commonplace. For example, it was reported that HMS affiliates commonly wear pins and other visible symbols to signal their support for various causes. Numerous Jewish physicians and physicians-in-training told us that they supported such outward expressions as a way to affirm inclusivity and shared humanity. The Task Force recognizes the value of this aim.

However, many affiliates also reported an intellectual environment that provided little room for other types of diversity. Some HMS faculty, staff, and students characterized the dominant political atmosphere at HMS as a monoculture. Unfortunately, we were told, Jews do not do well in this narrative, where "Jews are the oppressors and [part of being good and supporting health means] stopping colonialism and Israel." In recent years, HMS has embraced an expansive view of the role of health professionals in promoting public health, for example by training its new students how to become advocates and activists on issues related to public health and encouraging them to leverage their roles as physicians to effect social change along multiple dimensions.[581] Importantly, while this political framework suggests a worthy concern about certain forms of discrimination, many community members expressed concern that this focus seems limited to groups "underrepresented in medicine"[582] or those experiencing "adverse health outcomes." These categories, they noted, do not include Jews or Israelis.

Indeed, several community members — a term we intentionally employ to protect the anonymity of individuals who requested that even their roles at HMS not be disclosed — told the Task Force that they felt hostility when seeking assistance from HMS's Office for Diversity Inclusion and Community Partnership (DICP). They said they were told that this office primarily addressed the concerns of groups currently underrepresented in medicine. HMS administrators disagreed with this framing of DICP, and in

[581] In sharing early drafts of this work, many readers expressed disbelief that this was true. However, it is. In the *Introduction to the Profession* mandatory course for first year medical students, there is indeed a class on "Physicians as Advocates and Activists." The course teaches students "principles of advocacy and activism" after which the class "explore[s] a pathway to meaningful activism and advocacy through the lens of a most consequential public health threat — climate change." The course teaches students that as physicians, they will be "among the most trusted voices in our society" who should use that trust to advocate for social causes.
[582] See e.g., https://www.aamc.org/career-development/affinity-groups/gfa/unique-populations#

emails with the Task Force pointed to recent programming related to antisemitism concerns.[583] That said, these community members described an environment where commitments to anti-racism and diversity, equity, and inclusion did not appear to encompass a parallel commitment to combating, or even adequately acknowledging, antisemitism. HMS affiliates who advocated for the School to address antisemitism more directly told the Task Force that they often felt their efforts were met with resistance.

It is within this context — one in which some community members see HMS as an environment where many people are committed to combating certain kinds of discrimination and encouraging activism — that October 7th arrived. The Hamas massacre and global response brought into sharp focus how HMS's commitments to social justice intersected with the Israeli-Palestinian conflict. This question was not entirely new, as tensions surrounding the issue had been increasing in salience since the 2010s. Nor was the division within the broader HMS community, with some viewing Zionism a form of social justice, while others saw pro-Palestinian activism as the paramount social justice issue of the day.

What the Task Force learned about HMS underscored for us the critical need to create and nurture a School culture that provides room for dissent and values genuine diversity, including diversity of thought. In the aftermath of October 7th, any Jewish, Israeli, and Zionist community members appeared to have expected the HMS administration to share their grief, while other students appeared to have expected the administration to share *their* grief, which they described as not only fear for what would happen in Gaza but also their mourning for all of the violence and displacement that has been a part of the Israeli-Palestinian conflict for decades. As one Jewish student poignantly described, they felt "torn between being Jewish and being a health care provider who cares about the lives of all endangered people."

This pre-existing climate of polarization intensified in the aftermath of the Hamas attacks. We heard that public political expression at HMS surged, taking the form of protests, open letters, external threats, legal actions, and demands for divestment or boycotts. Both sides of the political dispute closely scrutinized the administration's various responses, meticulously analyzing written communications for any hint of bias and dissecting the statements of various deans. Several staff and students reported paying close attention to which administrators attended specific protests or social events, and what they said while present. Some HMS affiliates felt that HMS's handling of demonstrations — specifically, what they perceived as a failure to enforce rules regarding permitted demonstrations and an implicit endorsement of pro-Palestinian protests — demonstrated an uneven application of policy. Others viewed any attempt to discipline the protestors as an attempt to delegitimize their cause.

One of the most troubling stories that we heard in the course of our overall work had to do with Admitted Students Preview Days (ASPD) at HMS. HMS, like many medical schools, hosts an event on campus for its admitted students to come and "experience HMS" with the goal of persuading them to enroll. This is an example of a "yield event" where universities welcome their admitted students to campus to see the community they have been invited to join.

According to reports received by the Task Force, some HMS students planned to use ASPD as a platform for a pro-Palestinian protest. This plan was not a secret — it was initially shared with the student body via an email survey gauging support for incorporating pro-Palestinian messaging into the HMS student "music video," a signature element of ASPD. However, the HMS administration reportedly blocked this attempt, deeming it "inappropriate" and stating that "it would likely be perceived as representing a political viewpoint and could alienate some members of the student body." The *Crimson* reported that some HMS

[583] When HMS administrators reviewed a draft of this report, they pointed to several programs that this Office had produced that were not mentioned to us by the HMS affiliates who spoke to the Task Force, such as seminars and programming on Holocaust education and sessions co-sponsored with the Harvard University Office for Equity, Diversity, Inclusion and Belonging on antisemitism and Islamophobia. We acknowledge and appreciate the work that HMS has been doing to improve the climate on their campus.

students viewed the administration's decision as censorship, particularly since pro-abortion messages had been featured in the prior year's video, which reflects back on the deeply politicized environment.[584] In a statement to the *Crimson*, HMS' spokesperson wrote that:

> There is a place and space for protest and expression of political advocacy, but it is not in a celebratory student music video, which is meant to be a non-political, festive piece and designed to create a supportive, inclusive environment for all students and to welcome newly admitted ones.

This strikes us as exactly right, and we commend the HMS administration for responding as they did.

Despite the administration's significant and admirable efforts to prevent the politicization of the student music video, several accounts described the ASPD event as intensely partisan and off-putting. While we were not in a position to conduct an exhaustive investigation, the common themes that surfaced suggest important issues and concerns meriting close attention:

> *A lot of the current students made it clear they wanted to send a message to visiting students to discourage Zionist students from coming here. [HMS student]*

> *[At admit day], many students were wearing keffiyahs, including officers of student groups. [There were] many signs like "Stop the Genocide" and "Free Palestine." There was a talent show where many student organizations put on Palestinian-themed presentations. Current medical students [stood] on an elevated walkway yelling "Free Palestine." Many students wore red masks to show that they had been muzzled by Harvard (apparently in connection with a student-produced video that was to have more Palestine content). I was told by one of the students that "Zionists are not welcome at HMS." [Recently admitted HMS student]*

HMS students and admitted students described the rhetoric and protests at the event as threatening. For example, during the talent show, an HMS student performed an Arabic song that was written by Lebanese artists after the Israeli victory in the Israeli-Arab War of 1967 that reflects sadness over the outcome of that war and a longing for the conquest of Jerusalem. In Arabic, the song is called "Ya Zahrat al madayn." The HMS student performed the first verse of a three-verse song, where the first verse reflects a longing for Jerusalem and a praise for its holiness, the second verse reflects a lament for the loss of Jerusalem to Israel in the war of 1967 and the third verse expresses faith that fury will come and restore Jerusalem to Arab rule. The verse performed during HMS Admitted Students Preview Days, translated into English, is as follows:[585]

> It is for you O city of the prayer that I pray
> It is for you O splendid home, O flower of the cities
> O Jerusalem O Jerusalem O Jerusalem O city of the prayer
> Our eyes are set out to you everyday
> They walk through the porticos of the temples
> Embrace of the old churches
> And take the sadness away from the mosques
> O night of Al Asra O path of those who left for the sky
> Our eyes are set out to you everyday and I pray

HMS administrators informed us that they had authorized this student to perform a different Palestinian folk song, "Ya Taali'een 'ala el-Jabal," and that the student substituted this other song about Jerusalem for that one after going up to perform with no warning. They also emphasize that the student did not perform the final verse of the song, where the longing for the conquest of Jerusalem is most explicit (e.g., the lyrics

[584] https://www.thecrimson.com/article/2024/4/22/medical-dental-students-allege-music-video-censorship/
[585] A translation of the full song into English can be found here: https://lyricstranslate.com/en/node/77817

"I will knock the gates and I will liberate them / My face will be cleaned by the holy water of the Jordan river / And the effects of the barbarism of the past will be erased O Jordan River / The glaring anger is arriving riding … This is our home and Jerusalem belongs to us / And in our hands we will celebrate the splendor of Jerusalem / by our hands the peace will return to Jerusalem" were not performed). However, students and prospective students in the audience who did not speak Arabic were aware of what song was performed and the lyrics that they looked up online, not the fact that the second two verses were omitted. HMS administrators also tell us that they admonished this student subsequent to the performance of the song for failing to follow the approved script and reminded this student of the time, place, and manner restrictions on protest. HMS administrators also inform us that they will separate the talent show from ASPD going forward.

One student described their admission to HMS as "one of the biggest honors" of their life. It was "not even a dream" because they "never imagined it would happen." There was "true elation." This applicant identified as a progressive Jew who said they were "not afraid of keffiyehs." However, the ASPD event revealed to this applicant that HMS was "not an environment that was welcoming to different viewpoint/stances" and not a place where they "could find community. [The ASPD event] burst the bubble of elation." This applicant, while deeply critical of Israel's actions in Gaza, shared the following:

> *What stuck with [me] throughout the [event] weekend: [is] Zionists not welcome here. You [the applicant] are not and will not be. Students were trying to make other students not welcome.*

The admitted student felt that HMS did not offer the sort of "respectful and inclusive" environment that they envisioned for their preparation as a health care professional and instead was a toxic place where the student did not want to spend four years. As a result, this admitted student turned down HMS and pursued their medical education elsewhere.

Another admitted student shared with the Task Force a strikingly similar experience. They reported feeling shocked by what they perceived as endorsements of the anti-Israel protests by HMS administrators at the ASPD event. They mentioned noticing the absence of any Israeli or Jewish representation (for example, in flag displays), while seeing HMS tour guides wearing clothing that signaled support of anti-Israel protestors and what they described as "pro-Hamas posters" during the dorm tour. These observations left the prospective student feeling that HMS staff and students would be actively hostile toward them if they enrolled.

This prospective student further reported visiting HMS's Office for Diversity Inclusion and Community Partnership after the ASPD event to inquire about accommodations for Jewish holidays and express feeling unsafe during the ASPD activities. According to the student, they were told that they were not unsafe but rather uncomfortable, and that they should know the difference. The student was reportedly told that their safety was assured by the presence of security personnel at the event. However, the student replied at the time, the fact that HMS had to bring security to the event for admitted students meant that there was a safety issue. They told us that they left the meeting in tears.

This admitted student also declined HMS' offer of admission.

A vocal component of the HMS community appears to view itself as engaged in an ongoing battle to establish a certain narrative of the Israeli-Palestinian conflict as an institutional orthodoxy. In line with this, one senior HMS administrator noted the strong focus of many HMS students on social justice, adding "[they] think Harvard is on the wrong side of history when it comes to Palestine":

> *[Life at HMS] left me ready to quit medicine — I had to remind myself that Harvard isn't medicine and that not everywhere is like this. [HMS graduate]*

Politicized Instruction that Mainstreams Antisemitism and Anti-Israeli Bias

The Task Force received examples of instructional materials from multiple Schools that raised concerns about the potential introduction of antisemitism and anti-Israeli bias into the classroom.

Harvard Graduate School of Education

One concern involved a course at HGSE about ethnic studies that assigned an article titled "Palestine is Ethnic Studies: The Struggle for Arab American Studies in K–12 Ethnic Studies Curriculum."[586]

The article, which focuses on the conflict over the Ethnic Studies curriculum in the State of California's K-12 education system, describes how Jewish groups raised concerns about what they perceived as one-sided depictions of the Israeli-Palestinian conflict and the erasure of California's Jewish community. However, the article characterizes these Jewish groups as one of two main opponents of ethnic studies in California, alongside White supremacists. On page 222, the article states:

> In addition to the white supremacist targeting of this movement, Islamophobic and Zionist organizations such as the Anti-Defamation League, the Jewish Community Relations Center, and the Simon Wiesenthal Center organized an aggressive campaign to remove any mention of Palestine and Palestinian Americans in the curriculum.

The article then asserts that dismantling anti-Arab racism requires "ending the war on terror including the US-backed colonization of Palestine."[587] Notably, the article itself offers limited insight into the perspectives and motivations of the California Jewish community regarding the draft curriculum beyond cursory references to "anti-Palestinian racism." It then posits that a new, liberated ethnic studies curriculum emerged in response to the perceived political influence of the California Jewish community (or "Zionists," as the article refers to them).

There is no reason why an article about Arab American studies in the broader conversation around ethnic studies could not be featured as part of a course that covered the content, which this one at HGSE did. However, the article, as written, taps into antisemitic tropes. The article does not include any counterpoint explaining *why* Jewish groups had problems with the model California ethnic studies curriculum. Jewish groups are reduced to a faceless, shapeless, and malevolent force. A class discussing the perspective of both pro-Palestinian groups and Jewish organizations with attachments to Israel could nicely illuminate contested spaces within ethnic studies curricula. Instead, the provided course materials communicated a dehumanizing frame to Jewish students in the course.

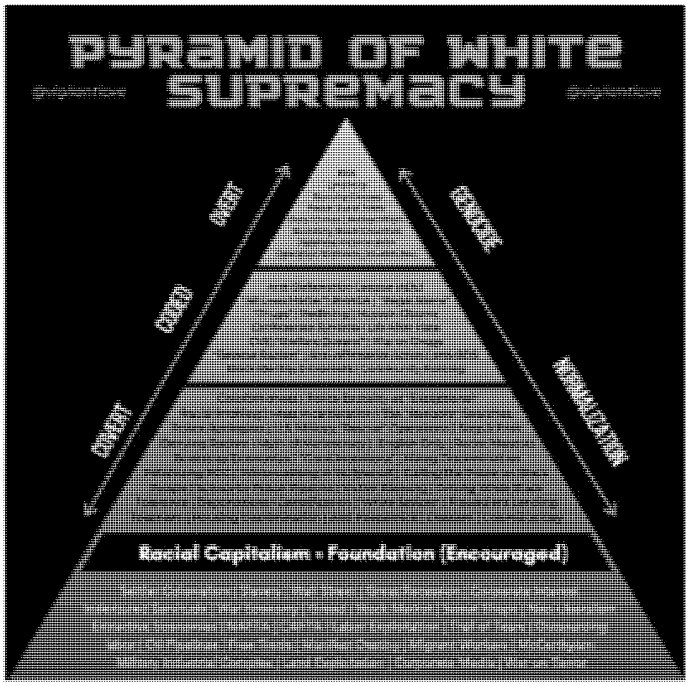
Instructors should strive to identify and avoid potentially antisemitic materials, just as they would materials containing potentially racist or otherwise biased content. In addition to the concerns raised about this article, the Task Force also learned about a session in four sections (out of 28) of a required course for all HGSE students that included the following graphic about White supremacy:

[586] Lara Kiswani et al.,"Palestine is Ethnic Studies: The Struggle for Arab American Studies in K–12 Ethnic Studies Curriculum," Journal of Asian American Studies, vol. 26 no. 2, 2023, p. 221-231. Project MUSE. https://dx.doi.org/10.1353/jaas.2023.a901070
[587] Ibid, 223.

An Example: Deconstructing White Supremacy

"This image illustrates the historical foundations of day-to-day racist norms that work together to produce "extreme" or spectacular acts of white supremacy. It shows that individualized white supremacy stems from centuries of structural racism in the US."

from: https://www.vigilantlove.org/servicesnotsurveillance



Setting aside concerns about potential antisemitism and anti-Israeli bias, this graphic is on its face conceptually incoherent. For example, it pairs slavery with free trade, neo-liberalism with McCarthyism, and outsourcing with the War on Terror. Such dubious comparisons appear throughout the chart.

A closer examination reveals additional concerns. The graphic labels opposition to the Boycott, Divestment, Sanctions (BDS) movement as considered "coded genocide," placing it alongside the Anti-Defamation League (ADL). Both are positioned merely one step removed from "overt genocide," which includes examples like lynching and the KKK. The ADL, while not without controversies, is a longstanding American Jewish organization founded in 1913 with a well-documented history of advocating for civil rights.

Some Jewish students enrolled in this course who spoke with the Task Force expressed that this graphic felt demonizing towards individuals who support Israel's right to exist. They reported that the instructor displayed the graphic on screen for an extended period without addressing its problematic characterization of Jewish organizations and perspectives. Furthermore, when a Jewish student raised concerns about the graphic's antisemitic elements to the teaching assistant, who then relayed these concerns to the instructor, the graphic was neither removed from the screen nor from the copy of the slides posted online. Instead, the student told us the instructor made a comment at the end of class that felt targeted and dismissive of their concerns. According to the student, the instructor referenced the "land acknowledgement" made earlier in the class, in which the instructor acknowledged that Harvard University sits on land rightfully belonging to Native Americans, and then stated, "I am so grateful that we could acknowledge the land we are on right now is not rightfully ours and this [rule] must apply to other places."

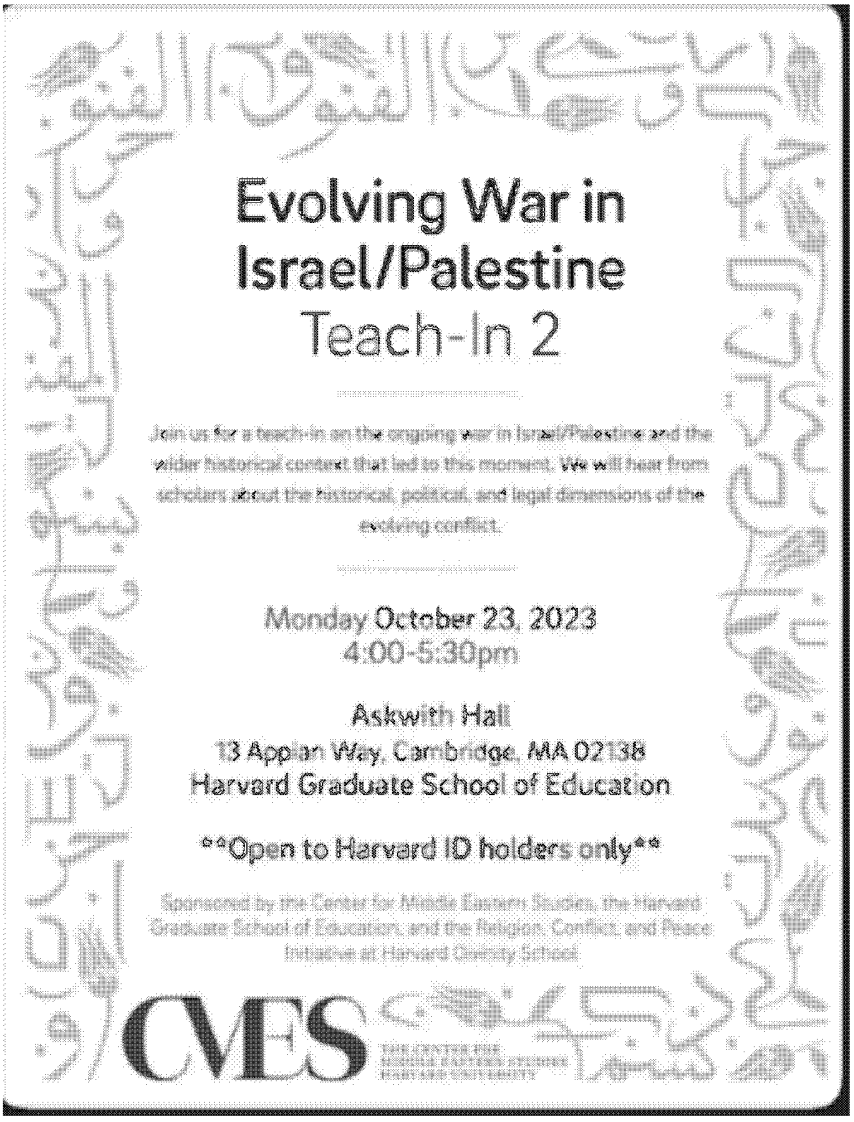
We understand that the instructor has since agreed not to include this graphic in their course materials in the future.

The complex dynamics of problematic social media, public commentary, and experiences of shunning and identity-based targeting that the Task Force has noted coalesced in certain significant community events. One such incident was a teach-in at HGSE.

In the aftermath of the October 7th attacks and the ensuing war and campus unrest, HGSE, like other Harvard units, sought to organize a panel discussion featuring diverse perspectives on Israel and the Palestinians. Given that HGSE lacks resident faculty with expertise in the area, they (sensibly) looked elsewhere in the University for help. Consequently, HGSE leadership asked the Center for Middle Eastern Studies, whose faculty possess considerable expertise in the region, to assemble the desired panel.

Several attendees perceived the resulting panel to be heavily skewed toward a single perspective, with some even expressing concern that the speakers appeared to justify Hamas' actions. Furthermore, the Task Force received reports alleging that an antisemitic comment was made by one of the panelists, directed toward a HGSE affiliate.

An examination of this incident underscores the danger of convening one-sided panels to address deeply contested issues. It highlights the importance of responsible and knowledgeable faculty leadership in moments of crisis and in assembling suitable speakers for such moments, and what happens when that does not happen.



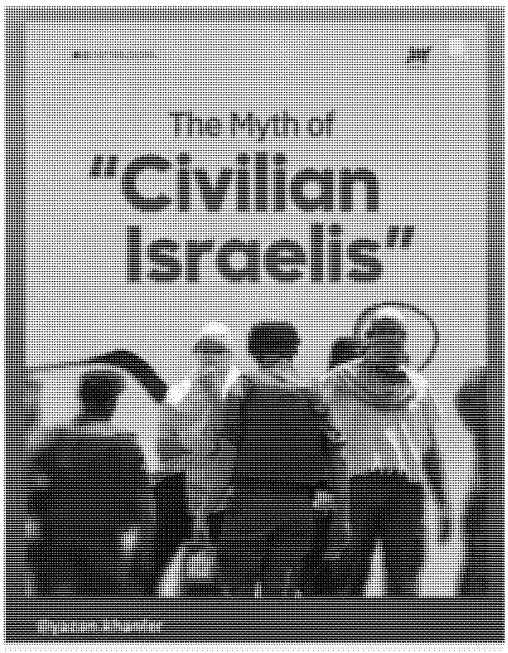
This event was co-organized by Harvard's Center for Middle Eastern Studies (CMES), which possesses considerable resources and expertise on the region. A HGSE administrator opened the event with the following remarks:

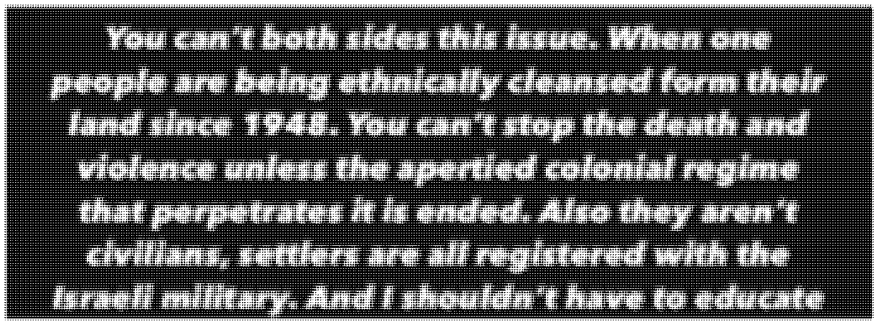
> As you know, this is the second in a series of teach-ins on the evolving war in Israel/Palestine that are being organized by our colleagues in Harvard's Center for Middle Eastern Studies. This one co-sponsored and hosted by [HGSE] …
>
> We decided to start these events with a teach-in for at least two reasons. First, we heard from many students over the past two weeks about their perceived lack of knowledge about the Israeli-Palestinian conflict and their desire to learn more about the historical, political and legal context for the current conflict. Second, as a School of Education, one with the motto "Learn to change the world," we view learning as an essential prerequisite for work on the most challenging issues we face as a society.
>
> The scholars we will learn from today vary in their identities, their experiences and their expertise. They differ on how they assess the current situation. What matters most about it? Where things are headed. And what should be done …
>
> What they and other scholars affiliated with the Center for Middle Eastern Studies share is a commitment to the principle that there is no justification for the targeting of civilians and that any loss of civilian life should be grieved.

Unfortunately, the speakers largely did not differ in how they perceived the then-current situation. The speakers included a professor of Palestinian Studies from another university and three Harvard affiliates with recognizably pro-Palestinian viewpoints. Some Jewish HGSE affiliates told us they chose not to attend this event when they saw that there was likely no one on the panel who would offer a pro-Israel or even neutral voice. Their concerns proved to be justified.

At the outset of the event, speakers described the October 7th attacks as attacks on "Israeli Jewish settlements surrounding the Gaza strip." This terminology raised concerns among some attendees, who perceived it as an arguably deliberate attempt to de-humanize the Israeli victims of the attack and to justify their murder since they were "settlers," a term typically used in English to describe Jewish residents in the West Bank, as opposed to those who live in pre-1967 Israel. (The places in southern Israel that were attacked by Hamas were the latter, e.g., collective agricultural communities founded in the 1940s and 1950s.) Some Jewish and non-Jewish HGSE community members reported feeling that the thematic thrust of the teach-in leaned more toward justifying the violence against Israeli civilians than criticizing it.

This perceived sentiment about Israeli settlers was not limited to this particular event at HGSE but appeared to be present elsewhere at the University as well. Students shared social media posts with the Task Force — allegedly made by fellow students — that exemplified this perspective.





The lack of any kind of sympathetic perspective towards Israel meant that the assembled HGSE participants were left without answers to important questions: Why was Israel alarmed by Hamas' victory in the 2006 Palestine Authority elections? Why did Hamas and the mainstream Palestinian faction, Fatah, fight a civil war after that election? Why did Israel choose after Hamas' victory in that war to impose strict separation between it and Gaza? Why are Jews living in Israel in the first place? On all of these questions, the panel offered no information.

This event was recorded, so we were able to review the full transcript in addition to hearing complaints and concerns from attendees. In the recording, panelists claimed that pro-Israel community members at Harvard were in denial, suggesting that efforts should focus on helping them "unlearn what they've already learned." This framing implied that individuals holding views divergent from those of the panelists had been misled or indoctrinated into falsehoods. The panelists were perceived by audience members to adopt a stance of "breaking a taboo" and of "speaking out against power" while actually offering partial truths and misinformation. The panelists talked about the importance of humanizing Palestinians, but at the same time they seemed to de-humanize Israelis.

The discussion seemed to lack historical and political context essential for a comprehensive understanding of the conflict. For example, the panel did not address Israel's history of releasing large numbers of Palestinian prisoners in hostage deals, a factor that reportedly played an important role in the planning of the October 7th attacks, so even the Palestinian perspective was not well-represented at the event. Instead, the panelists focused on advocating a particular pro-Palestinian framing that left the motivations of both Israelis and

Palestinians a mystery. For example, in a transcript of the event "settler colonial" appeared three times, "apartheid" appeared four times, and "genocide" appeared 13 times, while "hostage" did not appear once.

In an extraordinary moment, a Jewish American HGSE affiliate posed the following question after the panelists concluded their discussion:

> You know, to say I feel gaslit in the face of massive atrocities in Gaza and in Israel would be an understatement. This does not feel like a teach-in. This feels like indoctrination. I will end with a question, though. My heart goes out to each of you on a human level. Deeply human level. I'd love to hear how, given all the context, the justification, but not the justification, you would explain the violence on kibbutzim founded in 1946, not settlements. Thank you very much. Kibbutz is peaceful. Kibbutz is with peace workers. How would you explain the targeting and murder of children and families in their bedrooms? And I would end that by not making some political statement. Right now, what we see in Gaza is absolutely heart-wrenching, that we know thousands of people have died and will continue to die in Gaza. Israelis and Palestinians will continue to die in this conflict. And it is astounding to me that we have just sat through 90 minutes where one person made a very brief mention and then each of you went to great lengths to give us context for the murder of families in their bedrooms.

In response to the HGSE affiliate's question, one of the panelists reacted by asking the individual to repeat their name, which was a common name for a Jewish American. The panelist, who had grown up in Israel/Palestine, then proceeded to tell the HGSE affiliate that they had no right to ask the question:

> Now, honestly, what's your name? [Repeating a recognizably Jewish first name] … Excuse me. I am extending first of all, don't interrogate me. I'm not [at] an interrogation. We're not at home.

Audience members who spoke with the Task Force perceived this response as implying that the Jewish HGSE affiliate, by virtue of their Jewish identity and pointed question, posed a threat akin to interrogation or even torture by the Israeli military.

Following the event, the Jewish HGSE affiliate who had asked the question and received this answer, subsequently communicated with senior HGSE administrators, who apologized for the harm caused by the teach-in and the "extremely one-sided" panel. They also recognized the panelist's behavior as "antisemitic" and that this response to a legitimate question was "unacceptable and bigoted." Other HGSE community members expressed a similar sympathy and shock at the event. We were told that members of the HGSE community were deeply traumatized by this panel and this incident, and it contributed to what we were told was a very tough year at HGSE.

We believe this example illustrates the dangers of one-sided academic events on controversial topics. These dangers are enhanced when these events are produced by a School itself or center, as opposed to a student-initiated event, which does not carry the University's implicit endorsement. Events like the HGSE "teach-in," which consist of 90 minutes of people agreeing with one another, transforms the ostensible purpose of the event into something more like a rally for partisans who passionately share the same viewpoint. Moreover, such a structure incurs a risk of emboldening and bringing out extreme aspects of the hegemonic point of view on display.

That is what happened here. We wonder whether the panelists would have been so quick to dismiss points of view from the audience that differed from their own if those perspectives had been represented by the panelists themselves. And we also wonder whether the antisemitic attack by one of the panelists on a member of the HGSE community would have taken place in an atmosphere open to the exchange of dissenting views. The event was attended by students from other Harvard units, so its influence was felt beyond HGSE as well.

Disturbingly, the Task Force received additional accounts from Harvard affiliates at HGSE describing instances where American Jews, Israelis, and even Palestinians with moderate political views were subjected to bullying and intimidation by pro-Palestinian activists who viewed any perspective on Israel that did not align with their own as a betrayal. This bullying reportedly took various forms, including shunning, threats, and verbal harassment — all of which are antithetical to the values and norms of a pluralistic and inclusive community. The public nature of the abusive behavior at the HGSE Teach-In, coupled with the lack of immediate public condemnation, raises concerns about whether this incident may have contributed to a broader culture of intolerance. By appearing to legitimize a narrow and exclusionary perspective on the Israeli-Palestinian conflict, the event may have had a chilling effect on the free expression and sense of belonging of those — among them many Jewish and Israeli individuals — holding dissenting views within the HGSE community.

This case points to the need for centers of excellence with topic matter expertise, like CMES, to act as trusted partners to the rest of the University during times of crisis. CMES failed to rise to the occasion at this event. The moderator (a faculty member from elsewhere in the University) was also not sufficiently prepared to handle an active instance of antisemitic name-calling in the moment.

Preventing similar occurrences in the future requires support for improved academic capacity at the University to address the thorny questions in the Middle East at the highest level of academic caliber, more professional development for administrators in how to develop, structure, and implement public events on controversial topics, and more clarity from School leadership on how to establish non-discrimination and anti-bullying as norms anchoring a pluralistic School culture. Additionally, the Center for Middle Eastern Studies should in the future offer more diverse perspectives when providing experts to serve in public events throughout the University.

Harvard T.H. Chan School of Public Health

In Fall 2024, the Palestine Program for Health and Human Rights at the François-Xavier Bagnoud (FXB) Center for Health and Human Rights (the "Palestine Program") at the Harvard T.H. Chan School of Public Health offered many high-profile webinars about the humanitarian crisis in Gaza. Several students raised concerns with the Task Force about these webinars, alleging that some of the featured speakers presented a demonizing view of Israel and Israelis. One student told us that the FXB programming created the impression that "Israel exists solely to oppress Palestinians, and nothing else."

Students reported that when they voiced concerns about what they saw as bias in the Center's programming, they were asked: "Who is more marginalized, Jews or Palestinians?" These students interpreted this response as an attempt to invalidate their concerns by suggesting that the complaints of Jews were illegitimate because of an unseen hierarchy of civil rights claims and victimhood. Students noted that there were no programs on the "public health consequences of rockets being fired or suicide bombings."

One student shared, "I came to the school as a [scientist], only to encounter this big over-arching framework of social justice that is a higher priority here than science." Another student echoed the sentiment, stating, "[We] have decided that every issue is a public health issue, which means we bring our public health lens to every problem we encounter, despite a poverty of actual knowledge on whatever the details of that problem are."

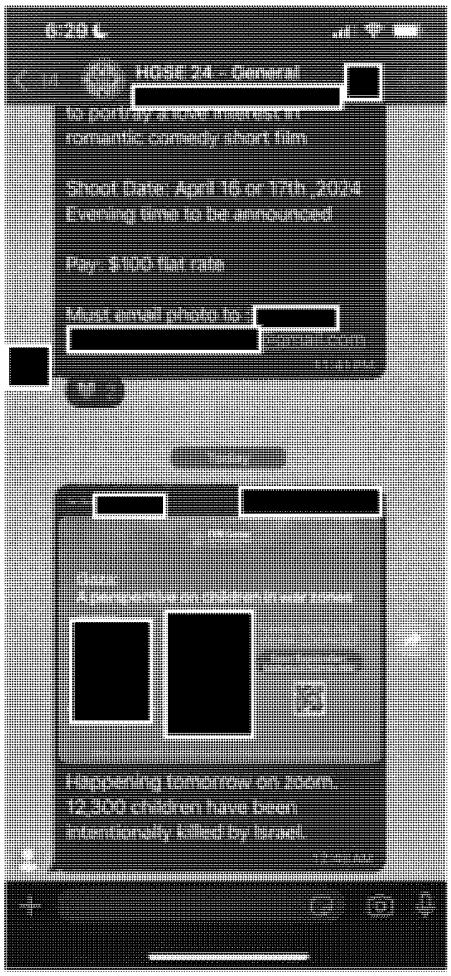
We note that since at least late April 2024, FXB webinars, like other Harvard Chan School programming, have carried a disclaimer indicating that FXB webinar speakers do not speak for Harvard.

One Harvard alum offered this observation about an FXB webinar held in November 2024, citing it as a representative example:

> During the webinar another [speaker] said that all the hospitals in Gaza have been "attacked, besieged or ordered to evacuate" without ever once mentioning why that was the case … [The speaker] then went on to assert "the IDF's charter is to target healthcare workers."[588]

We received complaints about another FXB webinar from April 2024, "Gaza: A perspective on children in war zones," which was also characterized by bias and misinformation. To give a handful of examples, the speaker initially presented the casualty numbers in Gaza as if all deaths were civilian deaths. The speaker asserted that Israel had sealed all exits from Gaza dating back to the mid-2000s, which is not true: prior to (and during part of) the Gaza war that started in 2023, the southern border was controlled by Egypt. The speaker asserted that the number of casualties was comparable to the Darfur genocide, which was also untrue. The accumulation of dis- and misinformation of this kind about Israel is a form of demonization, and we were told it was experienced as such by Israeli and Jewish members of our campus community.

It is important to note that an association between a Harvard program and this type of content gives the content seeming credibility that can have an impact far beyond a particular School at Harvard. For example, in the main Harvard Graduate School of Education group chat last year, students implored each other to attend these FXB webinars:



Some Jewish students shared with the Task Force that they felt these types of one-sided events carried the implicit endorsement of Harvard's name and reputation. They expressed concern about the

[588] This paraphrase from the report to the Task Force appears to correspond to the following statement from the webinar: "This is intentional targeting of healthcare workers. So being a healthcare worker in Palestine, especially in Gaza, that's per the Israeli military, this is basically their charge — because you're being a healthcare worker, you're doing your job, you're going to be targeted."

proliferation of such events — citing numerous instances at both FXB and the Religion and Public Life (RPL) program at Harvard Divinity School (which we discuss below) — as indicative of institutional bias and hostility. This sentiment stemmed, in part, from the perceived absence of any perspectives within these programs that offered alternative explanations for Israel's actions or presented different interpretations of the data:

> *Chan has a truth; this is just how we think; Chan has never had a single event that is pro-Israel or even neutral, it is all very one sided. [Harvard Chan School student]*
>
> *Weekly [at the Chan School] there were [events hosted by the Palestine Program of FXB] — there were a ton of flyers around the school around it, a seeming constant presence to students that "the most important thing in public health is Palestine" and there is only one acceptable view. [Harvard Chan School student]*

Notably, every Jewish and non-Jewish student who raised concerns about the Palestine Program with the Task Force also expressed either personal ambivalence or even opposition to the ongoing Israeli military operations in Gaza, as well as deep concern about the health and well-being of Palestinians. But at the same time these students felt there was no place for them in such programs at the Harvard Chan School unless they adopted a pervasive yet at best incomplete framing of facts and history that had become, in their view, almost universal in the School.

The Task Force also received numerous complaints about the Harvard Chan School's course on the "Settler Colonial Determinants of Health," specifically concerning the Spring 2022 version of the syllabus and some of its assigned readings. It is worth noting that this course was taught by one of the leaders of the Palestine Program.

Before delving further into the specific concerns about the course, it is essential to understand the broader context of the settler colonial framework that the course uses, through which it considers Israel as one of several settler-colonial countries worldwide, the most prominent of them being the United States.

Like Americans in general, Harvard students have long considered Israel through the lens of their own American identities, although what was once a positive association between America and Israel has in recent years turned into a negative one. In effect, the "settler colonial" frame that this course (and the RPL program) adopts tracks a shift in how members of different generations of Harvard students — and, by extension, many Americans — view the United States and its allies.

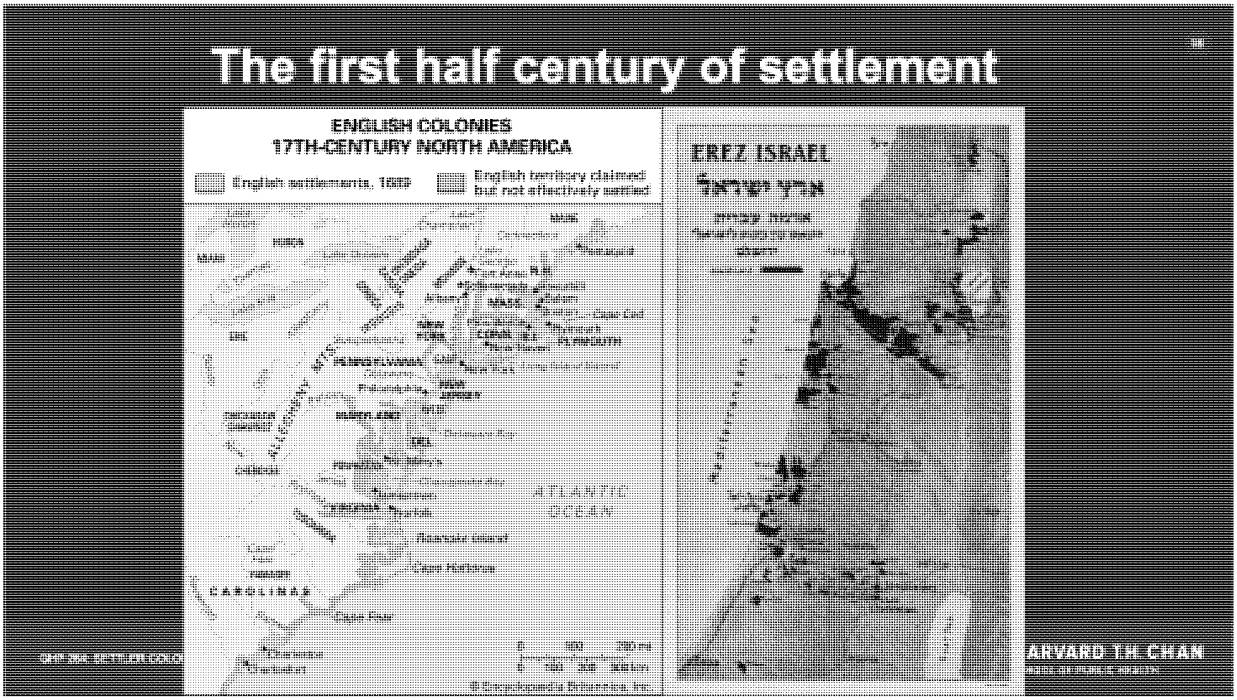
As an example of this historical shift, a Harvard student wrote in the *Crimson* in 1968:

> HEBREW University in Jerusalem is just like Harvard except that there are slightly fewer Americans, it rains less, the students work harder … ISRAEL began as, and in many ways still is a country of pioneers, and as a country of immigrants driven by the pioneering spirit it parallels America in its youth.[589]

This student's perspective reveals a clear identification with Israel as a kindred nation. When this student looked at one of Israel's premier universities, they saw Harvard, and when they looked at the country of Israel, they saw America in its youth, and they connected the pride they felt in the America that was a "pioneer[ing]" "country of immigrants" to Israel.

Today, many at Harvard also look at Israel and see the United States and its allies, but their judgment is different. For example, one of the slides in the Settler Colonial class on the first day in Spring 2024 depicted the following image:

[589] https://www.thecrimson.com/article/1968/12/17/israel-after-the-war-a-sociologist/



Relatedly, in a published article describing the trip organized by Harvard Divinity School's Religion and Public Life program to Israel and the West Bank profiled below, the Harvard staff running the trip describe:

> Increasingly, our students who are sensitized on the issue of Harvard's crimes against Indigenous peoples and who also reckon with the legacies of slavery and ongoing anti-blackness as well as other forms of bigotry cannot bracket their sensibilities concerning how one case relates to another. They become attuned to their situatedness and implication in various historical and ongoing injustices. They also see the links between the depopulation of Palestine and the legacies of settler colonialism in North America and understand that while the stories are distinct, they share common origins in European Christian modernity.[590]

Returning to the Settler Colonial Determinants on Health course at the Harvard Chan School, one of the assigned readings in Spring 2022 (which was made an optional reading in Spring 2023 and then removed from the syllabus in Spring 2024, in response to administrative intervention and an internal review process following complaints) was an article that aims to offer a comprehensive background on the Israeli-Palestinian conflict, entitled "A Century of Settler Colonialism in Palestine," by Tariq Dana, a professor at the Doha Institute for Graduate Studies and a former faculty member at Birzeit University, and Ali Jarbawi, a professor at Birzeit University.[591]

The paper begins:

> Throughout the past century, the Zionist movement constructed the most sophisticated settler-colonial project of our age: the State of Israel. The violent birth of Israel in 1948 and the subsequent colonization of the entirety of the land of Palestine after the 1967 war are indeed reflections of Zionism's successes in fulfilling its settler-colonial ambitions in Palestine. Yet, while this settler-colonial project continues unabated, it is an entangled one, unable to reach the ultimate point of

[590] "Touring Absences, Erasures, and Futures in the Unholy Land: A Religiously Literate Diasporic Reading of Palestine/Israel," Palestine/Israel Review 1, no. 2 (2024), 313-42.
[591] Tariq Dana and Ali Jarbawi, "A Century of Settler Colonialism in Palestine: Zionism's Entangled Project," *Brown Journal of World Affairs* 24, no. 1 (Fall/Winter 2017), 197-220.

> Jewish exclusivity in the land. Zionist settler colonialism, as its historical precedents suggest, is fundamentally based on the operative logic of "eliminating the native" and failing to utterly marginalize and "minoritize" him. The vibrant Palestinian presence in the land, the everyday resistance to the colonial order, and the robust Palestinian adherence to their rights all stand as structural obstacles to the ultimate realization of the "Zionist dream." Despite Israel's relentless colonial power and domination, Palestinian steadfastness means that this project will remain impeded and incomplete, a matter that may lead to its future demise.

The remainder of the article draws on highly polemical scholarship to contend that:

> Zionism manipulated Judaism as a religion to reinterpret history and redefine Jewishness in terms of ethnic belonging.

The article posits that Jews are fundamentally a "religious group," not an "ethnic group," and therefore lack inherent territorial claims. It further contends that even if Jews were an ethnic group, the popular account of Jewish history is ahistorical.[592] The article suggests that the true descendants of the ancient inhabitants of the land are not those who identify as Jews today — who, as the article emphasizes, are a religious group, not an ethnic one — but rather, the Palestinians.

These perspectives are found in courses in Middle Eastern history and politics, and in many other courses in a wide variety of fields, throughout the world. This generalization misconstrued must not, however, be seen as a justification for the current state of teaching on the Israeli-Palestinian conflict in the Harvard Chan School. Courses on such contentious subjects should offer multiple perspectives. Harvard should be a leader in this regard, yet students reported to us that the 2022 version of the syllabus for "The Settler Colonial Determinants of Health" implicitly communicated that any debate over Israel is settled and not welcome in the class. This perception stemmed from the stated learning objective to "analyze and interrogate the relationships between settler colonialism, Zionism, antisemitism, and other forms of racism."

Session 6, Day 4. Settler Colonialism in Palestine/Israel (will include lecture by guest speaker)		
Upon successful completion of this session, you should be able to: • Understand and discuss the history of settler colonialism in Palestine/Israel and its ongoing structure and manifestations • Analyze and interrogate the relationships between settler colonialism, Zionism, antisemitism, and other forms of racism	Required Readings: (46 pages + 11-minute audio clip) • Tariq Dana, & Ali Jarbawi. (2017). A Century of Settler Colonialism in Palestine: Zionism's Entangled Project. *The Brown Journal of World Affairs*, *24*(1):197–219. • Andy Clarno. (2017). Introduction: Racial Capitalism and Settler Colonialism. In: Neoliberal Apartheid : Palestine/Israel and South Africa after 1994. University of Chicago Press. Pp. 1-8. • Leila Farsakh. (2016) Palestinian Economic Development: Paradigm Shifts	TBD

We are told that this language was removed from later versions of the syllabus for subsequent iterations of the class after administrative intervention in response to student complaints after the class was taught.

The course's seemingly one-sided framing unfortunately overlooked alternative perspectives offered by Harvard's tenured faculty on these very issues. The broader literature on the question of the Jews' relationship with the ancient Near East as summarized in the appendix to a recent paper,[593] published in *Cell,* among whose authors are David Reich, Professor of Genetics at Harvard Medical School and Professor of Evolutionary Biology at Harvard University. According to Reich and his co-authors, there is considerable

[592] Dana and Jarbawi, "Century of Settler Colonialism," 199.
[593] See Shamam Waldman et al, "Genome-wide data from medieval German Jews show that the Ashkenazi founder event pre-dated the 14th century," 185 Cell (2022), 4703.

historical, archaeological, linguistic, and genetic evidence of a Middle Eastern origin of those Jews in today's Israel who have more recent European roots — let alone the Jews in Israel whose ancestors are from the Middle East and North Africa. Other research has found that Jews, Palestinian Arabs, Bedouin, and Druze are closely related.[594] Instead of engaging with the breadth of scholarly evidence on this subject, the Settler Colonial course seems to present a single, highly politicized approach to the question of Jewish origins.

Jonathan Gribetz '02, a Professor of Near Eastern Studies at Princeton University, has described this type of one-sided rhetoric as an example of a kind of "mutual hatred and delegitimization" that has come to dominate the rhetoric between Israelis and Palestinians and their supporters:

> Many versions of such discourse circulate: there is no such thing as a "Palestinian"; contemporary Jews are merely Europeans with no connection to the Holy Land; there were hardly any Arabs in Palestine before the Zionists came; Zionism is racism; Palestinian nationalism is nothing more than antisemitism; and so on.[595]

Gribetz's observation highlights the dangers of reducing complex historical narratives to simplistic and oppositional binaries.

The Settler Colonial Determinants of Health course ends with an assigned reading entitled "Decolonization is Not a Metaphor." This phrase, "decolonization is not a metaphor," resonated with numerous accounts the Task Force received from students who reported hearing it used by classmates to justify the violence of October 7th:

> *In the immediate aftermath of October 7th, close friends and classmates callously dismissed the atrocities that took place in Israel. In response to a friend who knew two people who were killed at the music festival, one close friend said, "I mean, I guess that sucks, but what did they expect?" When I expressed anguish at the loss of life, another responded, "do you believe in de-colonization in theory or in practice?" Then they asked me why I support Netanyahu. I have known some of them for almost ten years — nothing about my liberal values would indicate that I support Netanyahu. But somehow my Jewishness did … A few weeks later, one friend stopped responding to my texts and stopped acknowledging my presence in the hallways. And then another friend stopped talking to me. And then another. I have spent months wondering what I did wrong, but I am only left with the nagging suspicion that they do not want to associate with a "Zionist." They or their friends like and repost tweets that call Zionists "the most evil people to walk the planet" and call for the "slaughter" of Zionists. As I've walked to class, I've heard people mutter under their breath, "fucking Zionist." I don't even know if I'm a Zionist. But I'm a Jew and I've learned that that is enough to make me no longer worthy of their friendship or even basic kindness at school … [Student]*

The article assigned in the Settler Colonial course sheds light on this type of treatment by potentially suggesting a framework for understanding and even justifying hostile interactions like the ones described by the student:

> The absorption of decolonization by settler social justice frameworks is one way the settler, disturbed by her own settler status, tries to escape or contain the unbearable searchlight of complicity, of having harmed others just by being one's self.[596]

[594] https://www.jns.org/genetics-can-bring-jews-and-arabs-together/#:~:text=Of%20particular%20interest%20is%20that,waves%20since%20the%20Muslim%20conquest; https://pmc.ncbi.nlm.nih.gov/articles/PMC3032072/

[595] *See* Gribetz, Defining Neighbors at 2.

[596] See https://clas.osu.edu/sites/clas.osu.edu/files/Tuck%20and%20Yang%202012%20Decolonization%20is%20not%20a%20metaphor.pdf at 7.

In the view of this reading, when an Israeli or Jewish student at the Harvard Chan School complains that they are being attacked on the basis of their identity for the sins of others, they are "tr[ying] to escape or contain the unbearable searchlight of complicity, of having harmed others just by being one's self." In fact, the reading explains why any attempt by Israeli or Jewish students to disclaim this type of blood guilt are "settler moves to innocence." The article continues:

> Though the details are not fixed or agreed upon, in our view, decolonization in the settler colonial context must involve the repatriation of land simultaneous to the recognition of how land and relations to land have always already been differently understood and enacted; that is, all of the land, and not just symbolically[597]… [decolonization] means relinquishing settler futurity, abandoning the hope that settlers may one day be commensurable to Native peoples. It means removing the asterisks, periods, commas, apostrophes, the whereas's, buts, and conditional clauses that punctuate decolonization and underwrite settler innocence. The Native futures, the lives to be lived once the settler nation is gone — these are the unwritten possibilities made possible by an ethic of incommensurability.[598]

The kind of identity-based bias evident in this excerpt resonates with the classroom experiences shared with us by some Jewish and Israeli students at the Harvard Chan School. These ideas also appear to have an impact on the broader culture at the School. Materials such as these can be particularly hurtful to Jewish and Israeli students but they also undermine the educational experience of any student who takes the course by presenting politicized analytical paradigms as absolute truth.

Underlying our concern with the Palestine Program's content is its lack of administrative oversight by ladder faculty. Established in 2022, during a period of increased pro-Palestinian activism among Harvard staff, faculty, and students, the program appears to be run by a "leadership collective" of five individuals. Notably, none of the individuals hold a tenure-track faculty appointment at Harvard, and only one maintains a full-time appointment at Harvard.

This lack of ladder faculty oversight and accountability resonated with the concerns expressed by a frustrated Harvard Chan School student:

> *You can't allow a program at the Chan School like this that doesn't have a faculty director who's accountable for the content being put out.*

We agree. The use of the Harvard brand for a research or teaching project creates expectations among Harvard faculty, staff, students, and the broader public. Programs operating without the guidance and oversight of Harvard's regular faculty with expertise risk falling short of these expectations. This concern is further compounded by the fact that research disseminated by such programs is often reported in the media as "Harvard studies," even though, at least in the case of the Palestine Program, many of the published works reviewed by the Task Force appeared to be primarily authored by individuals based at other universities. We believe these accounts of experiences with the Palestine Program point to potential weaknesses in Harvard's approach to governance when it comes to academic matters that extend beyond the scope of the Task Force's mandate, but we leave that work for others to come after us.[599]

We should note there are physicians at the Longwood Campus and elsewhere at Harvard who take a very different approach to promoting Palestinian health. For example, a group of Israeli, Jewish, and Palestinian physicians working together as part of the Middle East Initiative at the Harvard Kennedy School recently wrote in the *New England Journal of Medicine* of the work they had done to treat both

[597] Ibid.

[598] Ibid at 36.

[599] We were pleased to learn from the Harvard Chan School that the Dean recently launched a faculty committee, led by the Dean for Academic Affairs, to review criteria and processes for instructor appointments and renewals, aiming to ensure the highest standards of academic and pedagogical excellence.

Israelis and Palestinians in the aftermath of the Hamas attack on Israel and the Israeli counterattack. In their article, they provided a nonpartisan and accurate description of the health crisis for both Israelis and Palestinians and spoke of their desire to promote health care and peacebuilding at the same time:

> Furthermore, as a profession founded on trust and open communication, medicine has the potential to build and strengthen trust between communities in conflict, and it should be leveraged toward that end. Indeed, health care has long been one of the few spheres in which Palestinians and Israelis work together and interact on a daily basis, treating each other with respect and dignity. Palestinian patients commonly put their fates and lives in the hands of Israeli physicians, a leap they could not take without trust. The same can be said of Jewish Israelis who are treated by Palestinian physicians, many of whom train and work in hospitals in Israel.

As this example shows, a profound and meaningful concern for Palestinian health does not require propagating a one-sided view of the conflict between Israelis and Palestinians. The Task Force did not have to look farther than Cambridge to see that another approach was possible.

Harvard Divinity School[600]

The Religion and Public Life program at Harvard Divinity School illustrates how a limited selection of high-caliber courses on Judaism and Israel/Palestine, coupled with the influential presence of a program offering politicized, one-sided treatments of controversial issues and the embrace of a pedagogy of "de-zionization," harms the learning environment for all students, and especially for many Jewish and Israeli students.

HDS has the mission of "educat[ing] students of religion for intellectual leadership, professional service, and ministry." Although founded in the early 19th century as a "non-sectarian" (though in effect Unitarian) seminary, the School has in recent decades made considerable effort to become a non-denominational, multireligious theological school with students from a wide range of religious backgrounds. In this generation, HDS offers a set of degree programs that we understand Jewish prospective students find quite appealing, as it allows them to study Judaism while also learning more about other faiths and traditions. Important mainstream American Jewish leaders have degrees from the Harvard Divinity School. The courses also seem to appeal to Jewish students who cross-register from other Harvard Schools. Some HDS faculty and offerings draw praise from a wide range of Jewish students. However, the Religion and Public Life program raised significant concerns.

The Religion and Public Life (RPL) program at Harvard Divinity School became a focal point for concerns about one-sidedness and the promotion of a specific political ideology under the guise of academic inquiry. While the program was publicly launched with what seemed like a broad mandate to explore the intersection of religion and various aspects of public life, in practice, it focused heavily on the Israeli-Palestinian conflict, presenting a perspective widely perceived as consistently anti-Israeli and aligned very narrowly with a strand of pro-Palestinian politics. This narrow focus on this exceptionally polarizing topic appears to have stemmed from the decision, made soon after RPL's founding, to center its programming around a multi-year case study on the Israeli-Palestinian conflict. This disconnect between the apparent mission and the actual implementation is a central concern addressed below.

The RPL program was founded in October 2020. The program incorporates, among other things, a speaker series, a one-year degree program, classes and a major paper or project at the end of the program.

[600] As mentioned in Chapter 1, Harvard Divinity School experienced a decanal transition during the 2023-24 academic year. The incoming dean inherited many of the challenges specific to HDS outlined in this report. We believe it is important to consider this context, particularly as the dean has since overseen a leadership change at what in our view has been the most concerning HDS program. This development gives us hope for considerable improvement, aligning with the recommendations outlined in this report.

The program has a director and several staff members. The first version of the program's website described its Master of Religion and Public Life degree (MRPL) as:

> A one-year graduate degree program designed for experienced professionals who wish to develop in-depth knowledge of the complex ways religion influences public life related to their career areas. The MRPL degree provides an opportunity for mid-career journalists, government officials, humanitarian aid workers, educators, artists, health care professionals, lawyers, and other practitioners to become leaders in their fields who can help foster a better public understanding of religion and address the religious dimensions of some of the most difficult issues of our time.

An article in the *Crimson* announcing the new program featured its leaders describing the MRPL as a degree for people seeking a deeper understanding of the interaction between religion and "civic life."[601] Notably absent from this article was any mention of Israel or Palestinians. The HDS Dean's announcement of the program put its emergence in the context of the social upheaval of Summer 2020 and said that the program would "educat[e] leaders to understand the civic consequences of religion, in service of building a just world at peace."[602]

Here as well there was no mention of Israel or Palestinians. Furthermore, in a brief interview on the RPL program's launch website,[603] the inaugural director of the program (who did not hold a tenured or tenure-track faculty position) highlighted how a better understanding of religion could illuminate a range of contemporary issues. These included: the fall of the Berlin Wall and the apparent end of the Cold War; the 9/11 and 7/7 attacks in the United States and the United Kingdom and the ensuing War on Terror; the US invasion of Iraq; the challenges faced by public health officials amid the Ebola academic in West Africa; and the role of white evangelical Christians in American politics.

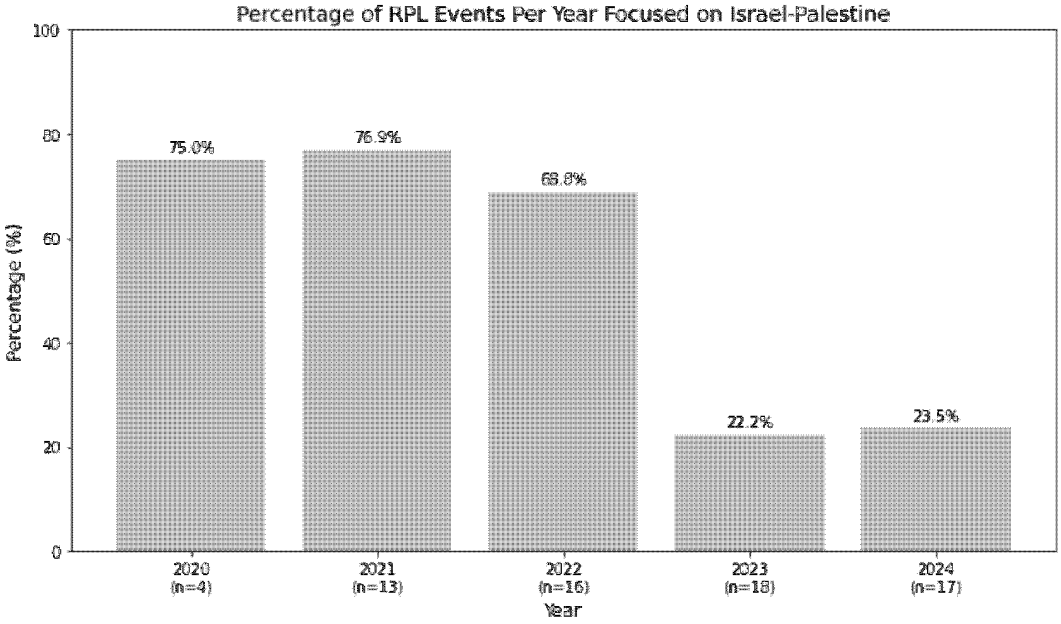
The RPL Director also provided several examples of professionals who might benefit from the program, further highlighting its intended scope:

- A political reporter who wishes to pursue a project around understanding the influences of white evangelical Christianity in the Trump era.
- A regional director in Africa for a secular humanitarian aid organization that focuses on local humanitarian leadership and wishes to understand the differing religious influences that shape women's access to reproductive health services.
- A human rights lawyer in Myanmar who wishes to study the rise of religious forms of nationalism.
- A master secondary school educator who wishes to revamp the school's "Introduction to World Religions" courses to align with current religious studies scholarship.
- An instructor at the National War College who wishes to create a course that explores peace-building strategies that include religion, but that critique and go beyond the widespread focus on countering violent extremism.
- A climate change activist who wishes to mobilize religious communities to address the climate crisis.
- A playwright who wants to explore how differing interpretations of sexuality and gender norms can exist within a single family.
- A public policy official interested in the roles that religions play in shaping immigration policy here in the US.

[601] See https://www.thecrimson.com/article/2020/10/26/religion-public-life-div-school/
[602] https://rpl.hds.harvard.edu/news/hds-launches-religion-and-public-life-new-degree-program
[603] With the new director of the program (the "RPL Director") https://rpl.hds.harvard.edu/news/understanding-religion-and-public-life

The RPL program encompasses two main initiatives: the Religious Literacy and the Professions Initiative (RLPI), which reflects the program's stated broad mandate, and the pre-existing Religion, Conflict, and Peace Initiative (RCPI), which was incorporated into RPL. An announcement said the RCPI aimed to further insight into "religious conflicts," mentioning a "January term course in the Middle East," among other initiatives.[604] Notably, even in early statements about the RCPI from HDS, there was no explicit mention of Israel or Palestine, despite their falling clearly within the framework of peacebuilding in the Middle East.

In practice, the RPL program that was implemented was deeply focused on Israel/Palestine.[605] Some HDS faculty told us that they did not understand the program would be as focused on Israel/Palestine as it turned out to be, while others told us that they thought the RCPI initiative meant a significant focus on the Middle East. It is important to note that the degree program, while housed within RPL, did not require students to have the same focus on Israel/Palestine that the program's activities might indicate.



In a listening session with RPL's then-leadership, we were informed that, as of April 1, 2024, the RPL program was four years into a six-year case study of Israel/Palestine.

In this genesis story, we see inherent problems that we received complaints about:

1. a lack of involvement or supervision from HDS's ladder faculty or from ladder faculty who are experts on the topic elsewhere at Harvard University; and
2. a governance and oversight structure that is not properly aligned with RPL's activities.

As we will explain, many students, staff, faculty, and alumni expressed concerns to the Task Force, alleging a lack of balance and a pattern of demonization towards Jews and Israelis within RPL's activities. We received significant complaints about:

1. events about Israel/Palestine hosted by RPL, which some students felt were biased and contributed to an atmosphere perceived as hostile; and
2. communications about Israel/Palestine from RPL personnel, especially a statement made by RPL's leadership after the events of October 7th.

[604] https://www.hds.harvard.edu/news/2018/01/31/hds-hks-rcp
[605] The numbers below are our summaries of the content of the RPL webinars posted on their website.

To illustrate the nature of these concerns, we present the following excerpt from a controversial statement released by RPL's leaders after October 7th, which was the subject of many complaints to the Task Force:

> When these "decades of oppression" are left out of the story about Hamas' horrendous attack on Israeli civilians, a narrative about an "innocent" state of Israel's right to "defend" itself against "unprovoked" aggression is legitimized. The reality is much more complex, and that complexity must be confronted if there is any chance to avoid endless cycles of dehumanization, destruction, and death.

Unfortunately, as a student pointed out to us, the "call for context and recognition" that RPL thought was needed in the aftermath of the October 7th attack is not something that was reflected in the program. Instead, program offerings and materials disproportionately presented Israelis and Jews as guilty of monstrous historical crimes, which require both repentance and redress.

It is certainly understandable why a program in religion and public life would include the Israeli-Palestinian conflict in its purview. Both Israeli and Palestinian societies are infused by religion, and it is difficult to understand either society without appreciating the role of faith in shaping individual and collective identities. Furthermore, given the explicitly religious character of many states in the region, an educational program focused on deepening the understanding of the religiosity of people in the region could meaningfully contribute to RPL's stated goal of fostering a "just world at peace."

However, RPL appears to have focused on non-mainstream Jewish religious perspectives that lack widespread support within the Jewish diaspora or in Israel. These perspectives arguably offer a particular political theology that attributes to Jews two great sins: first, in the Levant, the establishment of the State of Israel and the Palestinian Nakba; and second, in the United States, participation in White supremacy. According to these perspectives, it seems, Jews can and should repent by dedicating themselves to pro-Palestinian activism.

These perspectives, which RPL staff appeared to embrace openly, permeate much of the programming the Task Force reviewed. For example, in RPL's inaugural webinar held on September 17, 2020, one speaker commended Jewish pro-Palestinian activists for grappling with "a specific Jewish sinfulness against the Palestinians and an embrace of the charge to [use a Jewish framework to arrive at] social protests and actions of civil disobedience." Similarly, a second speaker offered what amounts to a personal conversion narrative, explaining how he became disillusioned with the Zionism of his childhood, citing Israeli violence against Palestinians, and now sees opposition to the existence the State of Israel as a moral imperative.

Another webinar featured a speaker whose work was described as "extricating Judaism from state violence and from the idolatry of Israel."[606] The speaker, who also participated in the inaugural webinar, expressed his interest in composing an alternative prayer to the traditional Jewish prayer of thanks recited by many religious Jews on Israel's Independence Day. His proposed prayer is centered on a meditation on the sins committed by Jews and Israelis through the actions of the Israeli state. In response, a second speaker at the same webinar expressed support: "I am deeply in sympathy with your political and ethical positions … I suppose you knew that, which may be part of the reason I was invited here." The moderator further emphasized this perspective by suggesting that the first speaker, a rabbi in Chicago, had a responsibility to atone for being "complicit in power and abuse and displacement [of Palestinians]." Notably, RPL had previously featured this speaker at an earlier webinar that also elicited complaints to the Task Force.[607]

The Task Force received considerable feedback expressing concerns about a perceived anti-Israel bias within RPL:

[606] See "Yom Ha'atzmaut and the Colonization of American Judaism," RPL Webinar, April 19, 2022.
[607] See "Reimagining and Rewriting Jewish Liturgy", RPL Webinar, April 28, 2021.

> *I [am a member of the community] at Harvard Divinity School. It may not meet the definition of Antisemitism, but the anti-Israel bias at the school is intense. [Jewish students do not] feel comfortable studying there. [HDS affiliate]*
>
> *The Religion, Conflict, and Peace Initiative, which is part of RPL, focuses on advocacy for Palestinians. They offer a huge number of events, book talks, newsletter articles, academic appointments, and academic offerings, all focused on condemning the Israeli occupation. No other conflicts are ever discussed, and there is no discussion of the Israeli perspective (at least not in the event announcements). HDS is not the only Harvard school to offer events like this, but because HDS is so small, the dominance of this issue is really striking. HDS seems to be saying that the Israeli/Palestinian conflict is the only conflict that matters, the only one that good people should care about. And, furthermore, that only one group of people involved in that conflict is worthy of concern. [HDS affiliate]*
>
> *From what I've seen, the people running the RPL program are … vehemently anti-Israel. Every week, the RPL program features one anti-Israel speaker or documentary, with no counterpoint. Some [RPL employees] are ideologically fervent and lack any sense of balance. [HDS student]*

It is important to note that the perspectives on Jews and Judaism described above were present in academia well before October 7, 2023. One could easily infer from much of RPL's teaching and programming that Jews are profoundly flawed, and that the study of Jewish civilization should be an exposé of error, particularly with reference to Zionism and Israel. The Task Force was particularly struck by how this echoes the scholarly anti-Judaism identified by Harvard Divinity School Professor George Foot Moore's critique of a century ago, when Judaism was often studied in order to highlight its failings, limits, and supersession. In a glowing review[608] of one of G.F. Moore's major books, *Judaism in the First Centuries of the Christian Era: The Age of the Tannaim,* Rabbi Samuel Schulman noted in 1928 the historical depths and polemical underpinnings of this approach:

> [The scholarly study of Judaism] has lent itself very easily to the injection of theological dogmatism. It has been the favorite pastime of many Christian scholars to use it as an opportunity for contrasting the inferiority of Judaism with the superiority of the great religion, Christianity, that sprang from its loins … One would not be using too strong language in saying that Judaism was presented as a foil by means of which the glories of the daughter faith could be made all the more resplendent.

We do not believe that the RPL staff meant to construct a vision of Judaism and Jewishness that intentionally echoes the way it would have been taught at American divinity schools 100 years ago, but the parallels are undeniable. This resemblance has not been lost on some students, who have perceived these problematic echoes in RPL programming. Even if unintentional, the consequences of such an approach could be considerable, potentially hindering all students' understanding of Judaism and Israel, and for many Jewish and Israeli students in particular, undermining their access to a supportive learning environment:

> *In short, there is a sort of moral and intellectual laziness vis à vis many things at HDS, but especially around Jews and Judaism. This is slightly improved this year, but most classes related to Judaism at HDS are comparative, about the Bible, or about Israel. In some way, this seems to partake in the old Christian stereotype that Jews are not a vital, living and evolving people with rich culture, history, and tradition, but rather a problematic remnant of a violent and vengeful people. This is not about Middle Eastern politics; this is about Jews here and now. [HDS student]*

To the extent that RPL's programming serves as an introduction to Judaism for some HDS students, one could be left with the view that Jews are a people without virtues, other than the capacity to confess and attempt to remedy their historic misdeeds. Programming that consistently taps into historical stereotypes

[608] Samuel Schulman, "Professor Moore's 'Judaism'," The Jewish Quarterly Review, vol. 18, no. 4, 1928, pp. 339–55. JSTOR. https://doi.org/10.2307/1451546. Accessed 24 Nov. 2024.

in this way is intellectually problematic and bad for the learning and development of HDS and other Harvard students who avail themselves of RPL's offerings.

The problems we have noted with RPL are particularly acute in the annual student trip it had organized to Israel and the West Bank. In an article published by RPL staff,[609] the goal of the trip is described as being to teach students the "decolonial approach" to the "Jewish settler colonial project in Palestine" — a goal which, the description says, "is not 'metaphorical.'" The RPL staff wrote that the objective of the trip is to:

> Dismantle the oppression of Palestinians, institute mechanisms for restorative justice, and draw ethical political maps. It is also hermeneutical, denoting the urgent need to dezionize Jewish consciousness.

The RPL staff then also described the Jewish students in the program as: "becom[ing] overwhelmed with their sorrow at how the Jewish tradition has become indistinct from a settler colonial nation-state project."

RPL personnel touted this program, and its effect on Jewish students, in its marketing materials, which included the following quote from a Jewish HDS student about what they learned from their HDS-sponsored trip to Israel and the Palestinian territories:

> Our [trip to Israel and Palestine] was a formative, painful, and powerful experience that shaped my on-the-ground understanding of political realities in Israel/Palestine. Our conversations with leaders at Palestinian arts and culture organizations helped me realize the way that Israeli apartheid intends to destroy everything — from after-school art programs to independent film festivals — despite claims by liberal Zionists to the contrary.[610]

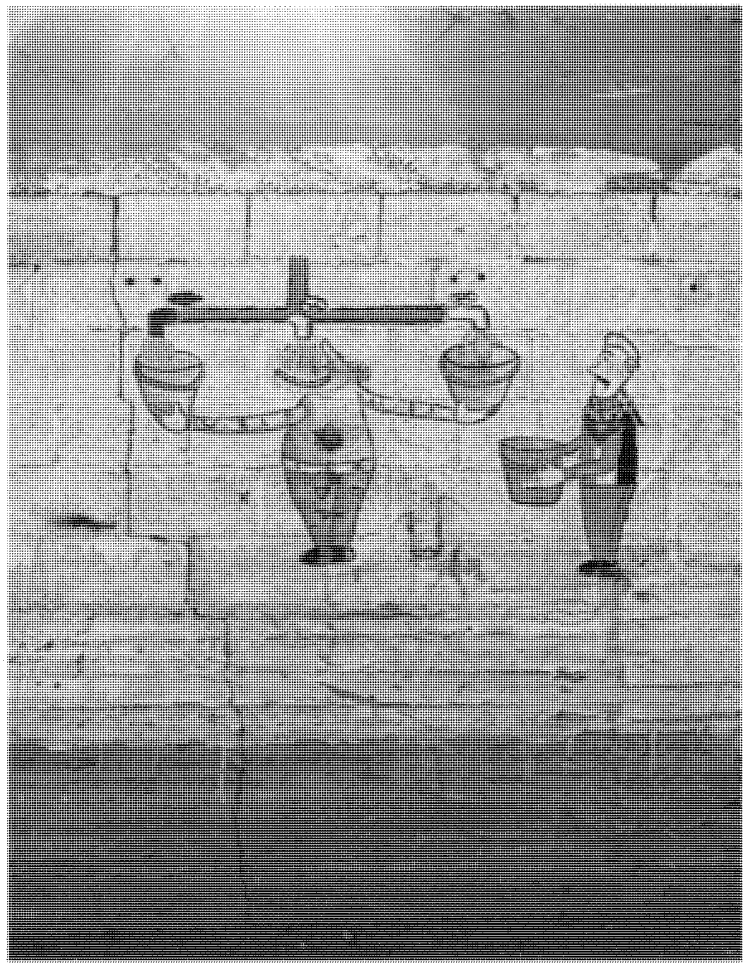
The passages above arguably make clear that the decolonial pedagogic approach advocated in this article by RPL leaders is an overt political project aligned with one strand of pro-Palestinian politics. The alleged settler-colonial nature of Israel is taken to demand a blurring, if not a collapse, of the distinction between scholarship and advocacy or activism. In other words, the seemingly one-sided, ideologically partisan, and biased nature of RPL instruction and programing about which we heard many complaints is not perceived as an oversight or accident in the reports we heard, but as a deliberate programmatic objective with an explicit methodological articulation and justification from RPL staff. And students are learning these lessons, with the organizers approvingly citing students on the RPL study abroad program who promise to become pro-Palestinian activists when they return to the United States.[611]

Setting out in an instructional program to "dezionize" the "consciousness" of Jewish students is to craft instruction to target students based on their religious identity. To suggest that the Jewish tradition is properly understood as reducing to "a settler colonial nation-state project" is also to denigrate both a religion and an identity. This is not to say that to be Jewish is to be Zionist. To the contrary, some students who identify as Jewish on campus also identify as anti-Zionist. However, for many Jewish and Israeli students, Zionism is a core part of their identity. And while debates about the status of Zionism in relation to Jewish identity are important within the context of Judaism, shifting ethnic and religious identity in this way should not be the objective of a course in a secular institution. And one-sided instruction is not consistent with Harvard's expectations for a Harvard program.

In an RPL publication featuring student comments from the trip that RPL organized to Israel and the West Bank, an RPL student thanked the program for helping them understand that "Zionism" was taking the natural resources of Palestinians. But Zionism is a set of beliefs, not a human actor. Ascribing inequities in access to land and water to "Zionism" implies that the problem is not Israel's policies and

[609] PDF available at https://scholarlypublishingcollective.org/psup/pir/article/1/2/313/390095/Touring-Absences-Erasures-and-Futures-in-the
[610] https://rpl.hds.harvard.edu/news/2023/07/10/rcpi-student-highlight
[611] See Touring Absences (footnote 609) at 11.

actions (the merits of which can be debated, and which can be altered) but rather the very existence of Zionism itself, and with it, Zionism's realization in the State of Israel.



The Fight for Water Sovereignty at AIDA Refugee Camp
by [redacted] MDiv 24, CRPL & RCPI
This is an image of graffiti located outside of AIDA Refugee Camp near Bethlehem. Through my experience with RCPI, I became further attuned to the ways in which Zionism, as a form of religious nationalism, impacts Palestinians living under occupation in myriad ways, such as water sovereignty. Here, not only is the water a literal representation, but it also doubles as an allusion to the ways that religion is weaponized through Zionism, and violently denies Palestinians daily of their livelihood and humanity by taking their natural resources.

This line of analysis is consistent with RPL's goal of "dezioniz[ing]" Jewish students." While negative perspectives on Zionism and Israel exist globally and exploring them critically is entirely appropriate in an educational setting, doing so in isolation — framing them as norms rather than contestable beliefs — represents a pedagogical failure.

We conclude this chapter with an extensive and revealing reflection on HDS 3335, an RPL course whose title varied from year to year but, to the best of our knowledge, consistently focused on aspects of Israel/Palestine. Nisan Plitman, an Israeli doctoral student enrolled in the course in Fall 2021, wrote a

compelling account of her experience for the prestigious Israeli newspaper *Ha'aretz*, which is excerpted here in translation from the original Hebrew:[612]

> Two years before October 7th, I enrolled in a course at the Harvard Divinity School. Its title was "Religion and Peace in Israel/Palestine," and its introduction read: "In this course, we will explore the Israeli/Palestinian conflict, with particular focus on identifying and analyzing the varied and complex roles of religions in promoting both violence and peace. This will be examined through engagement with Israeli and Palestinian literature."
>
> "How interesting," I thought to myself, but on its first day, the course turned out to be even more intriguing than I had anticipated. The lecturer began the class with what she called a moment of candor: "The discourse is saturated with the Israeli narrative," she explained to the students, most of whom were Christians from American communities encountering academic material on the conflict for the first time. "Therefore, I decided, with a heavy heart, to remove Israeli sources from the syllabus. We will focus solely on Palestinian literature because power disparities, methodology, and conscience demand it."
>
> The measured manner in which this was delivered made me suspect it was a planned drama, but it took time to grasp its significance. The implications included, for instance, reading writings by Khaled Hroub from Northwestern University in Qatar, who asserts that "functionally, the Zionist movement has made extensive use of religious claims to forge a strong Jewish national connection to Palestine. In contrast, the Palestinian appeal to religious ideological sources is secondary. For Palestinians, millennia of uninterrupted residence and ownership of Palestine have created a natural and indisputable collective connection to the land, obviating the need for meta-religious claims."
>
> As we progressed in the lessons, my classmates' antipathy toward me, the sole Israeli in the course, intensified. And who could blame them? Based on the course material, it was hard not to conclude that Zionism is a project of fictive and mobilized religiosity, while Palestinian identity is authentic and rooted. My attempts to highlight Zionism's story as a movement of liberal pragmatism — which sought to break free from what was perceived as the oppressive shackles of Jewish law and religion in the diaspora — were of little help. Nor did recounting the story of the Jewish community in the pre-Zionist Land of Israel, the aliyah of the disciples of the Vilna Gaon, or the history of Safed.
>
> In one of the lessons, a tearful Presbyterian seminary student proclaimed, "Israel was built on cruel religious manipulation. If only we had been able to channel this understanding into American activism, we would have reaped the benefits."
>
> The day after October 7th, more than 30 student organizations published a letter declaring Israel solely and entirely responsible for Hamas violence against it. Recently, during a joint lecture hosted by the law and divinity schools, a proposal was even raised that the United States should arm Gaza against Israel. Many members of those organizations had sat with me in that theology course.

Other HDS students interested in Israel/Palestine also expressed concerns to the Task Force about unbalanced presentations in HDS 3335, finding them a hindrance to their learning. One student, who had previously visited both Israel and the West Bank and who had a deep desire to learn more about the course material, dropped the class after a handful of sessions because of its "tremendous anti-Zionist bias." Another student told *The New York Times* that in reflecting on her time at HDS, "I reread different papers that I wrote last fall, in classes taught by very far-left professors, Jewish professors, and I wrote things with language that I am not ashamed of, but I was just being so insensitive to the Israeli perspective."[613]

[612] Original Hebrew version: https://www.haaretz.co.il/opinions/2024-07-10/ty-article-opinion/.premium/00000190-9bef-d1c5-a1d6-bbefc0f70000.
[613] https://www.nytimes.com/2024/12/14/us/college-campuses-gaza-conversations.html

HDS has outstanding tenured faculty who work on ancient Judaism and whose work engages with the history of antisemitism. A visiting faculty member with expertise in modern Jewish thought has further strengthened HDS's offerings on Judaism and Jewish civilization. But RPL places the expanse of Jewish civilization into a highly politicized program. In a listening session, RPL staff told us they focused on moving "beyond binaries." We appreciate that intention and goal. But some others with whom we spoke felt the staff had constructed a polarized and one-sided approach to this issue. In the end, we did not see evidence that RPL was successfully moving beyond binaries but rather evidence that the RPL program was reinforcing them.

This treatment of Judaism and Jews in RPL course offerings and instruction deserves comprehensive review by the HDS leadership. The School should seek to strengthen its sound and comprehensive anchorage in ancient Judaism with a complement of courses in Jewish modernity taught by ladder faculty or a Professor in Residence (a non-ladder position that requires rigorous vetting prior to hire and thorough periodic reviews for reappointment). We expect that such a review by the HDS leadership would also determine that "dezioniz[ing]" students is not an appropriate or reasonable pedagogic objective and that programs like RPL should be led by HDS' tenured faculty.

Conclusion

Harvard's academic standards are, and should always be, exceptionally high. Everything we do should reflect our aspirations and our values. In considering what a high-quality Harvard course, research center, or program might look like, it is helpful to reflect on the University's stated values, which were summarized in the 2018 "Values Statement" by the Presidential Task Force on Inclusion and Belonging:

> Harvard University aspires to provide education and scholarship of the highest quality — to advance the frontiers of knowledge; to equip students, staff, and faculty and academic personnel for fulfilling experiences of life, work, and inclusive leadership in a complex world; and to provide all members of our diverse community with opportunities for growth.

The Values Statement maintains that achieving these goals requires affirming five values on campus: "respect for the rights, differences, and dignity of others"; "honesty and integrity in all dealings"; "conscientious pursuit of excellence in our work"; "accountability for actions and conduct in the community"; and "responsibility for the bonds and bridges that enable all to grow with and learn from one another."

Along with adhering to these five values, Harvard's Schools, centers, and programs are expected to refrain from activities that purport to present an official University viewpoint. As the 2024 Harvard University Institutional Voice Working Group noted:

> If the University adopts an official position on an issue beyond its core function, it will be understood to side with one perspective or another on that issue. Given the diversity of viewpoints within the University, choosing a side, or appearing to do so can undermine the inclusivity of the University community. It may make it more difficult for some members of the community to express their views when they differ from the University's official position.

These two sets of guidelines — the call to promote broadly-cast values and refrain from taking specific political positions — provide a framework for understanding the experiences of antisemitism and anti-Israeli bias we have described above, and the conditions that appear to contribute to such experiences.

Based on the Task Force's analysis of the examples shared above, six key concerns emerge:

1. a lack of accountability in program design that fell short of Harvard's usual standards of excellence;
2. partisan and one-sided pedagogy that also fell short of Harvard's usual standards of excellence by failing to represent multiple viewpoints;

3. insufficient rules and enforcement around disruptive protest that have effectively created political litmus tests for full participation in the educational program of the University in some places;
4. failing to take antisemitism and anti-Israeli bias sufficiently seriously as a bias that matters at Harvard;
5. perhaps most troublingly, apparent attempts to mainstream antisemitism and anti-Israeli bias; and
6. an alienating and hostile atmosphere experienced across different units of the University, to which the preceding problems contributed.

The problematic course content and instructional strategies we observed seemed disproportionately concentrated among courses taught by non-ladder instructors. Notably, these instructors are not subject to the rigorous vetting standards Harvard applies to tenure-track or permanent lecturers and senior lecturers, which are designed to ensure the "conscientious pursuit of excellence." Furthermore, non-ladder faculty whose course materials raised concerns often seemed linked to political advocacy roles outside Harvard. This raises questions about whether the opportunity to access a non-ladder role at Harvard represents a form of social capital that can be used to boost the credibility of their advocacy efforts.

For instance, organizers of both the Religion and Public Life program at HDS and the Palestine Program for Health and Human Rights at the Harvard Chan School have recent separate publications describing the programs they developed at Harvard. These publications suggest a desire to present their work as a "Harvard model" for others to emulate. This raises concerns that lax approval and oversight processes for instructors in some Harvard Schools may have inadvertently contributed to a decline in academic rigor, the propagation of antisemitism and anti-Israeli bias, and the politicization of Harvard's reputation.

A pre-existing culture of politicized curricula and instruction at various points across the University made it too easy for curricular and co-curricular offerings to create what amounted to political litmus tests during academic year 2023-24. Those litmus tests in courses and at student recruitment events were subtle versions of the more overt practices of social shunning that students reported. Importantly, the Task Force believes that insufficient respect for viewpoint diversity and for norms of taking responsibility for building bridges across lines of difference enabled some of the more concerning student behaviors reported to us.

Furthermore, we believe that insufficient academic resources for engaging with topics related to Israel/Palestine also meant that intellectually weak material, as well as materials that arguably promoted antisemitism and anti-Israeli bias, were allowed to be more influential than they would otherwise have been.

As we mentioned at the outset, this was not an adversarial investigation and our work is the beginning, not the end, of an inquiry. As such, we urge that the University and the various Schools begin a review of the problems we identify above. This process might include recommending:

- leadership and supervision from ladder faculty, including faculty participation in events, for courses and programming offered by centers;
- missions for all centers aligned with the goal of "advancing the frontiers of knowledge" and overseen by governance structures re-focused on academic integrity;
- cultivation of respect for viewpoint diversity and a norm that we respect, relate, and cooperate even with those with whom we vehemently disagree;
- an expectation that viewpoint diversity will be featured in programming that engages controversial subjects; and cultivation of respect for viewpoint diversity; and
- increased depth on campus of scholarly expertise of the highest caliber on subjects of the modern Middle East including Israel/Palestine.

CHAPTER 5

Conclusions and Recommendations

Introduction

This report has surveyed the experience of Jewish and Israeli students at Harvard in both the past and the present time, especially during the 2023-34 academic year. It has shown that the turmoil that erupted after October 7, 2023 had been brewing for several years. The politicization of certain academic units, a retreat by students into communities of the like-minded, and a diminished willingness to engage with differing points of view began to manifest themselves in the latter half of the 2010s. The COVID-19 pandemic of 2020-22, which largely shut down normal campus life, accentuated pre-existing processes of social seclusion and political polarization. The Hamas attacks of October 7th accelerated these processes into hyperdrive.

Harvard's current challenges extend beyond concerns about antisemitism and anti-Israeli bias. As the joint Task Force survey of student attitudes revealed, and as discussed in Chapter 3, Muslim and Arab students, as well as Jewish and Israeli students, report high levels of discomfort and alienation at Harvard. The University must combat antisemitism and anti-Israeli bias, but it can only do so effectively by improving the campus environment for everyone. Israel/Palestine is a contentious issue, and it is likely to remain that way for a long time to come. Members of our community have every right to express their views on this and other matters as well as an obligation to learn from and respect each other, maintain a curious and open mind, and be willing to learn from those with whom they disagree.

Admittance to Harvard should be an invitation to become part of a community in which differences abound and debate is intense — a place of varying experiences and outlooks, of diverging views deeply probed and challenged, of exchanges that require individuals to examine their own views, and of ideas and ideals that are frequently in intellectual, ideological, academic, and even material conflict with each another. The key, however, is the invitation to become part of a community.

What has been most at stake in the crisis on campus since October 7th — and in its roots, which go back long before that date — is a question central to student life at Harvard: can the members of our community appreciate one another across differences as partners in learning? It is vital to the intellectual life and the promise and opportunity of this place that all of us here value each other in this way, and such an attitude toward one another must be fostered and reinforced — and expected.

The "Report on Institutional Voice in the University," released in May 2024, states that in order to protect its core function of "seeking truth through open inquiry," Harvard must foster "an environment in which its members can research, teach, and learn." Such an environment is not given; it requires "nurture, support and defense in order for members of the University to do their work." This requires that members of our community resist alienating and excluding one another.

From the roughly 50 listening sessions conducted by our Task Force with approximately 500 members of the Harvard community, a clear conclusion emerged: Harvard had not sufficiently internalized the values and safeguarded the practices necessary for its core function — namely, cultivating an environment in which its members can research, teach, and learn. As a result, many at Harvard have not experienced this kind of environment and all that it entails.

For Israeli students and many Jewish students at Harvard — particularly those who believe in a right of the Jewish people to a state in their land of origin — the consequences have been dire, especially since the attacks of October 7th. Due to aspects of their identity, including their religion and national origin, these students have faced bias, suspicion, intimidation, alienation, shunning, contempt, and sometimes effective

exclusion from various curricular and co-curricular parts of the University and its community — clear examples of antisemitism and anti-Israeli bias. Students who at Harvard would wish to develop mature and multi-faceted Jewish identities, knowledge of Jewish heritage and community, and their own relationships of inquiry and engagement with Israel and its challenges have instead faced pressures to repress aspects of themselves and to veer away from entire areas of curricular and co-curricular exploration. This has diminished their educational opportunities, their own lives, and Harvard's aim to be a learning community for all students.

In light of these damaging consequences, the Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias submits a number of recommendations, in two sections:

Section 1 on Campus Culture and Student Experience (pages 174-188) outlines a set of recommendations for repairing student life at Harvard — for Israeli, Jewish, and indeed all students — which will require a **comprehensive, integrated, and sustained program of efforts.**

Section 2, on Governance Changes, (pages 188-190), urges changes in University governance as it relates to faculty and academic oversight. First, we recommend a comprehensive review of the academic activities of the University to identify gaps in governance. Second, we call for implementing changes in response to that review, potentially including better incentives for good governance with respect to academic matters across Harvard's Schools through a more equitable cost-sharing system.

Finally, we conclude with a charge to the University and its Schools and key administrative units to become leaders in a renewed fight against antisemitism and anti-Israeli bias.

RECOMMENDATIONS

A. Campus Culture and Student Experience

A guiding spirit behind this first set of recommendations is the report of the Joint Task Force Subcommittee on Pluralism (Appendix 3). Its focus is the promotion of a "culture of pluralism," defined as:

> Recognizing the diversity of identities and ideologies on campus, respecting, relating, and cooperating with one another, and connecting personal and campus civic values to advance our educational and research mission. These campus civic values are anchored in the University's Values Statement advancing respect for the rights, differences, and dignity of others; honesty and integrity in all dealings; conscientious pursuit of excellence in our work; accountability for actions and conduct in the community; and responsibility for the bonds and bridges that enable all to grow with and learn from one another.

Fostering a pluralistic campus atmosphere is connected with striving to realize the ideals represented by the University's 2018 Values Statement,[614] which calls for:

> "Respect for the rights, differences, and dignity of others"; "honesty and integrity in all dealings"; "conscientious pursuit of excellence in our work"; "accountability for actions and conduct in the community"; and "responsibility for the bonds and bridges that enable all to grow with and learn from one another."

The recommendations presented here suggest means by which these values can be embodied in our campus community's interactions in the classroom, student residences, and co-curricular life.

We call for changes in the following eight categories:

- Admissions: We believe classes at Harvard should consist of students who are eager to contribute to a learning community grounded in open inquiry and mutual respect.
- Early Student Experiences: Early student experiences, especially for undergraduate students, should focus on establishing norms that reflect Harvard's aspirations for its learning community.
- Academic Life: Students deserve a classroom experience that embodies the desired learning community — one free from antisemitism, anti-Israeli bias, and all forms of discrimination — and supported by enhanced course opportunities offered by Harvard's Schools and faculty.
- Co-Curricular Activities and Residential Life: Student organizations need support and guidance to ensure their activities do not have antisemitic or anti-Israeli impacts, so they can effectively contribute to the kind of learning community Harvard aspires to beyond the classroom.
- Building a Pluralistic Community: To foster a campus culture of pluralism at Harvard, a central hub for pluralism should be established.
- Religious Life: We believe that faith can be an important source of support for Harvard's students and an integral part of the learning community, and that steps can be taken to strengthen this aspect of campus life.
- Administrative Infrastructure: A robust administrative infrastructure is needed to support, coordinate, and sustain the efforts outlined above.
- Protest, Complaints, and Discipline: Protests must be authorized and must not disrupt the normal operations of the University, including conducting classes and providing unrestricted access to libraries and other campus buildings. Complaint mechanisms should be aligned across Harvard's Schools to the

[614] https://inclusionandbelongingtaskforce.harvard.edu/files/inclusion/files/vii._appendix_d._revised_values_statement.pdf

greatest extent possible, and should be easily accessed, user-friendly, and efficient. Disciplinary policies and enforcement should be substantive and equitable across Harvard's Schools.

Below, we lay out recommended actions in each of these eight categories.

Admissions

Student life at Harvard is profoundly shaped by which individuals we choose to attract and admit to our student body. Events of the past two years have caused us to worry that Harvard tends to admit some individuals who already see themselves as leaders with a mandate to act, rather than as learners who are curious, open to others, and aware that they need further education. Efforts are already underway in some Schools to correct this tendency, and we endorse them.

To reinforce and expand these efforts, we recommend that the staff and faculty responsible for admissions across all of Harvard's Schools take — or where applicable, continue to take and build upon — the following actions:

- **Articulate to prospective students that Harvard seeks to build a learning environment where each student is in genuine community with people with whom one may disagree.** Communicate clearly, as part of the admissions criteria, that Harvard expects all students to demonstrate civility, engage thoughtfully with one another, practice tolerance and empathy, and, above all, to cherish the opportunity to learn with and from one another.
- **Where feasible, incorporate application questions that assess an applicant's aptitude in navigating situations involving diverging viewpoints and commitments (as we understand Harvard College has recently done).** Additionally, in interview settings where applicable, prompt applicants to respond to ideas and opinions that may differ from their own. Admissions personnel should look favorably on demonstrations of empathetic and reasoned engagement and unfavorably on exhibitions of hostility, derision, or dismissiveness.
- **In evaluating candidates, prioritize demonstrated qualities such as bridge-building, particularly through participation in organizations and activities that promote dialogue across difference.** Look favorably upon experience in identity-based commitments and activism that involved constructive engagement with others who may hold differing viewpoints, as well as a demonstrated commitment to curiosity and self-education. Conversely, reject candidates who have track records of antisemitism, bias against Israelis based on their national origin, or other forms of identity-based discrimination, including anti-Muslim, anti-Arab, or anti-Palestinian bias.
- **Be open to collaboration with self-organized faculty volunteers aiming to reach out to admitted students who may, in view of recent events on campus, fear identity-based bias or hostility toward their personal commitments.** We are aware, for instance, of faculty groups eager to welcome Jewish and Israeli admitted students and to foster a sense of belonging even before matriculation. We encourage admissions leaders to work with such groups.

Early Student Experiences

Early experiences on campus have a disproportionate impact on student life. In Harvard College, for instance, events such as preorientation, orientation, and Convocation shape undergraduate students' impressions of our community and its norms. In some recent Convocations, protestors have stationed themselves near first-year students and have chanted pro-Palestinian and anti-Israeli slogans. Silence at the time from University leaders has conveyed to incoming students that such chanting is a welcome form of "discourse" in our community and that it is acceptable to alienate or intimidate some community members. Graduate students experience entrance lifecycle events of their own. For them as well as for

undergraduate students, first encounters with their fellow students should be designed to shape a learning community of open inquiry and mutual respect.

To achieve this goal, and in the spirit of the recommendations of the Joint Task Force Subcommittee on Pluralism, we recommend that organizers of early student experiences at all Harvard Schools implement the following:

- **Deeply examine and revise pre-orientation and orientation programs.** Encourage new students to engage constructively with peers who may hold differing worldviews from their own, ideally within a structured pluralism framework:
  - Ensure that all facilitators of early student activities are trained to cultivate a committed learning community among new students of different backgrounds and outlooks.
  - Create diverse cohorts of students in preorientation programs and consider whether the benefits of programs that are more monolithic outweigh the cost of creating homogenous social spheres at the beginning of one's Harvard journey.
  - In early student events, showcase returning students who can model civil and reasoned disagreement and lead constructive dialogues around contentious issues, thereby encouraging similar discussions among new students.
  - Given the current climate surrounding the Israeli-Palestinian conflict, engage Israeli and Palestinian leaders who are willing and able to model frank and genuine dialogue with one another, as part of early student programming.
  - Enlist respected faculty (e.g., faculty deans in the residential Houses of Harvard College) to reinforce the message that Harvard expects constructive engagement across differences and support faculty in developing programs that help facilitate this engagement.
  - Starting in the 2025-26 academic year, enlist Jewish and Muslim faculty and students to assist in the design of anti-bias materials that can be incorporated into orientation programs at Harvard College and other Harvard Schools in future years. These materials should address campus culture, antisemitism, and other forms of hate.
  - In instances where Schools may have ceded responsibility for pre-orientation and orientation programs to student groups, reclaim oversight to ensure a high-quality, coherent presentation that aims to integrate all students into a shared community.
- **Prepare all administrators who speak in opening programs, including the President and Provost, to intervene and speak up on the spot when agitation for alienation erupts at official events and activities.** At such moments, it is essential that leaders model the defense of the University's core function and protection of its learning environment.

Academic Life

What happens in Harvard's classrooms has both a direct and an indirect impact on student life. Critically, the actions of instructors influence whether students experience a culture of open inquiry and mutual respect within those spaces. These actions also shape the expectations students have about acceptable behavior and discourse during their time at Harvard outside the classroom.

The Task Force believes that every Harvard student should have full access to Harvard's educational opportunities, regardless of their religion, national origin, or political beliefs. Yet, in the course of our work, we heard from too many Jewish and Israeli students who said they have not fully enjoyed such access in recent years. They described instances where fellow students and even instructors created classroom environments that felt inhospitable.

Toward the goal of full access to educational opportunities, we recommend that all Harvard Schools and programs do the following:

- **Develop a set of rules and expectations for instruction.** These should respect the academic freedom, rights, and responsibilities of both instructors and students. While each School or unit must determine what is appropriate within its own specific context, we suggest the following as a starting point:
  - Instructors should clearly distinguish between their professional academic roles and their personal civic roles and refrain from political comment unrelated to course subject matter when they are teaching.
  - Schools should ensure that instructors are aware they may not refuse to teach students on the grounds of student identity or political or religious beliefs, nor may they discriminate among students on such grounds when conducting class or grading.
  - Instructors should value diverse identities and outlooks in the learning community. They should be open to divergent points of view and actively promote such openness among students, colleagues, and others.
  - Schools should ensure that instructors are aware they may not encourage students to adopt particular political stances or take specific political actions outside of class. For instance, we think it should be unacceptable for instructors to cancel class to facilitate student attendance at a protest or hold office hours onsite at a political event (as we understand some instructors did at the 2024 pro-Palestinian encampment). In our view, these should be basic expectations of all Harvard instructors, and falling short of these expectations should be seen as a sign that a teacher does not take their responsibilities as a Harvard teacher seriously, which should result in significant and lasting consequences.
  - Instructors should be adept at eliciting multiple viewpoints within their classrooms and should promptly address any behavior that undermines a learning environment grounded in open inquiry and mutual respect.
  - An instructor's ability to engage diverse opinions should be a factor in course evaluations and considered by the respective School and the University when hiring, promoting, and renewing the appointments of instructors.
- **Communicate and enforce expectations.** After developing these norms and expectations, each School should clearly communicate them to both instructors and students. Additionally, they should establish clear processes for addressing breaches of the norms and expectations if such processes are not already in place.
- **Create opportunities, support, and incentives for all instructors to learn how to facilitate difficult conversations across lines of difference in the classroom.**

As articulated in the "Report on Institutional Voice in the University," Harvard should ensure that its Schools, departments, centers, and programs refrain from supporting, promoting, or lending their names or Harvard's to activities and ideological campaigns that encourage alienation of segments of Harvard's learning community. To the extent this is not clear, we recommend that the University produce guidelines along these lines. The Provost's Office should track compliance with the Report and any such guidelines and then remedy breaches of them.

We understand that the Institutional Voice is a new policy, and we urge the Provost's Office to consider whether a Task Force or other reviewing body is needed to examine existing content to ensure that we meet our goals of including people with diverse opinions and backgrounds across the University's various classes, centers, and degree programs. To the extent that changes are necessary, we encourage copious engagement with difference.

This report has noted complaints by students about certain professional and graduate Schools where teaching about Israel/Palestine is, in their view, highly politicized and partisan, and where they feel unwelcome because of their political views or simply because of their nationality or ethno-religious identity. In addition to the general recommendations we have laid out thus far, the University's Central Administration should enter into a dialogue with the administration of each School, assess the presence of antisemitism and anti-Israel bias, and formulate School-specific remedies.

In considering curriculum and instruction within Harvard College, our Task Force recognized that students are not currently offered a sufficiently robust set of courses on Israel, the Israeli-Palestinian conflict, the wider Middle East, and conflict resolution. As a result, student views and debates on these topics often do not seem grounded in established facts, rigorous scholarship, and adequately considered perspectives. To correct this gap, we recommend the following:

- **Create opportunities for students to engage in a more comprehensive course of study on Israel and the Palestinians, Jewish Studies, and Peace and Conflict Studies.** Specifically, Harvard College should ensure that undergraduate students have substantially more opportunities to learn about antisemitism, Jewish history and culture, the history and politics of Israel, Zionism, and the Israeli-Palestinian conflict. To fulfill the College's mission of preparing "citizen leaders," students should have access to a series of courses—both large lecture courses (such as General Education courses) and small seminars—taught by a range of faculty. This will enable them to build deep content knowledge in these areas and shape their own informed viewpoints on these complex topics. The team implementing this recommendation should consider the following possibilities:
  - Hiring new faculty, potentially through a cluster hire to recruit a diverse range of faculty with differing views and methodologies.
  - Developing interdisciplinary courses, with some potentially counting towards the College's newly offered Certificate for Civic Engagement[615] or fulfilling requirements towards a secondary concentration.
  - Creating relevant research opportunities for students both by working as research assistants for faculty and through developing original projects.
  - Providing funds for practice-based opportunities, such as internships and shadowing opportunities, during the winter and summer terms and in the year following graduation.
  - Developing and funding travel opportunities for diverse groups of faculty and students through which they can build community, learn about complex situations, and engage in concrete community improvement projects.
- **Create opportunities for students to build skills in peace building and conflict resolution, utilizing the resources and expertise of University centers of excellence such as the Program on Negotiation at Harvard Law School.**
- **Fill the vacant positions at Harvard's Center for Jewish Studies (CJS).** CJS plays a vital role in teaching the history, religion, and culture of Jews from antiquity to the present. Unfortunately, due to recent and imminent departures and retirements in the Faculty of Arts and Sciences' Department of Near Eastern Languages and Civilizations and in Harvard Divinity School, CJS will lose five out of its seven core, ladder-faculty instructional staff. It is vital to refill these positions, all funded via endowed chairs, as quickly as possible.
- **In addition to the College, curricular attention to Judaism is urgently needed in multiple graduate and professional Schools.** Harvard Law School's Julis-Rabinowitz Program on Jewish and Israeli Law serves

[615] https://oue.fas.harvard.edu/certificate-civic-engagement

as a successful example of how education on Judaism can advance both the mission of a professional school and foster a student body that is more informed about issues that may contribute to antisemitism and manifestations of it. Although aspects of Harvard Divinity School's academic programs require significant reform, as outlined in Chapter 4, HDS could become a key player in constructing a healthy approach to the study of Judaism and Jewish civilization. A Jewish Ministry initiative, modeled after the successful model of the Buddhist Ministry Initiative,[616] could benefit students seeking to study Judaism within the larger context of world religion and prepare for leadership in Jewish communities beyond rabbinic ordination. Such an initiative could help address long-standing curricular deficits.

- We urge Harvard Divinity School to consider whether the addition of a ladder faculty member who writes and teaches in the mainstream of the modern American Jewish community would provide a voice that is missing on their campus. Such an addition could contribute to ensuring that the richness and diversity of the modern American Jewish mainstream are fully represented within the HDS community.

THE STUDY OF ISRAEL/PALESTINE

Both Task Forces agree on the need for more classroom instruction about Israel/Palestine and the Israeli-Palestinian conflict. The challenge is how to teach these subjects in ways that bridge rather than exacerbate political and emotional divisions. We must strive to avoid a situation (that has developed at other universities, including peer schools) where "Palestine Studies" becomes an instrument of faculty and student advocacy. Similarly, we must resist pressures for teaching about modern Israel as a defense against the country's critics. We urge avoiding having dueling courses taught from a Palestinian or Israeli "perspective" in which instructors hold fast to the identities of their subjects of study, and students are called upon to do the same.

Mindful of the fact that administrators at Harvard and other universities may read this, we wish to elaborate on this point. One of us has written on it at length, pointing out that scholars of "Israel Studies" and "Palestine Studies" often rely on different sources, methods, and approaches, which are best situated in conversation with one another as opposed to apart:[617]

> Scholars who work on Israel/Palestine must decide, therefore, if it is their responsibility to engage in overt political advocacy, to cloak that advocacy under a pretense to Weberian neutrality, or to aspire to neutrality even if it is impossible to attain. They must decide whether "civility," that is, rational, respectful, and courteous conversation, is a relic from a bygone era, a screen for the concealment and maintenance of hegemony, or if it has continuing value as a means of fostering constructive communication with an often angry and fearful public. I believe that unlike the realms of political discourse and public opinion (now expressed via limitless and unchecked access to the internet), academic conversation about Israel/Palestine can and should refract, rather than reflect, the conflict. To continue with the optical metaphor, an academic field of Israel/Palestine studies can help not only scholars and students, but also a broad, global public, see the area in a new light.

We acknowledge that the demands that teaching about Israel/Palestine places upon an instructor — ideally, a mastery of Arabic and Hebrew and a thorough knowledge of the history and politics of the Middle Eastern and the Jewish world — are great, and that even the most rigorous of scholars are situated in a subject-position that may carry with it bias and selectivity (even if unconscious). We therefore recommend that whenever possible introductory courses on Israel/Palestine be co-taught, as has been done, with considerable success, at Dartmouth.[618]

[616] https://hds.harvard.edu/academics/ministry-studies/buddhist-ministry-initiative
[617] Derek Penslar, "Toward a Field of Israel/Palestine Studies," in *The Arab and Jewish Questions*, ed. Bashir Bashir and Leila Farsakh, Columbia University Press (2020), 173. https://www.degruyterbrill.com/document/doi/10.7312/bash19920-009/html?srsltid=AfmBOoo3951N4sB1bCu3OK6erI-sIyTtO0wdbppjYLssY725CcO3HCsp
[618] Bernard Avishai, "Co-Teaching a Class on Israel and Palestine," *The New Yorker*, February 2, 2024. Accessed December 9, 2024.

One of us is teaching a course on the history of Israel/Palestine at Harvard in the Spring 2025 semester and, in the absence of a co-teacher, brings together sources that might be found in a Palestinian Studies course along with sources that might be found in its Israel Studies counterpart for each week: for example, comparing the post-1967 Israeli settlement movement with its effect upon the Palestinians in the West Bank by juxtaposing texts produced during the 1970s by activists in the Bloc of the Faithful movement with Sahar Khalifa's novel *Wild Thorns*.

THE STUDY OF ANTISEMITISM

The 2023-24 academic year, especially in the aftermath of October 7th, witnessed an unprecedented surge in reports of antisemitism, both at Harvard and around the globe. Harvard is well equipped to play a crucial role in combating antisemitism in many ways, with research being one of the most obvious. We urge Harvard to become a hub for antisemitism research by establishing a dedicated research project, ideally by appointing a globally renowned expert in the social scientific study of antisemitism to the faculty at a Harvard School, such as the Harvard Kennedy School of Government. This person could lead a robust program of research, teaching, mentoring graduate students and post-doctoral fellows, and fostering and invigorating the social scientific study of antisemitism while promoting scientific excellence in the field. This individual should be encouraged to cultivate ties with recently established centers for the study of antisemitism at the University of Michigan and New York University, as well as long-standing centers for antisemitism research in Israel, the United Kingdom, Germany, and other countries.

Co-Curricular Activities and Residential Life

Much of student life takes place outside of Harvard's classrooms — in clubs, dormitories, and residential houses, in various kinds of affinity spaces, and on social media. In academic year 2023-24, such venues were the sites of some of the most painful reported instances of antisemitism and anti-Israeli bias. We heard accounts of some Jewish and Israeli students feeling pressured to renounce Israel or risk significant social penalties, including the loss of friends, rejections from clubs, exclusion from social activities, and more.

While Harvard's Schools cannot force students to be friends with each other, they can and should establish rules and norms that aim at discouraging social exclusion based on religion or national origin. Toward this end, we recommend that each School implement the following:

- **Review, revise, if necessary, implement, and enforce responsible policies regarding student organizations.** This should complement the ethos of pluralism that Schools seek to cultivate. Specifically, we recommend that relevant administrators in each School:
  - Review and reinforce compliance with non-discrimination policies that govern all student organizations that are officially recognized by their respective Schools. Organizations failing to comply should not be allowed to operate on University property or use Harvard's name or resources.
  - Take appropriate action against unrecognized student organizations that "piggyback" on recognized groups to take advantage of privileges and resources that would otherwise be unavailable to them.
  - Ensure that the activities of recognized student organizations reflect the organizations' stated purpose and scope. The Task Force believes Harvard's student civil society only works if recognized organizations provide opportunities for connecting across common interests and affinities, mindful of the fact that it is highly desirable for members of the chess club, for example, to disagree on questions outside of the value of playing chess with their fellow Harvard students.
- **Mandate special training, if it has not been already, for students tasked with promoting diversity, equity, and inclusion within their respective student organizations.** This training should ensure alignment between efforts to promote inclusion and the University's Values Statement.

- **For the co-curricular life of each of Harvard's Schools, adopt the measures recommended by the Joint Task Force Subcommittee on Pluralism.** Despite commendable recent efforts to promote dialogue between Jewish and Muslim students, these initiatives appear underattended. It is our understanding that the current campus climate can sometimes mean Arab and Muslim students who engage with Israeli students experience negative social repercussions, including shunning and alienation from their friends and social groups. For example, we are aware of disturbing accounts of bullying of Palestinians who merely showed an openness to dialogue. We believe that this kind of behavior should be combated, just as we believe work needs to be done to bridge differences among Jews with varying views on Israel. According to student organizers we spoke with who have facilitated small group discussions between Jewish and Arab students, there are Muslim and Arab students open to such engagement, but the prevailing campus culture discourages their involvement. We endorse the following measures recommended by the Joint Subcommittee:
  - Foster a series of prominent, public, civil, and reasoned debates on contentious geopolitical matters. These events should model respectful disagreement and include speakers representing a wide array of viewpoints, including prominent pro-Israeli leaders.
  - Recognize and support student leaders who make the peer-to-peer case for dialogue and inclusion, speak out against exclusionary practices like shunning, and strive to build bridges across differences. This could include awards, fellowships, and highlighting these students in appropriate events. Ensure these student leaders are committed to promoting civil discourse across differences, not solely within a particular group.
  - Establish a dedicated group of faculty members and administrators to support dialogue efforts between Muslim, Arab, and Palestinian students and their Jewish and Israeli peers. This group would actively encourage participation and promote a culture that values and supports these meaningful interactions.

We also recommend:

- **Formally recognize and celebrate staff and faculty who make substantial contributions to fostering constructive dialogue across differences within Harvard's academic community.**
- **Develop an assortment of grants, fellowships, and programs dedicated to studying campus culture and the Israeli-Palestinian conflict.** This might include grants for study and internships in Israel and other Middle Eastern countries.
- **At Harvard College, take specific steps to enhance aspects of its residential system, comprising both dorms in the Yard for first-year students and the Houses for upper-level students, which many regard as the hearth and home of the College community.** The steps outlined in the next set of bullets are intended to renew a sense of shared community and to counter tendencies towards demonization and division.
- **Staff involved in the undergraduate student housing system, including various deans, proctors, tutors, and others, should operate as a more collaborative and unified team, supported by stronger leadership from University Hall.** In particular, we recommend:
  - Improved orientation and regular in-service training should be implemented for all residential personnel in the Yard and the Houses. The goal should be ensuring they are equipped to foster engagement across a variety of differences, including national origin, viewpoint, and identity along multiple dimensions. This is especially crucial for faculty deans, who ultimately bear responsibility for the climate and culture of their individual Houses and oversee both staff and budgets.

- Best practices for cultivating a constructive ethos of pluralism within the housing system should be identified and disseminated, with a particular emphasis on how these practices can support and reinforce a similar ethos in academic settings.

While we commend Harvard College's current efforts to promote intellectual vitality, we caution that this focus on intellectual vitality in general should not overshadow the need for College leaders to address antisemitism and anti-Israeli bias directly. Educating students about intellectual vitality in orientation programs, for example, does not eliminate the need to educate them about matters like the Israeli-Palestinian conflict or the history of antisemitism. Similarly, conducting intellectual vitality training during orientation does not negate the need for antisemitism training.

Building a Pluralistic Community

In a joint effort between the two Task Forces, the Pluralism Subcommittee examined the resources that exist at Harvard for interfaith engagements, interdisciplinary collaborations, religious literacy, and community building, including the arts, as well as examine new resources, structures, and/or practices.

The focus was on promoting a culture of pluralism, defined as recognizing the diversity of identities and ideologies on campus, respecting, relating, and cooperating with one another, and connecting personal and campus civic values to advance our educational and research mission. These campus civic values are anchored in the University's Values Statement focused on advancing respect for the rights, differences, and dignity of others; honesty and integrity in all dealings; conscientious pursuit of excellence in our work; accountability for actions and conduct in the community; and responsibility for the bonds and bridges that enable all to grow with and learn from one another.

A broad focus on pluralism will ultimately be foundational to ensuring the experience of inclusion and belonging on our campus for members of Muslim, Arab, and Palestinian communities, and their allies. At the same time, we wish to underscore that it is crucial not to overlook the specific forms of hate and bias that the two anti-bias Task Forces are committed to addressing, including anti-Muslim, anti-Arab, anti-Palestinian sentiments, as well as antisemitism and anti-Israel biases. Directly confronting these particular issues by advancing a pluralism agenda ensures that our efforts are impactful and resonate with the experiences of those most affected, fostering a truly inclusive environment.

While the full report of the Joint Subcommittee is included in Appendix 3, here we note one of the main recommendations, which our full Task Force endorses as well:

- **Establish an institutional anchor for practices of pluralism on campus.**

  There is a need for a central hub for pluralism efforts on campus — to anchor the practices of the University around a commitment to pluralism, and to engage all members of our campus community in exploring, embracing, and bringing our University values to life across a variety of contexts — from orientation and onboarding to interdisciplinary exchanges and language learning, to interfaith experiences, student life, and the arts on campus.

  Though the University will need to determine the appropriate approach to implementation, the Joint Subcommittee report details two possible options: expanding the Harvard Foundation into the Harvard Foundation for Pluralism or creating a new University-wide Center for Pluralism that incorporates the Harvard Foundation, which would continue to be College-facing, as a program. Many other entities also work in these areas and the specific value-add of a Reimagined Harvard Foundation/Center for Pluralism would be to connect the academic enterprise of the University, along with campus expertise on issues of inclusion, belonging, and pluralism, to the administrative enterprise that fulfills these functions. As the University considers the design of the Reimagined Harvard Foundation/Center for Pluralism, three key principles are essential for success: faculty leadership,

collaboration with OEDIB and other diversity offices on campus, and a strong staffing structure to support cross-functional work.

A Reimagined Harvard Foundation/Center for Pluralism should develop and implement programs that reinforce pluralism. For example, the Center/Foundation could support:

- a fellowship program for students;
- a campus awards program for students who lead in advancing a culture of pluralism on campus;
- engaging faculty with expertise in pluralism and connected subject areas to develop trainings and professional development opportunities for the campus;
- mediation resources for conflicts that involve issues of pluralism; and
- the work of OEDIB and School-specific Diversity, Inclusion, and Belonging offices to cultivate a campus-wide network of expertise on pluralism that all Schools could tap into in a shared way.

This Reimagined Center, in partnership with OEDIB, could also lead the Harvard Culture Collaborative, fostering faculty-staff partnerships to enhance research and learning in support of inclusion and belonging grounded in a commitment to pluralism. Several of the Task Force recommendations laid out above might also be advanced via this vehicle, including the development of new intellectual exchanges and innovative trainings.

The Task Force discussed the merits and potential challenges of using the Harvard Foundation as the hub for University-wide pluralism efforts. A detailed examination of these issues is warranted, as exploring these complexities was beyond the Task Force's remit. The Harvard Foundation currently focuses on undergraduate students, and there is a proposal to transform it into a Harvard Foundation/Center for Pluralism that serves the entire campus community, while preserving and indeed strengthening the current mandate of the Harvard Foundation. The Joint Subcommittee suggests structuring this Reimagined Harvard Foundation/Center for Pluralism as a School-based entity for easier integration with the University's mission. The Joint Subcommittee recommends significant investment from the Office of the President and Provost, as well as School deans, to establish faculty leadership and anchor pluralism practices across the campus.

Religious Life

In the wake of the traumatic of the October 7th attacks and the heightened tensions of the 2023-24 academic year, many Jewish students sought solace and support within Harvard's Jewish community, primarily centered around Harvard Hillel and Harvard Chabad. However, the events of academic year 2023-24 also exposed longstanding challenges and unmet needs within Jewish life, and indeed within religious life more broadly, at Harvard.

The Task Force's impression is that many faith communities at Harvard tend to be fragmented and internally divided, and that they engage in limited dialogue with one another.

While Harvard does not gather statistics on the religious affiliation of its students, several factors lead the Task Force to believe that the number of Jewish students may have decreased in recent decades. This apparent decline has made it increasingly challenging, across religious denominations of Judaism (e.g., Conservative, Orthodox, Reform), and in various areas of Jewish cultural life, to achieve the requisite quorum of peers required to hold certain religious and cultural Jewish activities, potentially affecting students' ability to experience and explore the richness of Jewish heritage and life.

In several listening sessions, non- and anti-Zionist Jewish students told us that they do not feel welcome at Hillel or Chabad.

Clearly, Harvard is missing opportunities to make religious life on campus a greater source of support and an integral part of the learning community we desire. To tap such opportunities, we recommend the following:

- Connect the Harvard Chaplains better with the residential system of Harvard College, so that students experiencing spiritual distress and isolation can more easily find support.
- Urge admissions leaders to consider applicants of all faiths who have played faith-based leadership roles in the past, including those who have shown an ability to build bridges across faiths. Admissions practices cannot favor certain applicants based on their religion, but they can consider faith-based leadership experience in the way they consider other kinds of leadership experience.
- Ensure that all personnel who teach and advise students are apprised of Harvard policies regarding reasonable accommodations when religious observances conflict with the academic calendar and the scheduled assignments and exams of individual courses. Such policies should not only fulfill statutory requirements but also meet a standard of inclusion. Students should be guided and supported in making appropriate arrangements with their instructors in such circumstances, and faculty should be receptive to requests for such accommodation. Calendars of religious observances, with brief descriptions of the practices and restrictions germane to each observance, should be made easily available, to consult when religious accommodation is requested.
- Create an Office of Religious, Ethical, and Spiritual Life, as described in the Subcommittee Report on Pluralism.

Administrative Infrastructure

The steps recommended above, while comprehensive, will only effectively take root and improve student life if the University, both centrally and within its individual Schools, ensures the administrative infrastructure is in place to support, coordinate, and sustain these efforts over the long term. To that end, the Task Force recommends that the University's leadership and the leadership of each School take the following concrete actions:

- **Include in the Office of Equity, Diversity, Inclusion, and Belonging (OEDIB), or another appropriate office in the Central Administration, a dedicated team member specifically tasked with addressing antisemitism and anti-Israel bias.** This individual should possess relevant training and experience regarding Jewish and Israeli identity and culture. Their responsibilities should include:
  - Serving as a readily accessible point of contact for receiving concerns about antisemitism and anti-Israeli bias and overseeing cases from initial complaint to resolution.
  - Providing direct support to students experiencing antisemitism or anti-Israeli bias as they navigate the complaint process, which can be emotionally challenging.
  - Collaborating proactively with other administrators across the University to ensure the inclusion and belonging of Jewish and Israeli students.
  - Engaging with Jewish, Israeli, and pro-Israeli students across Harvard's Schools, offering guidance and support to those who may be navigating a range of challenges, including experiences of shunning, alienation, and discrimination.
  - Working proactively to repair the distrust between many members of Harvard's Israeli and Jewish community and the OEDIB.
  - Staying abreast of antisemitism resources best practices from other institutions and organizations.
  - Developing and providing trainings to Schools, departments, administrative units, and campus groups on recognizing and addressing antisemitism and anti-Israeli bias.

  - Offering consultation and support to staff members across the University responding to concerns related to antisemitism and anti-Israeli bias.
  - Engage with deans, faculty, the Office of the President and Provost, the Office of the General Counsel, and OEDIB colleagues, to provide relevant insights and perspectives informed by Jewish culture, history, and community, particularly regarding emerging issues.

- **The University should explicitly acknowledge and address in an appropriate way that many Israeli and pro-Israeli students at Harvard have experienced shunning, alienation, social isolation, and discrimination from some of their peers, professors, and administrators on campus.** Harvard must unequivocally state that such behavior is unacceptable and fails to meet the expectations for the behavior of Harvard community members. Recognizing the intolerable reality faced by Israeli students is an essential first step toward fostering meaningful change and creating a truly inclusive environment.
- **Constitute in each School of the University a student-faculty-administration Working Group on Campus Culture to monitor and discuss situations that threaten the welfare and core functions of the learning community, to pursue ways of addressing and ameliorating such situations, and to act to improve campus community.** A responsibility of this group should include transforming campus culture by translating University norms into student activities and programming. These groups should represent diverse ethnic, religious, and political communities on campus, including Jewish, Israeli, Arab, and Muslim students, as well as leading administrators, and they should be funded to foster and support student initiatives toward a collegial and hospitable learning environment, including relevant high-profile events and culture-building activities. These groups should convene together periodically to report on challenges and successes and to learn best practices. They are intended to guide and catalyze the long-term development of campus culture, not to respond immediately to specific incidents.
- **Orient those in positions of advising students to the proper practices for reporting incidents.** Ensure that students know who to approach with concerns, and that those designated people know how to guide students on reporting, and how to follow up to make sure that students are apprised of responses to their reports, even when it may not be possible for legal reasons to disclose some details.
- **Launch a University Task Force of faculty, staff, and student leaders to tackle the special challenges of social media.** Social media sites, especially the anonymous Sidechat, have been the venues of particularly vicious displays of antisemitism and anti-Israel bias, as well as other biases. Conflicts among students are often full-blown and factionalized online before involved students have had a chance to interact on the matters at hand "IRL" (in real life).
- **Hold accountable any administrators, faculty, teaching staff, or advisors who encourage violations of rules that undermine the learning environment.**
- **Ensure, regarding all the efforts recommended in this document, that there be a clear locus of responsibility and accountability, metrics, ongoing measurement, and public reporting.**

In addition, the two anti-bias Task Forces jointly call for regular, in-depth demographic research and surveys on the sense of safety and well-being among Harvard community members. These efforts should prioritize, but not be limited to, groups who have historically faced challenges in expressing themselves and finding safety and belonging at Harvard, recognizing that these groups may evolve over time. In this regard, we specifically recommend:

- **Enhance regular University-wide Pulse surveys to assess the experiences of students, staff, and faculty, providing them a platform to voice concerns, suggest improvements, and propose additional areas of exploration.** Integrate a mechanism for community feedback on the survey itself, including suggestions for questions related to relevant concepts such as antisemitism and bias against Israelis, Muslims, Arabs, and Palestinians, and emerging trends.

- **To complement survey data and address potential limitations like response rates and survey fatigue, enhance the University's capacity to analyze existing administrative data, such as course enrollment, dropout rates, and other routine student touchpoints.** This analysis should be conducted with strict adherence to privacy policies (e.g., FERPA) and could be centralized within the University's Office of Institutional Research and potentially involve relevant faculty, researchers, and staff in coordination with Harvard's Central Administration and the various Schools.

Protest, Complaints, and Discipline

PROTEST

This report has stressed the need for Harvard to foster an inclusive campus environment where members of our pluralistic community engage with each other respectfully and appreciate perspectives different from our own. Those differences might be stark and, in the case of contentious issues like Israel/Palestine, fraught. At times, members of our community will choose to communicate their views on such issues through public protest. Public protest is no less legitimate a form of speech than private conversation or in-class discussion. Protest can effectively communicate to our community the gravity and urgent need for action that some of our members attribute to a current crisis, either within Harvard or beyond.

Like any other form of speech, protest must operate within certain guidelines. Freedom of speech does not justify harassment, bullying, or intimidation by one student toward another, nor does it justify unprofessional conduct by an instructor towards a student due to their political views, national origin, or religion. Protest must not disrupt the normal operations of the University, including conducting classes and providing unrestricted access to the libraries and other campus buildings.

The University has already taken steps to revise and strengthen its protest policies. In January 2024, President Garber and the deans of the University's Schools issued "Guidance on Protest and Dissent" clarifying the relevance of the University's 1970 Statement on Rights and Responsibilities to current protests. (This new document prohibited, among other things, certain indoor protests.) In August 2024, the University established additional policies prohibiting unauthorized outdoor camping and excessive noise on campus property, addressing concerns stemming from the Spring 2024 encampment and other disruptive demonstrations held during the 2023-24 academic year. These policies now in place, we feel, provide substance to the concept of time, place, and manner that has long prevailed in determining the limits of free speech in the United States.

Moving forward, however, the University faces challenges in proactively establishing limits on protest rather than making ad hoc determinations during protest events. While we do not recommend proactively prohibiting the use of certain words, phrases, or symbols, we do recommend that the University prohibit the masking of faces at protests. Such a prohibition will enable the Harvard University Police Department to maintain order at public gatherings and identify individuals who may be violating University policies. Similarly, to ensure the maintenance of the University's normal operations, we urge strict adherence to the existing prohibition against unauthorized and last-minute protests.

While unauthorized or disruptive protests are perhaps the most visible manifestation of policy violations, they should not overshadow the accounts in this report describing students' experiences of bullying, exclusion, and intimidation based on national origin or political views regarding Zionism and Israel. As noted in our June 2024 Preliminary Recommendations, students alleging such mistreatment have expressed concerns about a "lack of transparency, clarity, and clear process for the submission of complaints of antisemitic or otherwise hostile behavior."

COMPLAINTS

In addressing concerns about the complaint process, the Task Force acknowledges that Harvard's Non-Discrimination and Anti-Bullying (NDAB) policy was only implemented in September 2023. When the October 7th attack triggered a variety of events on campus, there had been no opportunity to assess how the new NDAB policy would interact with the other policies already in place within individual Schools. This unprecedented pressure test of a nascent system revealed, in our view, some fundamental flaws in its design, which we highlight here and believe require rectification. Importantly, by introducing significant confusion into the process, the implementation of NDAB may well have undermined what had been more stable processes under the previous system of administrative boards, which are responsible for handling disciplinary matters at the various Schools.

Both anti-bias Task Forces, in their preliminary recommendations, called for clear and transparent policies on protests, bias, and discrimination that would be consistent across the University and clearly communicated to all. Based on our Task Force's subsequent work, we offer the following additional recommendations.

- **The University's Office of Community Conduct (OCC) needs to clarify for the Harvard community that it is the University's Title VI office and is responsible for administering the University's Title VI compliance.** That clarification would need to include:
  - Clarifying that NDAB (the policy the OCC administers) is aligned with Title VI; or adjusting NDAB to improve alignment, if necessary, presumably by adding a venue for complaints with no clear perpetrator, and for complaints that can be made anonymously; or by adding an additional and specifically Title VI policy alongside NDAB.
  - Ensuring personnel who are employed in central offices and available across the University understand antisemitism; including ensuring improved training as well as cross-training across Schools to support development of shared understandings.
  - Better communicating the availability of those personnel and the entry points for access to them to the community.
- **As the University's Title VI office, the Office of Community Conduct should work to improve complaint processes, including the following improvements:**
  - Clear user-facing communications are needed to help people understand the different entry points into an incident reporting process, as well as the differences among different modes of reporting an incident and the differences between informal and formal processes.
  - User-facing communications should give students clear instructions as to where and how to file complaints.
  - Students should be updated as much as possible on the status of complaints.
  - Substantial consistency across Schools in both process and available sanctions, with School-specific alterations being kept to a minimum, including, at a minimum, bringing together administrators from across Schools to develop shared policy understanding, as well as exploring a transition from having separate handbooks and codes of conduct in every School to having a University-wide handbook with School-specific addenda.
- **Each School should consider appointing a specific faculty or staff member at each unit who is a navigator to assist students with making complaints.** This individual would be different from the Local Designated Resource (LDR) and would have no responsibility for judging whether a complaint should be dismissed, nor for determining whether a complaint falls under non-discrimination or bullying. The current system puts the LDR in the position of both advisor and judge, and this is a conflict of roles that needs to be corrected. The navigator would advise students where and how to file

complaints and provide updating. This would reduce confusion and allow students to feel heard, even if the substantive outcome is not to their liking. The navigator would support the LDR in the first phase of NDAB of connecting the complaining student and others involved to mediation or other informal resolution practices.

- **The University should initiate regular review of protest policies and complaint processes:**
  - Assess effectiveness, analyze enforcement trends, identify issues, and ensure alignment with evolving community needs.
  - Include feedback from frontline staff and the broader Harvard community.
  - Institute a process of regular review that is attached to a stable University-wide governance mechanism and includes faculty.
- **The University should aim to set a field standard for comparable reporting on the volume of complaints and the percentage that is resolved through mediation or other practices and the percentage that moves on to formal grievance filing or an administrative board proceeding.** This standard could parallel that for the Clery Act, which requires colleges and universities to report annually on sexual assault cases in aggregate. This reporting should include categories of sanctioned behavior as part of educating the campus about which actions are judged to be violations of NDAB.
- **The NDAB process needs to include a channel for reporting on incidents and patterns to University leadership even when no formal grievance is filed.**
- **There is a need for a channel through which complaints can be made anonymously, to protect a complainant from retaliation, and still reach University-level leaders.**

Improving the University's policies and procedures in the manner laid out above is in the best interests of the many Jewish, Israeli, Arab, Muslim, Palestinian, and pro-Palestinian community members negatively affected by these processes. It is also in the best interests of the staff and administrators of this university who are responsible for these policies. And it will certainly be necessary for the health of the Harvard community generally over the long term.

DISCIPLINE

While complaint resolution can take many forms, including voluntary mediation and other steps that fall short of punitive discipline, disciplinary action must remain a viable option. Yet, as discussed in our June 2024 Preliminary Recommendations, significant inconsistencies seem to exist in the policies and procedures of administrative boards and other disciplinary bodies across the University's various Schools. This has resulted in apparent disparities in the handling of disciplinary cases.

Therefore, the Task Force urges the University to establish clearer communication channels and strive for greater consistency in disciplinary procedures across its constituent Schools. We view the July 2024 announcement that the University Committee on Rights and Responsibilities[619] would use standardized fact-finding procedures for disciplinary cases involving multiple Schools as a positive step. However, this should be the beginning of a broader reform process encompassing the individual Schools' Administrative Boards and the interactions between them. The process should start with a University-wide committee of representatives from each School, tasked with comparing the Boards' remit, composition, operating procedures, and outcomes. The committee's objective should be recommending ways to achieve an optimal level of equalization and standardization across the Administrative Boards. Achieving this will help the University restore trust with many members of the Harvard community who want assurance that students who violate Harvard's policies will be treated fairly and equitably, with disciplinary consequences

[619] https://www.harvard.edu/president/news/2024/update-on-university-rights-and-responsibilities/

commensurate with the gravity of their infractions. To further restore trust, we recommend that the University — to the extent legally possible — provide an annual account, in an aggregated and anonymized form, of disciplinary cases University-wide, including the number and types of cases and their outcomes. Importantly, faculty should play a significant role on this committee, helping to address the information gaps that currently seem to hinder their ability to understand and engage with University policies and effectively mentor students.

When policies are on the books, they must be enforced consistently and impartially across all parts of the University to avoid even the appearance of institutional bias in their application. Uneven enforcement can feel arbitrary or selectively repressive to those who face disciplinary action, rather than a simple consequence of deciding to break a rule. This problem is further compounded by a lack of clarity and understanding surrounding these policies and their enforcement, a challenge that was particularly evident to us on the Longwood campus.

B. Governance Changes

In the course of our work, we encountered several surprising issues related to University governance, some detailed in Chapter 4. These issues included:

- Evident gaps in faculty and administrative governance, significantly degrading the academic programs in certain areas of the University and creating potential legal liability for the institution.
- Staff leading significant academic programs with insufficient oversight from the ladder faculty.
- Concerning performance of a small, but not insignificant, number of Harvard's teaching faculty.

To address these issues, we offer the following recommendations:

- **The President and Provost, either acting independently or with the counsel of a faculty advisory group, should establish a set of uniform standards for all Harvard academic programs, such as centers, institutes, and study abroad programs.** These standards should consider factors such as:
  - Requiring a faculty director, who is a responsible tenured member of the ladder faculty, to oversee all activities of such programs.
  - Establishing best practices for oversight boards of such programs.
  - Establishing best practices for visiting affiliations and appointments.

We were surprised to encounter significant academic programs that lacked any involvement from the ladder faculty, and we think as a nearly hard rule that the University should avoid creating programs like these in the future. We understand that this rule will not apply evenly across the University and that there are places and programs that can be run with the supervision of a dean's office and with the excellent staff and regular non-ladder faculty we can recruit. However, we think in general it is best to have oversight from ladder faculty with relevant expertise, and to the extent an activity is outside the scope of the expertise that exists at Harvard, it is an opportunity to think about adding skills and expertise to the faculty or, alternatively, admitting that we are not well-positioned to run a particular program, which is a healthy response, as we cannot do everything.

To the extent Harvard has expertise, and those experts are unwilling to commit the amount of time needed for meaningful and real supervision of a program, we may not be able run a proposed program with the necessary integrity. The right consequence of such a scenario would be to focus on other ventures as opposed to inviting faculty from other universities to supervise on an ad hoc basis.

We must avoid allowing staff and non-ladder faculty to create partisan projects on our letterhead, which degrades the brand and reputation of the University and is completely out of scope with our mission.

Importantly, at any given time, different Harvard Schools are capable of doing different things. Harvard is an institution that takes expertise very seriously, which is why we were surprised to find programs deeply outside the scope of a given faculty's expertise. When we found those programs, they often failed to operate at the same level of excellence as the activities within the core body of knowledge of the Harvard unit. We would do much better to partner with one another to create interdisciplinary programs than to hire non-ladder faculty to add expertise to a unit that would not merit a tenured appointment in the discipline.

The Task Force also believes the University should generally avoid partisan programs of instruction that seem aimed at training students to take sides on contested issues. While our scope did not permit extensive discussions with faculty across all units regarding the perceived instances of partisanship, those faculty members we did speak with were often shocked and unaware of the current climate — we particularly found this to be the case in discussions at Harvard Medical School. Many HMS faculty noted a significant shift towards a more politicized educational environment compared to their own training experiences.

It was especially strange to observe the following pattern. All Harvard Schools have rules regarding the time, place, and manner of permitted protest and are charged with administering those rules. But in some places in the University, we found programs of instruction that teach students to engage in disruptive protest. In effect, in some quarters — and not the majority, we should add — we found a deep tension at the heart of how we operate. It is thoroughly understandable that, when Harvard did enforce rules against some of those students, the students felt betrayed.

We also recommend increased oversight over Harvard-branded content. We find it particularly concerning that the two programs we found most problematic — the Palestine Program at the Harvard Chan School and RPL at HDS — also have recent journal publications authored by their organizers, who described their pedagogical approaches and promote their activities under the Harvard name and brand.

We believe the activities we identified in Chapter 4 present urgent brand and reputation concerns that imperil the University's pre-eminence and require immediate action.

- **Improve the incentives that Harvard's faculties have to monitor academic programs.** We observe that in some cases, when a Harvard School receives a grant or a donation to fund a program, the program quickly takes on a life of its own, growing and hiring staff. Ladder faculty insight is either non-existent or fleeting. Senior administrators appear to either lack the bandwidth to oversee the program or to take a hands-off approach to avoid antagonizing staff who have relationships with donors or students.

  To address problems like this, we urge the University to consider implementing a system of accountability where costs are assigned to Schools that fail to adequately supervise programs and other activities under their purview. This system should align with the best practices that are subject of the prior recommendations in this section on Governance Changes. Currently, incentives for diligent oversight appear weak and ineffective. By establishing clear lines of responsibility and consequences for inadequate supervision, the University can mitigate potential risks with certain programs and other activities across its Schools.

OUR CHARGE TO THE UNIVERSITY

The task of researching and writing this report has been profoundly challenging, as all involved care deeply about Harvard University. Our work has required us to examine situations where aspects of the Harvard community have broken down, resulting in deeply troubling experiences for many students, faculty, and staff. Too often, we heard these experiences reflect prejudice and intolerance based on individuals' identities, nationalities, and religious commitments. We have encountered places and instances where Harvard has fallen far short of the stated values it aspires to uphold.

Yet, throughout this process, we have also witnessed the potential for a better Harvard, the Harvard we cherish. The University's renown rests not only on its history, the many contributions of its graduates to the wider world, or the individual achievements of its faculty and students. Rather, from its vibrant undergraduate residential system to cutting-edge academic programs across the various Schools, Harvard's accomplishments stem from its enduring ability to forge and renew a purposeful community of research, teaching, and learning, strengthened by the rich tapestry of experiences woven by those who have met, learned, and grown together here.

Our work has revealed numerous examples of students, staff, and faculty dedicated to renewing and strengthening the Harvard community. For instance, three Schools highlighted in this report — the Harvard Chan School, HGSE, and HDS — have new deans committed to improving the climate and atmosphere at their Schools. In academic year 2024-25, HDS provided a book by a critical but committed Zionist, Yossi Klein Halevi, to all students, and invited all community members to a conversation with the author. This book provides a voice and a face for Zionists that seemed absent in the Religion and Public Life programming we reviewed, and it pushes back against dehumanization of Israelis. Similarly, the Dean of Harvard Medical School, in his Fall 2024 welcoming remarks to incoming students, powerfully stated, "We leave our politics at the door when we come to the bedside of a patient." In doing so, he reinforced a cornerstone of medical professionalism that we believe needs to be emphasized anew at HMS and in medical education generally.

These examples, encountered even as we have described instances where Harvard has fallen short, demonstrate Harvard's capacity to translate aspirations into action when University leadership and the broader Harvard community work together with shared resolve.

With this capacity in mind, we issue this charge to the University: it is clear to the Task Force that antisemitism and anti-Israel bias have been fomented, practiced, and tolerated not only at Harvard but also within academia more widely. We urge Harvard's leadership, including the president, provost, deans, faculties, and offices of equity, diversity, inclusion, and belonging to become champions in the fight against antisemitism and anti-Israeli bias — first at Harvard, and then as a model for institutions of higher learning everywhere. We further call on Harvard's leaders to combat, with equal resolve, all other forms of prejudice and intolerance, including anti-Muslim, anti-Arab, and anti-Palestinian bias. This charge is made with particular urgency to those Schools that operate in deeply politicized fields, such as medicine, public health, and education.

As a final recommendation, we urge the University to convene a subset of the members of this Task Force to monitor implementation and provide two post-report updates to the public.

We conclude by reflecting on the vital importance of this Task Force's efforts, alongside those of our sibling Task Force focused on anti-Muslim, anti-Arab, and anti-Palestinian bias. In moments when over 1,000 civilians are slaughtered in a single day, when tens of thousands of innocents suffer death and injury in the ensuing conflict, when millions are displaced, and when hostages remain captive — one might question the impact of actions taken within Harvard's leafy quadrangles and serene libraries, half a world away.

We believe such actions matter profoundly because of the model we set for the countless future leaders who pass through Harvard's gates. Harvard could model a world where individuals retreat into echo chambers of the like-minded, where differences are met with shunning and intimidation, and where divisions are amplified. Our students could be conditioned to seek out only those academic and extracurricular pursuits that position them as combatants in pre-existing ideological conflicts.

Yet, Harvard can — and must — model a world where the full spectrum of human talent converges, where engagement across profound differences is the norm, and where those very differences become wellsprings of creativity and imagination propelling progress on humanity's most pressing challenges.

It is our conviction that Harvard possesses both the capacity and the responsibility to provide this latter model. It is our hope that the actions recommended in this report, in concert with the recommendations of our sibling Task Force, will help illuminate the path forward.

Harvard, like the country and world it serves, is in need of profound repair. We must dedicate ourselves to this essential work, and we must do so as a unified and resolute community. Let us begin.

Appendices

Appendix 1: Recent Progress on Addressing Antisemitism and Anti-Israeli Bias Across Harvard

This Appendix provides an overview of some recent initiatives undertaken by Harvard Schools and key offices in the Central Administration since the 2023-24 academic year aimed at addressing antisemitism and anti-Israeli bias. The information presented here is based entirely on self-reports provided by these Schools and offices in response to a request from the Task Force co-chairs.

While the co-chairs acknowledge these reported efforts as important steps and promising signs of growing institutional commitment, several important caveats must be emphasized. The initiatives described are illustrative examples, not an exhaustive list. Furthermore, the Task Force has not independently verified the implementation or effectiveness of these actions. Crucially, their inclusion here does not imply that the significant concerns about antisemitism and anti-Israeli bias detailed elsewhere in the Task Force's report have been resolved or sufficiently addressed.

All that said, the self-reported actions provide important context for the Task Force's recommendations (presented in Chapter 5). Our recommendations seek to build upon this foundation of existing efforts by promoting the systemic change needed to create a truly inclusive and welcoming environment for all members of the Harvard community.

Training on Antisemitism and Anti-Israeli Bias

According to information provided to the Task Force, several Schools have implemented specialized training programs focused specifically on understanding antisemitism, anti-Israeli bias, and related forms of discrimination. These efforts appear aimed at equipping faculty, staff, and student leaders with the knowledge and tools to recognize problematic behaviors and create more inclusive environments.

- The University committed to hiring a new Office for Community Conduct (OCC) employee who will have responsibility for consulting on all complaints of antisemitism and supervising the preparation of the written report of such complaints that will be included in the annual report published by the OCC director.
- All OCC staff involved in reviewing complaints raising allegations of antisemitism will participate in expert training focused on recognizing and combating antisemitism and the IHRA definition of antisemitism.[620]
- Beginning in the 2025-26 academic year, Harvard will push out broadly to the University community training that is focused on recognizing and combating antisemitism. This will be mandatory for students, staff, and members of disciplinary boards.

[620] To be clear, the Task Force did not deliberate on, or endorse, any particular definition of antisemitism. As we mentioned in the Executive Summary, we defined antisemitism through the actual experiences of faculty, staff, and students, not with specific reference to any of the lengthy definitions of antisemitism.

- The University's Office for Equity, Diversity, Inclusion, and Belonging (OEDIB) devoted its annual Inclusion and Belonging Leadership Summit in academic year 2024-25 to the theme of "Committed to " Hate and Bias," with programming addressing antisemitism, anti-Israeli bias, and other forms of bias. Separately, OEDIB also held a moderated panel discussion on Title VI of the Civil Rights Act of 1964 that featured the general counsel from Hillel International and reviewed what is covered under Title VI and the role of universities in addressing incidents of harassment and discrimination.
- OEDIB led development of a series of seven sessions offered across the Harvard campus called "Honoring Our Shared Humanity: Combatting Islamophobia and Antisemitism." Developed through a partnership with Project Shema, the sessions focused on providing practical strategies to combat Islamophobia, antisemitism, and anti-Arab, and anti-Palestinian, and anti-Israeli biases on campus.
- The Harvard Kenneth C. Griffin Graduate School of Arts and Sciences (GSAS) held events in Fall 2024 with Project Shema, a training organization focused on addressing contemporary antisemitism, and earlier in the same year GSAS staff attended Brandeis University's Summer Institute on Countering Antisemitism in Higher Education.
- The Harvard T.H. Chan School of Public Health (Harvard Chan School) co-hosted "Honoring Our Shared Humanity: Combatting Islamophobia and Antisemitism" in October 2024 for the Longwood campus and will be bringing Project Shema to campus for three intensive workshops on antisemitism in the coming months, tailored to the School's administrative leadership, department chairs, students, staff, and faculty.
- Harvard University staff and Harvard College senior leadership and staff participated in multiple training sessions led by Brandeis University's Summer Institute on Antisemitism in Higher Education to deepen their understanding of antisemitism, its historical and contemporary manifestations, and effective strategies for responding to bias incidents.
- The College also organized Project Shema training sessions for residential staff, tutors, proctors, and other College staff to help recognize and challenge antisemitic tropes, equipping them with tools to foster nuanced discussions and a more supportive campus climate.
- The Harvard John A. Paulson School of Engineering and Applied Sciences held two workshops in February 2025 on combating antisemitism and Islamophobia, respectively.
- The Faculty of Arts and Sciences (FAS) has enhanced faculty training on antisemitism, anti-Israeli bias, and classroom climate. The Bok Center Director's remarks at New Faculty Institutes addressed concerns about antisemitism and anti-Israeli bias in classrooms and emphasized keeping personal politics out of teaching. Since the University's Non-Discrimination and Anti-Bullying (NDAB) Policy went into effect in Fall 2023, the FAS Office for Faculty Affairs has conducted 55 trainings for faculty, staff, and academic leadership.
- Harvard Law School (HLS) has begun piloting staff training focused on antisemitism.

Curricular Reviews and Academic Program Development

Schools have reported initiating reviews of their curricula and launching new academic initiatives intended to help ensure programs reflect diverse perspectives and promote inclusive excellence. These efforts include faculty searches in relevant fields, leadership transitions, program evaluations, and development of new academic offerings that address issues of religious and cultural understanding.

- The University has committed to hosting and sponsoring events with the goal of addressing antisemitism and increasing respect for and understanding of Harvard's Jewish and Israeli community members, including:

  - hosting, sponsoring, publicizing, and funding an annual academic symposium on the topic of antisemitism;
  - providing space and financial support for the Louis D. Brandeis Center for Human Rights Under Law to host an annual campus event; and
  - facilitating and funding an event at HKS on Israeli Jewish democracy.
- Harvard has committed to partnering prior to the 2025-26 academic year with an Israeli university (in addition to those in place already) and will offer Harvard students the opportunity to earn academic credit for participating in coursework from this university.
- The Harvard Graduate School of Education (HGSE) is undertaking a comprehensive curricular review entailing a detailed descriptive analysis of the course catalog, on a number of dimensions including enrollment and instructional cost, and are shifting to a content analysis, mapping and analyzing the curriculum by topics, competencies, and pedagogy types, in connection with HGSE's academic mission and commitment to excellence in learning and teaching.
- Harvard Divinity School (HDS) has appointed new leadership for the Religion and Public Life (RPL) program effective July 1, 2025, with the Academic Dean serving as interim director to help with the transition. Additionally, the School appointed a committee of four distinguished scholars from outside Harvard to review the RPL program. The committee will provide an independent evaluation of the program, focusing on academic quality, effectiveness, and alignment with institutional goals.
- HDS is taking steps towards the development of a Jewish Leadership Initiative, akin to the School's longstanding Buddhist Ministry Initiative, to prepare students for service in their congregations, broader communities, and beyond.
- HDS launched faculty searches in Fall 2024 for two positions that correlate strongly with the issues identified in this report: a Professor in Residence in Modern Jewish Studies and tenure-track Professor in Religion, Violence, and Peace.
- Through its Middle East Initiative and other frameworks, Harvard Kennedy School (HKS) currently provides a range of opportunities for students to learn about the Middle East and the Israeli-Palestinian conflict. HKS plans to expand course offerings that engage topics related to the Middle East, religion and politics, and issues of discrimination, including antisemitism and anti-Muslim bias, by searching for qualified adjunct faculty who can create classroom learning environments conducive to constructive conversation about difficult and contentious topics.
- GSAS's Equity, Diversity, Inclusion, and Belonging (EDIB) team is working closely with Harvard Hillel to develop a series of events with an academic focus addressing antisemitism.

Fostering Inclusive Community and Dialogue

In their communications with the Task Force, many Schools described efforts to build a more inclusive campus community, foster dialogue across differences, and cultivate skills for engaging with challenging or contentious issues. Based on these reports, Schools are developing frameworks for respectful discourse, creating spaces for meaningful exchange, and establishing community principles that value pluralism and inclusion.

- In February 2025, President Garber announced the award of four grants from the President's Building Bridges Fund for student-led initiatives focused on building community across faiths, cultures, and backgrounds.
- In October 2024, the Open Inquiry and Constructive Dialogue Working Group released its recommendations, which were accepted by President Garber, on strategies and best practices to

advance open and constructive learning environments including a required teaching module on constructive disagreement.

- In May 2024, following the recommendation of a faculty-led working group, the University adopted a policy on the "Institutional Voice," whereby University leaders will not issue official statements on behalf of the institution on matters of social or political significance that do not directly affect the University's core functions. (The Task Force is hopeful this will end the unproductive lobbying of administrators to issue statements that usually ended up satisfying nobody.)
- HGSE has dedicated resources to a broad effort to foster an inclusive community, led by a workgroup of faculty and administrators. This workgroup has drafted a strategic plan aiming to foster a dynamic campus community that values and promotes authentic dialogue and understanding across differences. The goal is to both leverage and enhance existing expertise across HGSE to ensure community members have the tools and disposition to further embed pluralism into their learning, teaching, research, advising, and field-based work.
- The Harvard Chan School initiated Harvard Chan LEADs (Learn & Engage Across Differences) to strengthen commitment to inclusivity and build capacity for meaningful discourse, including a module at student orientation and ongoing workshops and events.
- The Harvard Chan School is launching a Working Group on Constructive Engagement, with representatives from students, staff, trainees, and faculty. The working group is charged with developing practical recommendations for sustaining healthy pluralism at the School by nurturing an inclusive culture, encouraging open inquiry, and building capacity within all segments of the community to engage respectfully across differences.
- The Harvard Chan School has also created Principles of Citizenship, emphasizing respect and inclusivity, through a School-wide task force with representatives from student, alumni, staff, and academic appointees. It also launched a new Harvard Chan Citizenship Award to recognize students, staff members, and academic appointees who best exemplify the principles.
- HMS has implemented multiple initiatives to advance a culture of respectful discourse. The Dean of the Faculty of Medicine emphasized at White Coat Day that physicians must "leave their politics at the door" in patient care settings. HMS now requires all entering medical students to reflect on the School's Statement of Mutual Respect, supports dialogue series with relevant speakers, and has adjusted professionalism training to focus on tolerance, pluralism, and civil discourse. All master's students attended orientation sessions on civil discourse, while all PhD students developed community agreements for facilitated discussions in a required course.
- HKS has been immersed for several years in a robust "Candid and Constructive Conversations" project following extensive listening sessions, including signature events modeling constructive disagreement, a new online module, workshops during orientations, and facilitated discussions with diverse audiences.
- HKS held a day-long session for faculty to strengthen their capacities for constructive dialogue, including simulated classroom situations where students objected to taking on perspectives they felt were harmful.
- HDS developed programming to encourage dialogue across difference, including a "Community Read" of three books presenting different perspectives on the Israeli-Palestinian conflict.
- The FAS Civil Discourse initiative, launched in December 2023 by the Dean of the Faculty of Arts and Sciences and led by a tenured faculty member from the Government Department represents a long-term, high-profile commitment to fostering an environment of curiosity, ambition, mutual understanding, and achievement for the entire FAS community.

- HLS made restorative practices — facilitated dialogues aimed at repairing harm and rebuilding relationships — available to student group leaders focused on Israel and Gaza and launched a Community Connections Grant Program to encourage small-group discussions, build facilitation skills, and model constructive disagreement.
- In spring 2024, the Edmond and Lily Safra Center for Ethics began engaging in a Center-wide effort to expand its longstanding work on civil discourse, including a new Fellowship in Values Engagement. The Fellowship works with resident tutors to foster intellectual vitality by promoting ethical reflection and a culture of civil disagreement in undergraduate community life.
- In January 2024, Harvard College and PEN America hosted the Intellectual Vitality and Free Expression Student Summit aimed at fostering open, productive communication.

Strengthening Support for Jewish Students and Communities

According to information submitted to the Task Force, several Schools have taken steps to directly support Jewish students and communities through sustained engagement with Jewish organizations, dedicated programming, and regular communication between leadership and community members. These efforts appear aimed at ensuring Jewish students feel welcome, supported, and integrated into the broader campus community while having their specific concerns addressed.

- The University has developed and distributed a resource guide for all students, faculty, and staff to help them recognize and report online harassment. Harvard University Police Department (HUPD), working with Harvard's information security team, has processes in place to receive and act on these reports.
- Harvard has established 24/7 reporting mechanisms to allow community members to report antisemitic incidents anonymously. To directly address any allegations of antisemitism, Harvard has provided specialized resources and training on antisemitism and its manifestation on campus to those who adjudicate complaints under the Non-Discrimination Policy at all Schools.
- The University organized community support sessions led by the counseling team and Harvard's chaplains, which comprise more than 30 faith leaders representing Judaism and several other religions.
- Harvard has deployed additional law enforcement resources to protect Jewish students and ensure the safety of the entire community. Additionally, Harvard has increased coordination between HUPD and local and federal law enforcement to assess and respond to any potential or actual threats to the Harvard community.
- When circumstances warrant, Harvard has restricted access to Harvard Yard (the center of its Cambridge campus) and HMS has restricted access to the Longwood Campus Quadrangle to limit outside disruptions, better manage campus spaces, and ensure student safety.
- The University clarified that its inclusion and belonging efforts must reach all members of its community and has ensured that its "Inclusion and Belonging Student Leadership Council" includes Jewish student representation.
- Harvard leaders attend dinners at Harvard Hillel, Chabad, and other Jewish organizations across our community (both on campus and with alumni and other off-campus groups) to hear concerns and suggestions on improving the campus climate.
- Clinicians and staff from Harvard's Counseling and Mental Health Services (CAMHS) received cultural competency lectures from the then-Campus Rabbi at Harvard Hillel, who was a Harvard Chaplain, to provide a deeper understanding of antisemitism and enable better care for students.

- The University launched a webpage to provide information and guidance for planning events and programs with inclusion in mind, which include a multifaith calendar, a glossary of religious observances, and suggestions for inclusive catering.
- Harvard has committed to dedicating additional academic resources and opportunities to the study of antisemitism and to Hebrew and Judaic studies as a part of the Center for Jewish Studies at Harvard University and the Julis-Rabinowitz Program on Jewish and Israeli Law at Harvard Law School.
- Harvard has committed to issuing an Annual Report for the next 5 years from each Harvard School concerning Harvard's response to discrimination or harassment based on Title VI-protected traits.
- Harvard College held regular weekly meetings with Harvard Hillel to plan events, coordinate vigils, and address emergent concerns related to antisemitism on campus, ensuring Jewish students' perspectives, experiences, and needs were integrated into the College's broader inclusion efforts and students' concerns and issues were addressed.
- The Harvard Chan School has held and remains committed to holding regular meetings between the Dean of the Faculty, the School's senior leadership team, and members of the Jewish community. The Dean's Office has offered guidance to a new community-wide Jewish and Israeli support group for students, staff, and faculty across the Longwood area, which holds weekly lunches at the Harvard Chan School.
- HMS has reconfigured its Admitted Students Preview Days to focus on the academic, scientific, and clinical learning environment at HMS.
- Senior leaders at HDS have held meetings to establish clear lines of communication with Jewish students, Muslim students, and representatives from Harvard Hillel.
- Harvard School of Dental Medicine (HSDM) administrators and faculty allies have served as bridges between Jewish students and the administration, helping students understand policies that create a safe campus climate. Jewish faculty leaders at HSDM offer mentorship through both individual meetings and group gatherings. HSDM administrators also work closely with a Hillel staff member who is specifically dedicated to serving graduate and professional students, collaborating to promote activities and access to additional support resources.
- HKS hosts and funds several Shabbat dinners on campus, open to all members of the HKS community, and awards competitive student fellowships for a wide range of students, including those from Israel (previously Wexner Fellows, now Wolk fellows) and "emerging leaders from Israel and Palestine" (Ofer Fellows).
- The Office of the President provided funding for weekly Jewish community lunches on both the Cambridge and Longwood campuses. Kosher food is served at both.
- University Dining Services expanded access to Kosher food for students.

Reviewing and Strengthening Policies and Processes

Schools have reported implementing structural and policy changes that they believe will ensure programs are consistent with core academic values, that guidelines for events and conduct are clear and enforced, and that appropriate leadership and oversight mechanisms are in place. These administrative changes appear intended to institutionalize commitments to inclusivity and establish clearer expectations for community behavior.

- In March 2025, the University posted FAQs, clarifying that both Jewish and Israeli identity are covered by the Non-Discrimination and Anti-Bullying policy (NDAB), and that the IHRA definition

and examples will be used in applying NDAB. The FAQs further clarify that conduct targeting Zionism may violate the NDAB.

- In November 2024, the University issued Library Protest FAQs explaining how the University-Wide Statement on Rights and Responsibilities (USRR) applies to protests in Harvard's libraries.
- In September 2024, the University released Guidance explaining that doxxing violates the University-Wide Statement on Rights and Responsibilities' (USRR) prohibition against "intense personal harassment" and is "bullying" under the NDAB Policies.
- In August 2024, the University announced Updated Campus Use policies to centralize existing regulations and provide new guidelines to facilitate productive use of space and enforcement of policies. Among other things, these policies expressly prohibit camping with or without a tent.
- In July 2024, the University adopted new procedures to standardize fact-finding for disciplinary cases involving students from different Harvard Schools following the encampment in Spring 2024.
- In January 2024, the University issued updated Guidance on Protest and Dissent (endorsed by the Harvard Corporation) under the USRR. The Guidance makes clear that protests and rallies are prohibited in study and instructional areas, like classrooms and libraries, and in private areas, such as dorms and dining halls. Moreover, protestors are barred from blocking access to campus buildings, classrooms, and offices and preventing the free movement of people and vehicles.
- Harvard committed to issuing an annual statement for at least the next five years stating that antisemitism will not be tolerated and that the IHRA definition and examples will be used in applying NDAB.
- Harvard is in the process of instituting an Action Plan and training to ensure that all personnel charged with reviewing and evaluating complaints of potential shared ancestry discrimination, whether anonymous or informal, are applying similar standards consistent with the Policies and Procedures. This Action Plan will be submitted to the Department of Education OCR, with records of trainings.
- HGSE is designing a review of student groups and organizations, including affinity groups, to ensure that all are genuinely accessible and inclusive to all students, and that they are funded and administered equitably.
- HMS is codifying and enforcing policies regarding student group-sponsored events and establishing guidelines for faculty in the case of classroom disruptions, with policies and guidelines now written, approved, distributed, and currently in force.
- HMS is also advancing open inquiry through a new Task Force on Open Inquiry, convened and chaired by a former Dean of the Faculty of Medicine. This task force will evaluate culture and climate issues, assess the recommendations of this Task Force and interventions already in place, and issue recommendations that reconcile both the Task Force reports and ongoing changes.
- HDS launched a strategic planning process in Fall 2024 for the entire School to identify key areas of academic/scholarly growth, create better structures for oversight and guidance of centers and programs to ensure academic excellence, develop more consistent guidelines for selecting and reviewing non-ladder faculty teaching appointments, and enhance the academic quality of the overall learning experience.
- HSDM and HMS launched a new, more robust Student Organizations, Events, and Activities Manual, requiring open student membership, annual registration, clear guidelines on the use of Harvard names in communications, and established procedures for addressing policy violations.

Case No. 25-2231

In the United States Court of Appeals
For the First Circuit

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS - HARVARD FACULTY CHAPTER; AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS; INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF JUSTICE; LEO TERRELL, in the 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; CRAIG TRAINOR, in the official capacity as Acting Assistant Secretary for the Office for Civil Rights, U.S. Department of Education; ELIZABETH MERRILL BROWN, in the official capacity as General Counsel of the U.S. Department of Education; ROBERT F. KENNEDY, JR., in the official capacity as the U.S. Secretary of Health and Human Services; MICHAEL B. STUART, in the official capacity as General Counsel of the U.S. Department of Health and Human Services; JAYANTA BHATTACHARYA, in the official capacity as the Director of the National Institutes of Health; EDWARD FORST, in the official capacity as Administrator of the U.S. General Services Administration; JOSH GRUENBAUM, in the official capacity as Commissioner of the Federal Acquisition Service;

(*caption continued on following page*)

Defendants-Appellants.

On Appeal from the United States District Court for the District of Massachusetts; Judge Allison Burroughs, Case No. 1:25-cv-10910-ABD

JOINT APPENDIX
(VOLUME 4: JA663-JA806)

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- FAS created a Classroom Social Compact Committee that developed handbook language for students and instructors outlining expectations for classroom behavior. This language, which will be effective in academic year 2025-26, aims to advance academic freedom, engagement with a range of viewpoints, and a vibrant learning environment.
- The Harvard Graduate School of Design (GSD) implemented a new Campus Posting Policy, defining acceptable content and outlining procedures for non-compliance. The School also introduced a Statement of Mutual Respect and Public Discourse to foster an environment of open and civil dialogue and establish expectations for community members during events, meetings, and gatherings, including peaceful protests.
- HKS hired a full-time "Community and Professional Conduct Specialist" who acts as the HKS "Local Designated Resource," conducts training and education, and works closely with the University Office of Community Conduct.
- HKS also has established clear policies on "debate and dissent" which permit protest or dissent at events so long as it does not interfere with the speakers' right to speak or the audience's right to listen. The School has established protocols for handling potential disruptions at events and works closely with hosts and moderators to help them implement these protocols effectively.
- HLS improved guidance and enforcement regarding the use of campus spaces for protest and dissent, incorporating community input and feedback.

Conclusion

The initiatives described above represent what Schools and key offices in the Central Administration report as important steps in addressing the complex challenges of antisemitism and anti-Israeli bias at Harvard. While these self-reported efforts suggest institutional responsiveness to emerging concerns, the Task Force co-chairs recognize that more coordinated, comprehensive, and sustained efforts are necessary to create lasting change. We believe that many of them may have strong and positive impacts on the Harvard community that goes beyond concerns about antisemitism and anti-Israel bias, but many of these initiatives are still nascent, and their impact remains to be seen.

The recommendations presented in Chapter 5 of this report build upon these promising foundations, offering a comprehensive framework for addressing antisemitism and anti-Israeli bias across the University. By acknowledging both reported progress and areas requiring further attention, we aim to catalyze a more robust institutional commitment to creating a truly inclusive and welcoming environment where all members of the Harvard community can thrive.

Appendix 2: Preliminary Recommendations (June 2024)

June 24, 2024

Harvard University
Presidential Task Force on Combating Antisemitism
Preliminary Recommendations

I. Introduction

On January 19, 2024, Interim President Alan Garber established a Task Force on Combating Antisemitism. On February 25, he announced the Task Force's membership, which consists of two co-chairs (Professors Jared Ellias and Derek Penslar), seven additional ladder faculty, and two student representatives. Three officials from the University's Central Administration and a former executive director of Harvard Hillel serve as advisors.

The Task Force's charge is as follows:

> It will examine the recent history of antisemitism and its current manifestations on the Harvard campus. It will identify causes of and contributing factors to anti-Jewish behaviors on campus; evaluate evidence regarding the characteristics and frequency of these behaviors; and recommend approaches to combat antisemitism and its impact on campus.[621]

In March, the Task Force began its work with a series of preliminary meetings among its members and between its co-chairs and the co-chairs of the Task Force on Combating Anti-Muslim and Anti-Arab Bias. There followed two months of listening sessions that brought Task Force members into contact with students, faculty, and staff from throughout the University and its chaplaincy organizations — the College, GSAS, the professional Schools, Hillel and Chabad. In total, there have been more than forty listening sessions attended by over 500 Harvard affiliates.

As members of the Task Force recently wrote in the *Crimson*, the listening sessions provided abundant reports that since last October, and to some extent long before then, many Jewish students (and especially Israeli students) have been subject to shunning, harassment, and intimidation.[622] These findings reinforce the necessity of preliminary recommendations for policy changes that should be implemented at the earliest feasible date.

Our preliminary recommendations focus on short-term actionable items rather than long-term structural changes. The Task Force will devote the summer to intensive study of Jewish life at Harvard (historical and current) and existing policies regarding protest, complaints, and discipline. Working jointly with the Task Force on Combating Anti-Muslim and Anti-Arab Bias, our Task Force will consider the most effective means for bridging difference and fostering pluralism within our campus community.

The findings of our Task Force's summer research will be incorporated into a substantive report that will be submitted in the Fall. Our final report will offer a detailed analysis of how Harvard got into its current crisis of community and lay out proposals to transform our University culture for the better over the medium- and long-term.

[621] https://www.harvard.edu/president/news/2024/announcement-of-presidential-task-forces/ (accessed May 19, 2024)
[622] https://www.thecrimson.com/article/2024/5/23/penslar-ellias-antisemitism-task-force/ (accessed May 24, 2024)

II. Recommendations

CLARIFY HARVARD'S VALUES

A) When these recommendations are released to the public, they should be prefaced by a statement that antisemitism and anti-Israeli bias -- like Islamophobia, anti-Arab bias, racism, misogyny, homophobia, or transphobia -- are forms of hatred that have no place within the Harvard community. The statement should clarify further that:

- differences of religious observance and political affiliation are a matter of personal right.
- conversations about those differences should be grounded in mutual respect and appreciation of common belonging to the Harvard community.
- disagreement about contentious issues – including Israel/Palestine – do not justify aggression or malice, nor should it lead to exclusion from a Harvard-recognized organization or activity.

ACT AGAINST DISCRIMINATION, BULLYING, HARASSMENT, AND HATE

B) The situation of Israeli students at Harvard has been dire. They have frequently been subject to derision and social exclusion. Discrimination, bullying, or harassment based on an individual's Israeli nationality is a gross violation of University policy and, beginning immediately, must be both publicly condemned and subject to substantive disciplinary action. The administration should explore methods to build support systems for Israeli students and to ensure sufficient ability to prevent, or if needed, capably and speedily address, such issues in the future.

C) We have heard disturbing reports that faculty members and teaching fellows discriminate against or harass students because they are Israeli or have pro-Israel views. Harvard should make clear that such behavior by instructional staff is contrary to University policy and will be subject to disciplinary action when it occurs. As teaching fellows are often very early on in their teaching career, antisemitism and anti-Israeli bias need to be included in training for these essential employees in the College.

D) Social media has become an increasingly pernicious source of antisemitic text and images. The University should:

- encourage its constituent units to incorporate into their codes of conduct and values warnings about the damage to our community caused by intemperate speech and offensive imagery in social media postings.
- make clear that harassment, abuse and intimidation in Harvard-related social media postings could have disciplinary consequences.

E) In our listening sessions and many private meetings with students, we heard from many students who believe that extracurricular student life is now characterized by political litmus tests that make it impossible for some students to participate in activities because of political views unrelated to the activity. Students expressed deep regret that these barriers (along with others) prevented them from connecting with students whose political views on some topics might differ from their own but who share other interests and views.

We strongly believe that the University needs to ensure that extracurricular student life remains vibrant and accessible to all students and supportive of an overall culture of belonging, consistent with Harvard's values and principles of non-discrimination, across a diverse campus and student body.

IMPROVE DISCIPLINARY PROCESSES

F) At present students suffer from a lack of transparency, clarity, and clear process for the submission of complaints of antisemitic or otherwise hostile behavior. OEDIB staff as well as Academic Advisors and residential staff must be knowledgeable as to their own proper roles when approached by students complaining of antisemitic or otherwise hostile behavior. University employees who receive complaints should be trained to do so without prejudice, to guide students in the process of reporting, and to follow up, or ensure that there is follow-up, not only in an initial reply or form-message but until the matter is resolved. Those who have reported incidents need to be apprised as to where the matter stands (explaining, when necessary, that some details may not be communicated because of confidentiality concerns).

G) At present, the policies of administrative boards and other disciplinary bodies vary widely across the University's separate units, and there are significant disparities across units in the handling of disciplinary cases. There needs to be communication and a striving for consistency in disciplinary cases across the University's constituent units.

H) The lack of follow-up after complaints regarding antisemitic expression or behavior causes many members of the Harvard community to doubt that the University is committed to imposing substantive consequences for antisemitic expression or action. To restore the community's trust in Harvard's disciplinary processes, the University should — to the extent legally possible — reveal information about disciplinary cases (e.g., the number and outcomes of cases) in an aggregated and anonymized form.

IMPLEMENT EDUCATION AND TRAINING

I) At its most recent summit in April, the Office of Equity, Diversity, Inclusion, and Belonging demonstrated its commitment to include antisemitism awareness and training in its purview. In that spirit, the administration should institute anti-harassment training for all students, including examples of recent antisemitic incidents on campus and a review of the process to report incidents.

J) Orientation (including all pre-orientation programs) for new students (undergraduate, graduate, and professional), student organization leaders, peer advising fellows (PAF), residential undergraduate supervisors (Proctors and Tutors) should center around the construction of a Harvard community that celebrates diversity but is bound by common core values. To the extent that Orientation discusses issues of oppression and injustice, antisemitism and anti-Israeli bias should be included. Similarly, the First-Year International Program should include antisemitism training and condemn discrimination based on national origin.

FOSTER CONSTRUCTIVE DIALOGUE

K) The University should commit to fostering spaces for productive dialogue on difficult subjects in ways that support and affirm the ability of all students to participate. Possible initiatives include:

- A high-profile series of talks, attended by the President or Provost, between pairs of individuals who disagree vehemently on controversial issues but do so respectfully and productively.
- A series of talks by Harvard faculty on historic and contemporary relations between Christianity, Islam, and Judaism. The talks would be tailored for a broad audience and held in student residences to maximize undergraduate student attendance.
- Recognition of student leaders who are promoting constructive dialogue on campus about the Israeli-Palestinian conflict and other contentious issues.
- An award for student, faculty or staff innovation around combating antisemitism;

- Provision of incentives and funding for undergraduate collaborative research, dialogue groups, and events on resolution of the Israeli-Palestinian conflict. FAS' Intellectual Vitality Initiative should encourage the joint participation of Israeli, pro-Israeli, Palestinian, and pro-Palestinian students in such opportunities.

SUPPORT JEWISH LIFE ON CAMPUS

L) The University must ensure a welcoming environment for religiously observant Jewish students, faculty, and staff. To that end,

- Kosher hot lunches should be made available by the start of next term at Hillel or at least one of the River Houses and, due to its distance from the Yard, the Radcliffe Quad. Hot kosher dinners, which are currently available at Hillel, should also be available at the Quad.
- In all dining facilities, pork products should be clearly marked.
- Instructional staff must provide reasonable accommodation for observant students who miss class or examinations due to Jewish holidays or the Sabbath. The University should circulate guidance including a calendar of religious observances (Appendix A), the text and a plain English description of Massachusetts General Laws, Chapter 151C: § 2B, and a reminder that the law sets the lower bounds of accommodation for religion that instructors can exceed but not fail to meet.
- The University should explore allowing newly hired staff to "pull forward" yet-unearned vacation or personal leave days as necessary for religious observance, to assist observant Jewish new hires who lack the vacation time they need to blend their religious observance with their new role at Harvard University.
- The University should create a simple web address (e.g., www.harvard.edu/jewishcalendar) that will provide information on Jewish holidays for members of the community. Appendix A contains information on Jewish observance as well as dates of Jewish holidays. The list should be updated annually to allow academic units to *simply, easily and reliably* determine the days on which they should try to avoid scheduling events.

M) Students at the Longwood Campus discussed difficulty building relationships and connections across siloed Schools and the rest of the University. We recommend allowing, at least in some cases, equal membership rights for students in the Chan School of Public Health to clubs shared between the other health Schools, such as the Maimonides Society, which is the joint club for Jewish students in the Medical and Dental Schools.

Appendix included in the Preliminary Recommendations

APPENDIX A: Selected Jewish Religious Holidays and Observances (with dates for 2024-2025)

A note on Jewish holidays: Jewish holidays follow the Jewish (lunar) calendar, so appear on different days of the Gregorian calendar in every year. Some holidays are observed as one sacred day; others two days. Some liberal Jews only observe holidays for one day. The Jewish reckoning of a day starts at sundown and ends at nightfall the following day. This brief guide only includes the Jewish holidays that come with work restrictions, which would interfere with the ability of observant Jewish students, faculty, and staff to participate in University events, take exams, or go to class.

Shabbat — The core of Jewish observance is the observance of the Jewish Sabbath, which begins Friday evening 18 minutes before Sunset and lasts until nightfall on Saturday night. During this time, many observant Jews will refrain from engaging in work or even actively using electricity.

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Rosh HaShanah — The start of the New Year of the Jewish Calendar. This two-day holiday is observed as a sabbath (see above). (In 2024, Rosh HaShanah runs from the evening of October 2 until nightfall on October 4)

Yom Kippur — The "Day of Atonement," a day of fasting, prayer, reflection, penitence, and forgiveness. This one-day holiday is observed as a sabbath. (In 2024, Yom Kippur runs from the evening of October 11 until nightfall on October 12)

Sukkot — The "Festival of Booths," of dwelling in temporary outdoor pavilions built specially each year for the holiday. The festival extends for seven days, but only the first two days of the holiday are observed like a sabbath. (In 2024, Sukkot runs from the evening of October 16 until nightfall on October 24, with the sabbath-like period beginning on the evening of October 16 until nightfall on October 18)

Shemini Atzeret and Simchat Torah — The "Eighth Day Convocation" concluding the biblical autumn period of pilgrimage, followed by Simchat Torah — The "Rejoicing of the Torah," concluding and starting anew the yearly cycle of scriptural readings in the synagogue. This two-day holiday is observed as a sabbath. (In 2024 Shemini Atzeret runs from the evening of October 24 through nightfall on October 26).

Passover (Pesach) — Passover, celebrating the Israelite exodus from slavery in Egypt and the start of the homeward journey to the Promised Land. The first two and last two days are holy days and observed as a sabbath. (In 2025 Pesach runs from the evening of April 12 until nightfall on April 20, with the first two-day sabbath-like period beginning on the evening of April 12 until nightfall on April 14, and the second two-day sabbath-like period beginning on the evening of April 18 until nightfall on April 20)

Shavuot — The "Feast of Weeks," at seven weeks from the Passover festival, marking the time of the barley harvest in the Land of Israel and associated ritual in the Jerusalem Temple. This two-day holiday is observed as a sabbath. (In 2025 Shavuot runs from the evening of June 1 until nightfall on June 3)

In general, many religiously observant Jewish students will refrain from using electricity, taking exams, and attending professional events on all Saturdays, the two days of Rosh Hashanah, the first two days of Sukkot, Shemini Atzeret, Simchat Torah, and the first two days and last two days of Pesach. These holidays usually fall within the academic year. Observant Jews will also refrain from work on the two days of Shavuot, which usually fall over the summer.

Appendix 3: Report from the Joint Subcommittee on Pluralism

Report from the Joint Subcommittee on Pluralism
To the Presidential Task Forces on Combating Anti-Semitism and Anti-Israeli Bias, and on Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias
December 2, 2024

Charge to the Committee: In May 2024, Danielle Allen and Ali Asani were charged by both Task Forces with establishing a joint subcommittee to examine the resources that exist at Harvard for interfaith engagements, interdisciplinary collaborations, religious literacy, and community building, including through the arts, and propose new resources, structures, and/or practices.

At the first meeting, the subcommittee agreed to organize its work by means of a framework of pluralism with the goal of advancing a campus culture of pluralism and the practices necessary to support it. That modification to the charge was reviewed and approved by the Task Force chairs.

Definition of Pluralism: The committee established the following framework for pluralism to guide its work:

We understand a culture of pluralism to entail a recognition that we are a campus:

- where people are diverse in their identities and divergent in their ideologies, and the concept of identity ranges broadly across race, ethnicity, gender, sexuality, faith, viewpoint, geographic background, and the wide variety of experiential characteristics; also there is diversity within groups, cultures, and religious traditions as well as between and across them;
- where even within a given identity there is much diversity;
- where we **respect, relate and cooperate** with each other;
- where the specific project of our cooperation is to advance an educational and research mission where all can learn and grow;
- where therefore we all bear responsibility for the quality of the relationships that support that cooperative project of learning and growth;
- and where that work requires that we connect our personal values and commitments to the shared civic values of our campus as expressed in the University Values Statement, thereby linking our personal identity and our Harvard civic identity.

Our committee also acknowledges that the definition sketched above includes our aspirations. For instance, we cannot always relate. Sometimes relating is hard when the differences are so real and run as deeply as they do. Yet we should aspire to relate and, even when relating is difficult, we should value one another as partners in learning.

Application of the Theme of Pluralism to the Themes of the Two Task Forces

The Presidential Task Forces on Combating Anti-Muslim, Anti-Arab, and Anti-Palestinian Bias and on Combating Antisemitism and Anti-Israeli Bias have both found a campus context in which students from a range of religious, cultural, ethnic, geographic, and ideological backgrounds have experienced harms to their experience of belonging on campus, limits on their abilities to express their views, and forms of bias.

Many of these experiences pre-dated the events of October 7, 2023. They were, however, after that date, significantly exacerbated by the efforts of members of our campus community to make sense of the Hamas attack on Israel, the ensuing conflict between Israel and Hamas (and now further parties), and the

resulting humanitarian crisis for Palestinians, and to find ways of communicating views about these matters and to advance related civic causes. How members of our community harmed one another brought to the surface weaknesses in how our existing paradigms for inclusion and belonging work for all members of our campus. While the original Inclusion and Belonging framework developed for the campus in 2018 prioritized "pluralism," as defined above, that pluralism framework for advancing inclusive excellence has often disappeared from view. While some members of our campus community have felt well supported by diversity, equity and inclusion offices on campus, many others had come to feel that these offices were not effectively supporting their needs, by virtue of largely prioritizing work around race, disability, and sexual and gender identity, and not engaging the many other aspects of identity listed above. Race, disability, and sexual and gender identity are all important aspects of human identity, but they do not suffice to capture the range of experiences people bring to campus. Supporting members of our campus community to thrive in a context where our differences can be very profound requires the broader and more multi-faceted framework of pluralism. A pluralism framework helps us view one another more holistically; encourages us to focus on how we can activate the assets that we all bring to campus from our different backgrounds; and asks us to develop a sense of some shared values, even as we also carry forward a variety of differing and even opposing commitments. A pluralism framework spurs intentionality in how we inhabit our several roles as students, educators, staff members, members of specific social communities, and citizens and civic participants, so that we can enjoy the rights and fulfill the responsibilities of all these roles. Ultimately, a pluralism framework should support efforts of all members of our campus community to connect their multi-faceted senses of personal identity to their identity as a member of the Harvard community, a role given definition by the values of the University.

University Values and Pluralism:

The Subcommittee also adopted the University Values Statement as a basic guide to its work, and especially the fifth value, focused on bonds and bridges. The Values Statement is as follows:

> Harvard University aspires to provide education and scholarship of the highest quality — to advance the frontiers of knowledge; to equip students, staff, and faculty and academic personnel for fulfilling experiences of life, work, and inclusive leadership in a complex world; and to provide all members of our diverse community with opportunities for growth. We pursue these goals for our own good and for the public good through the many ways that advancing and sharing knowledge can improve human flourishing and through the service and leadership of our community members on campus and beyond. Achieving these aims depends on the efforts of thousands of students, staff, and faculty and academic personnel across the University. Some make their contributions by engaging directly in teaching, learning, and research; others contribute by supporting and enabling those core activities in essential ways, while also pursuing professional growth.
>
> Whatever each person's individual role or location within Harvard, we owe it to one another to uphold certain basic values of the community. These include:
>
> - Respect for the rights, differences, and dignity of others.
> - Honesty and integrity in all dealings.
> - Conscientious pursuit of excellence in our work.
> - Accountability for actions and conduct in the community.
> - Responsibility for the bonds and bridges that enable all to grow with and learn from one another.

Motivation for the Committee's Work:

During the spring of 2024, both committees conducted extensive listening sessions on Task Force themes throughout the Harvard campus. In addition, a survey was fielded exploring challenges around bias and

inclusion. Also, another University Task Force on Open Inquiry and Constructive Dialogue explored related questions. The listening sessions, and the work of the Task Force on Open Inquiry and Constructive Dialogue, brought out clearly that all constituencies on campus found it difficult to discuss controversial issues, whether in the classroom or outside of it. In addition, many students found themselves experiencing social ostracism that undermined their learning experience, on account of their political views or views attributed to them. Students with religious commitments found it difficult to find places simply to practice their faith without their faith being politicized. The quantitative data revealed that questions of race and religion were both important to understanding people's experiences in addition to other demographic attributes.

Finally, in the listening sessions, when participants were asked to reflect on University values, key themes emerged: (1) that the values were reasonable but that the participants did not experience the University as living up to them; (2) that participants understood concretely what was entailed by the first four values, but not by the value of taking "responsibility for the bonds and bridges that enable all to grow with and learn from one another."

In sum, the listening sessions and quantitative data painted a clear picture of a campus that has no ethnic, religious, or racial "mainstream." In contrast to the University's early history as a school for and of Puritans, and in contrast to the 1970s, when the question was whether Harvard's white majority would be open to Black students or whether Christian students would include Jewish students in University organizations, now the question is how a community composed of a far wider range of people from a far wider range of backgrounds than nearly all have previously encountered, can activate the assets that all bring to our community for individual and shared thriving. Harvard University has actively chosen to organize itself around the value of pluralism, and now we need the culture and practices that can support that, but we do not yet have them.

Paradoxically, Harvard researchers have a long history of working on the value of pluralism, and the challenge of activating it for the well-being of a specific community, or society more generally. As Eboo Patel[623] points out, and as is documented in Louis Menand's ***The Metaphysical Club***,[624] pluralism, as an intellectual tradition can be traced back to the work of Harvard Professor William James. James argued "against Hegel's theory that the universe was one thing, countered that the universe was many things. Hegel's theory was known as monism.[625] James called his view 'pluralism.' … He proposed an intriguing metaphor: 'The pluralistic world is thus more like a federal republic than like an empire or a kingdom.'" Since the time of James, Harvard scholars from numerous disciplines have advanced our understanding of the nature and potential of pluralism, and pluralistic societies — from the work of John Rawls in philosophy to Michèle Lamont in sociology, Mina Cikara in psychology, Melani Cammett in government, and Diana Eck and Ali Asani in the study of religion, among many others. Yet as a campus we have done an imperfect job of drawing on this rich work to help ourselves advance in a direction that supports practices of pluralism, and the intellectual vitality, they can sustain.

There have been efforts. The Harvard Foundation was established by President Derek Bok and the Deans of Harvard University in 1981, as the Harvard Foundation for Intercultural and Race Relations with the mandate to "improve relations among racial and ethnic groups within the University and to enhance the quality of our common life." In pursuit of this mission, the Foundation has sought to involve students of all racial, ethnic, and cultural backgrounds in the ongoing enterprises of the University. The Foundation sponsors annual programs and activities that are designed to promote interracial and intercultural awareness and understanding in the Harvard community, as well as to highlight the cultural contributions

[623] https://www.insidehighered.com/opinion/views/2024/10/10/pluralism-better-frame-free-speech-opinion
[624] https://books.google.com/books/about/The_Metaphysical_Club.html?id=-hpHYbwdCCkC#:~:text=The%20Metaphysical%20Club%20is%20the%20winner%20of%20the%202002%20Pulitzer
[625] https://www.britannica.com/topic/pluralism-philosophy#ref236719

of students from all backgrounds. The Harvard Foundation for Intercultural and Race Relations runs through the hard work and dedication of many stakeholders such as full-time staff, undergraduate interns, an undergraduate student advisory board, member student organizations, race relations tutors, a faculty advisory committee, student volunteers, and various campus partners.

Over time, the Harvard Foundation came to focus its efforts on students in the College, rather than supporting the whole University, and to focus primarily on race relations, gender, and sexuality, a subset of a pluralism agenda. For the students whom the Foundation currently serves, it does valuable work.

In 2018, the University-wide Task Force on Inclusion and Belonging sought to establish pluralism as the basis for campus practices and to ensure that attention to diversity that emerges from religion, viewpoint, geographic origin, disability, and life experience (for instance, military service) would also receive due attention in work on campus culture. That Task Force report stressed the need for adequate support (including prayer spaces) for students of faith as well as the need to support a culture of academic freedom and civil discourse, as necessary parts of the work of inclusion and belonging, so that all voices may richly contribute to our campus teaching and learning.

The spring 2024 listening sessions and subsequent surveys made clear the urgent need to elevate that nascent focus on pluralism, civil discourse, and support for practices that help everyone on campus activate the assets they bring to campus from their remarkably wide array of backgrounds, for the sake of intellectual vitality and personal and community flourishing. **To achieve that elevation, the campus needs an organizational focal point for pluralism work.**

A few key principles should inform the design of that focal point.

First, the broad conception of pluralism laid out above should be at the center of the work, as well as the University's values statement, especially the fifth value.

Second, this focal point should serve faculty, staff, and students, across the whole University. No community should be left out of this work.

Third, this focal point should have faculty leadership, because a significant portion of the necessary work is intellectual and should be fully integrated with the academic mission of the University. The campus would benefit from routine engagement with the intellectual themes involved in the work of inclusion, belonging, and pluralism in ways that connect to the academic mission of the University and its standards of academic excellence. There is need to teach and support instruction in practices of pluralism; this work should be connected to the campus' teaching mission. There is important translational work to do to draw on the University's research enterprise to inform the University's organizational practices. As a "translational" entity, this focal point should facilitate the adaptation of rich scholarly material into tools and resources for use in applied and practical contexts. The importance of faculty leadership in this domain is a point that has now been made in many generations of reports. We hope this recommendation will not be overlooked again.

Fourth, the campus focal point for cultivating practices of pluralism should have a staffing structure that enables integration of academic resources, student affairs resources, and translational work. This principal points in the direction of establishment of this campus focal point inside a School, with a mission to serve the whole University, rather than as an inter-faculty initiative.

Fifth, the campus focal point for cultivating practices of pluralism should be well-connected to and working in partnership with the Office of Equity, Diversity, Inclusion, and Belonging, other Diversity, Inclusion, and Belonging offices on campus, and the Harvard Foundation so that the campus' inclusive excellence framework can evolve in partnership with, and not in competition with, efforts to deepen campus cultures of pluralism. Such connection and partnership should ensure that good work currently being done for specific campus communities continues even as additional work and a broadened mandate

are embraced. Such a partnership would also support developing an approach to issues of inclusion, belonging, and pluralism that can align approaches across staff, student, and faculty cohorts.

Sixth, the campus focal point for cultivating practices of pluralism should be well-connected to and working in partnership with a new Office of Religious, Spiritual, and Ethical Life, to advance interfaith opportunities and experiences, and to integrate engagement with religious identity fully within the work on pluralism. This should be an explicit and clearly communicated part of the mission of the entity.

Our subcommittee believes that such a focal point could be achieved by reimagining the existing Harvard Foundation as the Harvard Foundation for Pluralism, or by establishing a new University-wide Center for Pluralism, in which the Harvard Foundation is incorporated as a program. (A model for this kind of incorporation exists in the incorporation of the DuBois Institute within the Hutchins Center.) We recommend reimagining the Harvard Foundation or incorporating it in a new Center for Pluralism because of the importance of bringing different communities on our campus into a shared framework for pursuing inclusive excellence. The Harvard Foundation has already been through several evolutions in its operations; evolution is possible. On either path (a reimagined Foundation or a new Center incorporating the Foundation as a program), **special focus must be paid to ensure that the expansion does not detract from the services currently offered to undergraduate students and community members who are engaged with the existing institution.** At the same time, the importance of ensuring that the communities currently served by the Foundation are also connected to campus pluralism work brings us back again and again to the idea that a connection here is necessary.

The Committee's Work

Listening Sessions and Discussions

Participants	Learning Materials	Key Takeaways
School staff responsible for orientation	Readings and visit from Eboo Patel of Interfaith America about a pluralism framework; University Values Statement	Orientation leaders were receptive to using a pluralism framework; identified opportunities for bringing it to life in their programs; and communicated a need for further learning and professional development, particularly around how a pluralism framework connects to diversity, equity and inclusion work.
Office of the President	Documents tracings the history of the structure of religious life on campus	The President's Office is currently working on a redesign of structures to support religious life and recognizes the importance of interfaith resources; committee discussion included some dissent focused on the value of secularism.
Center Leaders	Discussion of draft proposal for dialogue series	Dialogue themes were developed for a potential presidentially-sponsored dialogue series, to model civil disagreement on challenging topics.
Arts Leaders	Reflection on University values statement	Arts Leaders collated all upcoming arts events relevant to Israel and Palestine; and are open to exploring expanded collaborations.
NELC Language Leaders	Reflection on challenges that emerge in contexts of Arabic and Hebrew instruction	NELC has added a diversity and civility statement to courses in the department; program leaders would appreciate support in identifying helpful professional development resources for language instructional staff; program leaders also see a need for

		tools to improve their ability to recruit and retain professionalized language instructional staff.
OEDIB and Harvard Foundation Leadership	Discussion of the history of the Harvard Foundation and pros and cons of different models for potentially reimagining the Foundation, or for potentially incorporating within a new center	The Harvard Foundation currently serves students and communities in important ways that should be protected, as part of any reimagining or incorporation within a Center for Pluralism; also best practices can be drawn from current work; reimagining might also bring opportunity to tackle strategic questions that have arisen.
Central student life leaders	Reflection on University values statement	Identified a need for student life leaders, EDIB personnel, and Local Designated Resources to have professional development opportunities around the University values.

Overarching Recommendation:

To establish a campus focal point for pluralism work, we recommend reimagining the Harvard Foundation as the Harvard Foundation for Pluralism, or establishing a new University-wide Center for Pluralism, in which the Harvard Foundation is incorporated as a program. (A model for this kind of incorporation exists in the incorporation of the DuBois Institute within the Hutchins Center.) A proliferation of entities in overlapping thematic areas is not ideal for both budgetary reasons and the potential to generate competition where there should be collaboration. For the sake of simplicity, we'll refer to whatever entity emerges based on this recommendation as the Reimagined Harvard Foundation/Center for Pluralism. The Reimagined Harvard Foundation/ Center for Pluralism would ground its work in the University values statement.

As design of a Reimagined Harvard Foundation/Center for Pluralism is considered, the three design principles named above are critical for the success of this endeavor: faculty leadership; partnership with OEDIB and other DIB offices on campus; and a robust staffing structure to support cross-functional work.

The goal of this recommendation is to anchor the practices of the University around a commitment to pluralism, and to engage all members of our campus community in exploring, bringing to life, and embracing our University values across a variety of contexts — from orientation and onboarding to interdisciplinary exchanges and language learning, to interfaith experiences, student life, and the arts on campus. Many other entities also work in these areas and the specific value-add of a Reimagined Harvard Foundation/Center for Pluralism would be to connect the academic enterprise of the University, and campus expertise on issues of inclusion, belonging, and pluralism, to the administrative enterprise that fulfills these functions.

A Reimagined Harvard Foundation/Center for Pluralism would need to serve the whole campus community. If the decision is to reimagine the Harvard Foundation, this reimagining might be modeled on recent reorganizations for Phillips Brooks House and the Office for the Arts, where they have been elevated in their reporting structures, restructured with regard to their engagement with faculty leadership, and expanded in their functions, as well as receiving University-level resources for their work. Special focus would need to be paid to ensure that the expansion does not detract from the services currently offered to community members who are engaged with the existing institution. Other campus models also exist to provide precedent for innovation in organizational structure, for instance the Harvard Center for International Development, which is housed in one School but serves the whole University and leads coordination across a set of allied and adjacent organizations. We would recommend taking as a model a School-based entity that serves the whole University campus, rather than an inter-faculty initiative. In general, School-based entities are more quickly

woven into the capillary structure of the University than IFIs; also IFIs generally support faculty research but do not as easily articulate with the teaching and co-curricular mission of the campus.

Finally, a Reimagined Harvard Foundation/Center for Pluralism should develop and implement programs that reinforce pluralism. For example, the Center/Foundation could support a fellowship program for students; a campus awards program for students who lead in advancing a culture of pluralism on campus; engaging faculty with expertise in pluralism and connected subject areas to develop trainings and professional development opportunities for the campus; mediation resources for conflicts that involve issues of pluralism; and the work of OEDIB and the School-specific DIB offices to cultivate a campus-wide network of expertise on pluralism that all Schools could tap into in a shared way, so that support is available for students from the full range of backgrounds, via expertise sharing across campus.

A Reimagined Harvard Foundation/Center for Pluralism offers a valuable opportunity to rethink the qualitative character of academic bureaucracy, a realm too often characterized by alienation and distance between faculty and staff. One of the most profound flaws of the traditional DEI framework — and indeed of much of contemporary university organization — is that it sustains this divide, reinforcing the sense that staff are functionaries rather than integral partners in the academic mission (See Appendix B for further thoughts emerging from subcommittee listening sessions on how the character of academic bureaucracy might be rethought.)

As a partner to OEDIB, a Reimagined Harvard Foundation/Center for Pluralism could spearhead the Harvard Culture Collaborative, under development by OEDIB, an interdisciplinary, faculty-led network designed to develop new research, learning initiatives, and pathways to advance the University's shared values, particularly focusing on inclusion and belonging. By leveraging faculty expertise, the collaborative will aim to cultivate an inclusive campus culture and develop related curricular and co-curricular programs that align with Harvard's broader strategic diversity agenda. Such a collaborative could:

1. Contribute to the development of orientation programming to integrate pluralism and inclusion.
2. Complement an office of religious life in supporting programming that respects and enhances diversity that relates to the wide range of faith backgrounds on campus.
3. Convene leaders of interdisciplinary centers to create dialogue series on substantively significant and challenging issues.
4. Collaborate with arts leaders on projects that resonate with the mission of pluralism and inclusion.

Achieving the Goal of a Reimagined Harvard Foundation/Center for Pluralism would require action steps as follows:

GOAL 1: Establish an institutional anchor for practices of pluralism on campus.

Responsible Party	Recommended Action Step
OPP	Invest in a Reimagined Harvard Foundation/Center for Pluralism on par with investments in OFA, and as a One Harvard entity to serve the whole University, even if administered in the College; seek partnering investments in a Reimagined Harvard Foundation/Center for Pluralism from all Schools to support a re-establishment of its University-wide mission; establish faculty leadership for the Reimagined Harvard Foundation/Center for Pluralism, charge the leadership of the Reimagined Harvard Foundation/Center for Pluralism with developing a next generation strategy for anchoring practices of pluralism on campus.

Deans	Support faculty leadership for a Reimagined Harvard Foundation/Center for Pluralism; Deans of all Schools invest in a revamped, One Harvard model for a Reimagined Harvard Foundation/Center for Pluralism.
Reimagined Harvard Foundation/Center for Pluralism	Under University and/or decanal leadership, and with restored faculty leadership and a faculty advisory committee, a Reimagined Harvard Foundation/Center for Pluralism to take responsibility for a One Harvard strategy for advancing University values and a culture of pluralism, including providing professional development across campus in University values, a culture of pluralism, and constructive dialogue for staff in OEDIB, CODOS, OFA, HUCA, and the informal cross-campus arts planning group; the faculty committee in religion and board of religious, ethical, and spiritual life; and House Dean teams and staff designated as Local Designated Resources, Orientation Leaders, Student Affairs leaders, or language instructors.

Further Recommendations:

The goal of creating a Reimagined Harvard Foundation/Center for Pluralism would work in tandem with five other, **independent goals but no less important** goals:

(1) **Advance the University's Values.** The University has established a strong framework of core values but these are not well-known on campus. They should anchor our efforts to navigate through challenging moments on campus, as well as the gray areas of campus interaction, that don't rise to the level of formal grievance processes.

(2) **Cultivate practices of pluralism anchored in the University's values.** It is not enough to name values to establish a culture of pluralism. Developing practices that bring those values to life is also important. The fifth University value — "taking responsibility for the bonds and bridges that enable all to grow with and learn from one another" — requires innovation in campus understanding of core practices that define our community.

(3) **Invest in strengthening interfaith opportunities on campus and support access to multilingualism for all.** The campus has over forty chaplains and an impressive array of ways of engaging with faith, belief, and the lack thereof. The time has come to create a University-wide Office of Religious, Spiritual, and Ethical Life (see below for further detail). A culture of pluralism would activate that diversity in support of increased religious literacy, mutual understanding, and opportunities for interfaith collaboration. Similarly, understanding the value of a pluralistic culture requires access to the cultures of others. This is especially acquired through language learning. We should be strengthening language learning on campus in support of multilingualism as a defining feature of our campus.

(4) **Inspire creativity in engagement with the concept of pluralism.** People participate best in pluralism when they are confident that their own identities are seen and supported. The Office for the Arts may be especially able to uplift and to celebrate the various cultures represented in the Harvard community, and also to create events that reflect, model, and encourage interchange among these heritages and living traditions.

(5) **Model civil disagreement by annually sponsoring Presidential level dialogues on substantive questions.** This goal addresses the common theme in listening sessions for both Task Forces that members of our campus community desired more intellectual engagement with the substantive issues in the crisis at a University-wide level. While recognizing that many Centers in campus have indeed been leading such engagement, there continues to be a need for such engagement

sponsored from the Offices of the President and Provost. Such further engagement should, however, build on the good efforts of many colleagues around campus. The goals of the dialogues would be: (1) to model constructive, respectful dialogue in conditions of pluralism; and (2) to make substantive progress toward improved understanding on themes subject to heated debate. See Appendix A [of this Appendix 2] for sample topics that might by curated for such a series.

These goals could be advanced as follows:

GOAL 2: Advance the University's values.

Responsible Party	Recommended Action Step
OPP	Add existing University Values' statement to University website and Provost's Office list of policies.
Deans	Incorporate the University's Values Statement in School policy documents and core School messaging; work with faculty leadership at Harvard Foundation to develop invitation and incentives for departments to engage in case-based workshops related to the University Values Statement.
Reimagined Harvard Foundation/Center for Pluralism	See above, Goal 1.

GOAL 3: Cultivate practices of pluralism anchored in the University's values.

Responsible Party	Recommended Action Step
OPP	Charge existing standing bodies with carrying out two initiatives- — one about advancing the University's values and one about advancing a culture of pluralism, reporting back at the end of each of the coming three years what they have done and what difference it is making in their work; bodies to be charged are the Reimagined Harvard Foundation/Center for Pluralism, OEDIB, CODOS, OFA, HUCA, and the informal cross-campus arts planning group; the faculty committee in religion and board of religious, ethical, and spiritual life; and House Deans.
Deans	Deans of all Schools should support staff at all levels in participating in professional development and professional communities of practice around University values, pluralism, and constructive dialogue.
Reimagined Harvard Foundation/Center for Pluralism	Coordinate pluralism work across OEDIB, CODOS, OFA, HUCA, and the informal cross-campus arts planning group; the faculty committee in religion and board of religious, ethical, and spiritual life; and House Deans.

GOAL 4: Inspire creativity in engagement with the concept of pluralism.

Responsible Party	Recommended Action Step
OPP	Invest in the Office of the Arts to seed a University-wide culture of creative engagements with the idea of pluralism; seek a partnering investment from every School; charge OFA with leading a University-wide conversation about space needs for arts programming.
Deans	Deans of all Schools invest in the Office of the Arts to seed a University-wide culture of creative engagements with the idea of pluralism and have Schools participate in campus-wide effort to identify improved spaces for the arts.
OFA, HUCA, and informal arts planning group	Connect the campus to the national Presidential Committee on Arts & Humanities, Artists for Understanding — brings together communities of artists from across lines of difference; explore creation of new routes to support student arts programming the relates to pluralism.

GOAL 5: Invest in strengthening multifaith opportunities on campus and support access to multilingualism for all.

Responsible Party	Recommended Action Step
OPP	Create an Office of Religious, Spiritual, and Ethical life to support students in their faith engagements and proactively advance interfaith programming, with this office ideally to be led by someone who also carries an academic appointment, whether ladder or non-ladder, as at our peers (Yale, Stanford, and until recently, Princeton); formalize the rights and responsibilities of chaplains and require adherence to University policies such as NDAB; create a feedback process for the director of the Office of Religious Life and the Chaplains, as well as mechanism for student input into the hire of the above roles; fund an application-based process for student proposals to advance interfaith initiatives. This Office should collaborate effectively with the Harvard Foundation/Center for Pluralism as well as with the Edmond and Lily Safra Center for Ethics.
Deans	The Dean of FAS and the Dean of Humanities should work with leaders of language instruction programs to identify tools that will improve the ability of program leaders to recruit and retain a highly professionalized corps of language instructors, particularly in language areas where thematic controversies can arise such as Arabic and Hebrew; while campus events post Oct. 7th, 2024, brought particular attention to these languages, the challenge of instructing students with differing relations to the societies and cultures connected to the language of instruction can appear across the curriculum, from Japanese and Korean to Ukrainian and Russian, and so on. We also recommend revisiting the reduction of the language requirement to 1 year.
Reimagined Harvard Foundation/Center for Pluralism	Partner with the Office of Religious Life to support interfaith engagements, and to ensure that religion, faith, and cultural identity connected to religious communities are fully taken into account in practices of pluralism.

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GOAL 6: Model civil disagreement by annually sponsoring Presidential level dialogues on substantive questions, with multiple speakers representing a range of views per event, and a high caliber moderator.

Responsible Party	Recommended Action Step
OPP	Four questions have been proposed for 2024-25; see appendix. Given the passage of time, they would need to be updated prior to embarking on programming, but they provide an indication of the kind of direction intended.
Deans	Support build-out of audience for these events by seeking to avoid counter-programming.
Reimagined Harvard Foundation/Center for Pluralism	Annually convene directors of University-wide centers to explore potential themes for Presidential level dialogue series; annually convene directors of orientation at all Schools for intellectual engagement in support of professional development.

Conclusion

The Harvard campus is full of people who appreciate the pluralism of our community and long for that pluralism to be a source of intellectual vitality, rather than conflict. Our subcommittee believes that an explicit effort to anchor the culture of the campus around practices of pluralism will improve the teaching, learning, and working environment for everyone, strengthen the caliber of our debate on campus, and enhance the ability of all members of our community to make a positive difference on the issues they care about on campus and in the world.

Appendices included in the Report from the Joint Subcommittee on Pluralism

APPENDIX A: THE MAJOR QUESTIONS DIALOGUE SERIES — SAMPLE EVENTS

The reimagined Harvard Foundation for Pluralism would present dialogues over the course of the year. Each event would be organized around a question and would have four participants and a moderator. The four participants would represent a wide spread of opinion in relation to the question at hand. They would be selected for their academic and intellectual excellence.

Each event would be staged in a major campus venue and also livestreamed into other venues on campus. For instance, an event might be staged in Sanders Theater or the Smith Center, and then livestreamed into an auditorium in the Medical School, and vice versa. Some should be physically based on the Harvard Square campus and some in either Longwood or Allston. Events should be scheduled with a view to maximizing participation.

All interdisciplinary centers and student groups pertinent to the themes of the dialogues would be engaged by series organizers to secure co-sponsorships and co-marketing, to support campus-wide crowd-building for the conversations.

A set of sample dialogue themes developed by our subcommittee, in consultation with the leaders of interdisciplinary centers on campus, is as follows:

1. **The Road to 1948:** What was the history that led up to the events of 1948 and what key lessons from that history can help us think about the present? How did European nationalisms, antisemitism, Islamophobia, the general transition from empires to nation-states in the first half of

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the 20th century, pan-Arab nationalism, newly established Arab countries, and Israelite/Jewish roots and indigeneity in the Middle East all play a role in that history?

2. **The Road to Oct 7 and Beyond:** Starting from roughly 2000, what is the history of the conflict that led up to the events of Oct 7, the Hamas attack on Israel, the ensuing conflict between Israel and Hamas (and now further parties), and the resulting humanitarian crisis for Palestinians? How does that history help us understand and contextualize the present? Who are the parties to the conflict and why? How is religion being used in this conflict? What can we learn from other cases where religion has been brought into deeply political issues about land and governance, such as Kashmir and Chechnya?
3. **Where do we go from here on campus?**: What does pluralism mean in the context of our University and our education? Can we support one another, across deeply experienced differences and disagreements, as partners in learning? How can we help people connect their personal identities to identification with a shared learning community, a Harvard identity? What can engagement with values offer us as we think about identity and community? What is the value and what are the opportunities of dialogue in our University community? What are the obstacles? And why should we even care?
4. **Antisemitism and Islamophobia in America — and at Harvard:** What are the sources of the surge in antisemitism and rise in Islamophobic incidents in the US over the past decade? How are these phenomena impacting Muslim and Jewish communities? How are these increases affecting college campuses? Can we see any hopeful countertrends or constructive phenomena in this regard? How does the social shunning of Israeli and Zionist students arise and figure in campus life? How are experiences of Palestinian invisibility on campus part of the present situation? What demands of assimilation or self-negation are being made on different communities and individuals, as a price of belonging? How can we instead forge a culture of pluralism?

APPENDIX B: RETHINKING ACADEMIC BUREAUCRACY AS A COLLABORATIVE ENTERPRISE

The creation of the Harvard Foundation/Center for Pluralism offers a valuable opportunity to re-think the qualitative character of academic bureaucracy, a realm too often characterized by alienation and distance between faculty and staff. One of the most profound flaws of the traditional DEI framework — and indeed of much of contemporary University organization — is that it sustains this divide, reinforcing the sense that staff are functionaries rather than integral partners in the academic mission.

1. A New Model of Administration

A Reimagined Harvard Foundation/Center for Pluralism could, for instance, reimagine staff roles. Leading staff members in the Foundation should hold hybrid positions that bridge the academic and administrative worlds, involving not only programmatic leadership but also direct engagement with academic instruction. Such roles would allow staff to participate as co-creators of Harvard's intellectual and institutional culture, modeling the collaboration necessary to bring pluralism to life. Harvard could set a transformative precedent, demonstrating that institutional pluralism begins with the very design of its positions and the relationships they enable. Some examples of the alternative model described here currently exist throughout the FAS, as when individuals hold positions that combine a Senior Lectureship appointment with an administrative appointment (for instance, several Directors of Undergraduate Studies).

2. Faculty and Staff Pluralism Workshops

To address the perennial sense of mission drift among faculty, students, and staff, the Reimagined Harvard Foundation/ Center for Pluralism should emulate Radcliffe's exploratory seminar project, offering a program of workshops designed to align diverse constituencies around the values of pluralism. Faculty and staff clusters, departments, and programs could apply for tailored workshops convened with outside experts to learn, strategize, and experiment with embedding pluralism in their work.

Imagine a retreat on pluralism and the social theory canon for Social Studies, or a seminar on teaching conservatism across cultures for the Government Department. Consider the potential of Gen Ed courses invigorated by guest speakers, curricular planning support, and the kind of intellectual scaffolding that inspires faculty to engage deeply with pluralist themes.

These workshops would provide not just a framework for implementing pluralism but an arena for grappling with its complexities — contextualizing it within the particular missions of various academic and administrative units. Through these efforts, the Foundation can help build intellectual and strategic bridges across the University.

3. A Year-Long Thematic Series for Sustained Intellectual Engagement

Pluralism is not something that can be cultivated in sporadic, one-off events. To deepen the intellectual and cultural engagement of the Harvard community, we recommend not only a year-long thematic series of signature events, but also a further surround of workshops, readings, lectures, and discussions.

This series would aim to move beyond the shallow rhetoric of inclusion and toward the kind of substantive engagement that equips students to think critically and empathetically across profound differences. Over four years, students would ideally participate in one or two such series, attending talks, engaging with readings, and sharing meals with interlocutors. This would be pluralism as lived, not merely invoked. It might be a way of earning course credit.

While a year-long series might narrow attendance in some respects, it would deepen our community's collective capacity to address pressing questions, foster informed debate, and cultivate habits of sustained intellectual inquiry. Dynamic feedback mechanisms would ensure that the themes and speakers reflect the intellectual vitality of the student body itself.

4. Leadership for Crisis Response and Inclusion

The leadership of the Reimagined Harvard Foundation/Center for Pluralism must reflect its dual mandate: to serve as a beacon of pluralist values and a steady hand during moments of crisis. This is no small charge. The leadership team must include individuals with the empathy, intellectual dexterity, and moral clarity to address the fractious issues that inevitably arise in a community as diverse as ours.

This leadership will be crucial in fostering trust across constituencies — among students who feel alienated, among faculty who feel skeptical, and among staff who too often feel undervalued. To succeed, the Reimagined Harvard Foundation/Center for Pluralism must see crisis response not as a detour from its mission but as central to the work of pluralism.

5. Revitalizing House Diversity Tutors and Local Engagement

The Reimagined Harvard Foundation/Center for Pluralism should look to its own history for inspiration. House diversity tutors once played a vital role in bridging the intellectual and social lives of students, particularly around issues of race and culture. While the needs of today's student body are broader and more complex, the Houses remain an invaluable resource. The Foundation should explore ways to integrate House-based programming into its broader mission, encouraging Houses to serve as microcosms of pluralism.

6. Alain Locke as a Symbol and Intellectual Guide

If the Foundation is to embody Harvard's commitment to pluralism, it must anchor itself in a lineage that is both intellectually rigorous and profoundly humane. Alain Locke, a Harvard alumnus, the first Black Rhodes Scholar, and one of the most incisive theorists of pluralism, offers such a touchstone.

Locke's vision of cultural pluralism — his insistence that diversity enriches the human experience and that cultural exchange can deepen our understanding of ourselves and others — resonates deeply with the mission of this Foundation. His reflections on race, culture, sexuality, and religion remain as urgent today as they were in his time. To center Locke in the Foundation's narrative is not merely to honor the past but to remind ourselves of the intellectual and moral stakes of the work ahead.

The links below provide an entry point into Locke's vision, which should inform both the narrative and programming of the Center:

- [Video on Alain Locke's life and work] (https://www.youtube.com/watch?v=KCaE_jQAPa0)
- [Stanford Encyclopedia of Philosophy: Alain Locke] (https://plato.stanford.edu/entries/alain-locke/)

Appendix 4: Listening Sessions Guidelines

March 2024

Prior to beginning of session

Self-introductions and introduction of facilitator (if present).

Explain the purpose of the session and your place in it. For instance, you might mention:

- to understand people's experiences;
- to learn from their suggestions for solutions;
- to understand what values they think should guide this work.

Assure the participants that you are there to attentively listen for the purpose of substantive and constructive action, including recommendations to the president on a rolling basis.

You might acknowledge that the task force was recently formed, but the issues and events that participants have been experiencing and dealing with have been going on for months, if not longer. People may be feeling fatigue about being asked to share their experiences yet again.

Remind everyone that we're adhering to the Chatham House Rule,[626] under which individuals may refer to the conversation, but not which speaker made a particular comment. That said, if we hear something that indicates danger, or a level of seriousness which requires a need to report out, we may have a legal obligation to share with the appropriate internal office(s).

Ask participants not to record, broadcast, or live tweet the event in the interests of creation of a safe and open space where people can speak freely. (If it seems necessary, mention that Massachusetts is a two-party consent state and so recording without permission risks violating Massachusetts law.)

For Zoom sessions, you may want to ask people to refrain from using chat, and not to take screenshots of any kind.

During the session

First 25 minutes

Question: Since October 7, [2023] have you experienced what you would consider to be antisemitism? What form(s) did it take? [Ask the audience to take a few minutes to write down their responses before speaking.]

Follow up: If participants speak of feeling unsafe or unprotected, ask them what they mean by these words.

Next 25 minutes

Appendix: Listening Session Template

Question: What would you like to see done to improve the situation of Jewish members of the Harvard community? What concrete measures would you like to see Harvard take? [If participants speak of being safe and protected, please ask what they mean if those terms have not already been clarified.]

[626] https://www.chathamhouse.org/about-us/chatham-house-rule

Question: How would you balance Harvard's commitments to academic freedom, freedom of expression, and the value of encountering views different from your own with your own sense of inclusion and well-being at Harvard?

Last 10 minutes

Question: Harvard's 2018 Values Statement[627] refers to "respect for the rights, differences, and dignity of others, honesty and integrity in all dealings, conscientious pursuit of excellence in one's work, accountability for actions and conduct in the community, and responsibility for the bonds and bridges that enable all to grow with and learn from one another." Does this statement correspond with your own sense of what Harvard should be? Has Harvard failed to realize these values? If so, how?

Question: Is there anything that we didn't ask that we should have asked?

Thank everyone for attending and participating.

Acknowledge this is not easy, and it is important.

Offer a brief summary of the main points expressed by the participants.

Let people know that they can send additional feedback to the facilitator via email (if this is true) and share the email address.

After the Session

Staff will prepare a brief written summary of the session's main takeaways, including representative data.

Facilitation tips (shared with us by the Center for Workplace Development)

Create opportunities for everyone to participate:

- In addition to keeping the group focused on the content of the discussion, keep track of how participants are communicating with each other, who has spoken and who hasn't spoken.
- If a person is quiet, ask if they have thoughts or ideas they want to share with the group.
- If a person dominates the discussion, ask them to hold their thoughts as others have ideas to share. Then, come back to them when possible.
- Set a time limit for responses (approximately 2 minutes each) to ensure everyone gets a turn.
- If multiple small conversations occur, ask everyone to focus on one conversation at a time.
- If there's silence, sit with it a bit. Try counting silently to 5 before you restate or rephrase the question. People sometimes need time to think before they respond.

If conflict arises:

- Reaffirm purpose and ground rules.
- Focus on the substance of the ideas or opinions — not personal style.

[627] https://inclusionandbelongingtaskforce.harvard.edu/files/inclusion/files/vii._appendix_d._revised_values_statement.pdf

- Remind participants that consensus is not the goal — hearing multiple perspectives is the goal.
- Offer the possibility that you move to the next question and come back to this later in the meeting if time allows.

If someone becomes forceful or disruptive:

- Remain calm, and politely but firmly ask the person to lower their voice so others feel comfortable sharing.
- Refocus the conversation on listening respectfully to different views rather than debating one perspective.
- Suggest taking a mini break of 1 or 2 minutes if emotions are running too high, then reconvene.

If someone cries:

- Acknowledge their emotions with empathy, pause briefly, and continue the conversation.
- Ask if they need a short break or would like to continue speaking.
- Remind others this is an understandably emotional topic and to listen supportively without judgment.

Appendix 5. Analysis Report from the Joint Subcommittee on the Harvard-Wide Task Force Survey

January 5, 2025

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I. Introduction

At the end of the 2023-24 academic year, Harvard's two presidential task forces — one aimed at combating anti-Muslim, anti-Arab, and anti-Palestinian bias, the other aimed at combating antisemitism and anti-Israeli bias — jointly organized an opt-in survey of the Harvard community. Between May and September 2024, the online survey was open to students, faculty, and staff across all of Harvard's Schools.

The survey asked questions about respondents' sense of belonging and safety at Harvard and solicited what factors contributed to that sense of belonging and safety. The survey also asked respondents for their recommendations. The survey asked about respondents' identities, such as their religious, racial, and political identities. In this report, we detail the findings from the survey, including both qualitative and quantitative results.

The intent of the survey was to complement the listening sessions conducted by the two Task Forces in the Spring of 2024. It provided a structured way for a wider segment of the Harvard community to express their opinions in an anonymous format. Compared to participating in listening sessions, taking the survey required less time and could be done when convenient for the respondents rather than at a scheduled time, and in a way that allowed for anonymity, which was a serious concern for many respondents given incidents of being targeted and/or doxxed. We should note that the survey was not designed to be representative of the entire Harvard community for two reasons. First, we lacked an appropriate sampling frame for the affected/relevant communities. For instance, we do not know precisely how many Jewish identifying and Muslim identifying individuals are in the Harvard community. Similarly, there may likely be relevant populations from other demographic groups that hold views on the issues related to the Task Forces or may have experienced/observed bias but are not readily verifiable based on their demographics. Second, given the specific intent of the survey as noted above, it was not administered or marketed as a University-wide survey like the 2019 Pulse Survey, for instance, but rather distributed in a variety of channels on behalf of the two Task Forces. This survey exercise is therefore best viewed as a way to incorporate more opinions from those community-members who wanted to anonymously weigh in than listening sessions alone would allow and to also do so in a closed-ended format that enabled presenting quantitative results overall and by various relevant respondent demographic attributes as outlined in the pre-analysis plan. Importantly, the findings provide a window into the social, educational, and professional environment at Harvard. They also point to the need for the continuation and expansion of efforts that gauge the wellbeing of the community and ways to address their concerns.

A core finding is that most respondents do not feel comfortable expressing their political views and believe doing so would jeopardize their academic and professional careers. Most respondents also reported that that the 2023-24 year was worse than the previous year in terms of their sense of well-being and safety.

Faculty and staff feel a greater sense of belonging than students. They are more comfortable expressing their opinions and less likely to have personally experienced stereotyping and discrimination. Students feel particularly stifled in their ability to express themselves.

Muslim respondents are especially likely to say they do not feel a sense of belonging and safety at Harvard. Among students, we find that Jewish respondents and Muslim respondents have much more negative experiences than the two largest religious cohorts in our survey: Christians and Atheists/Agnostic/No Religious Affiliation. On nearly every measure, Muslim and Jewish identifiers are less comfortable sharing their views and are more likely to report experience with discrimination than Christians and Atheists/Agnostic/No Religious Affiliation. Among racial groups, Middle Eastern or North African (MENA) students offer the most negative experiences of any group.

When asked what factors contributed negatively or positively to their experience, the survey respondents are mostly in consensus that internal factors were more positive than external ones. Notably, external

events, external actors, and external media contributed negatively to their experiences, whereas student, faculty, and staff interaction contributed mostly positively. However, student interactions outside academic spaces, especially in online interactions, contributed negatively to the experiences of Jewish and Muslim students. Respondents evaluated University policies and administrative responses less positively.

II. Survey and Methodology

The survey was fielded starting late May 2024 with most responses coming in the earlier part of the summer. The data from this analysis spans from May 22 to September 15 and comprises of a total of 2,295 submitted responses. The survey was posted on the two Task Forces' websites. Responses were solicited by the task forces sharing the survey link with community members who had joined the listening sessions hosted by the task forces during the Spring semester. The link was also shared with various affinity groups.

The pre-analysis plan for this study is provided in the appendix along with the survey instrument. For each of the substantive questions in the survey, we show the overall distribution of responses. We also tabulate responses by subgroups within key demographics, including affiliation (e.g., faculty, staff, student), School, age, national identity, race/ethnicity, religious views, gender, sexuality, and political ideology. The subgroups that show the most meaningful differences are in the main text while the remaining ones are in appendices. In places, we further subdivide the sample, for instance, we look at differences by religious affiliation just among students. We also employ regression analysis to better understand how a variety of background characteristics correspond to the substantive responses. The multivariate analysis is not explicitly described in the pre-analysis plan, but it is a helpful extension to the original plan and assists our understanding of the sample.

In Table 1 below, we show the distribution of respondents by demographic subgroup.

Table 1: Summary Statistics

Summary Statistics	Count 2295	Percent 100.00		Count 2295	Percent 100.00
Affiliation			**Religion**		
Undergraduate	233	10.15	Agnostic/Atheist/No Religious Affiliation	875	38.13
Graduate/Post-Doc/Fellow	495	21.57	Christian	592	25.80
Faculty	489	21.31	Jewish	447	19.48
Staff	898	39.13	Muslim	89	3.88
Other	68	2.96	Other	282	12.29
Prefer not to answer	112	4.88	Prefer not to answer	258	11.24
School			***Gender***		
College/FAS/GSAS	1100	47.93	Female	1084	47.23
HBS	303	13.20	Male	866	37.73
HMS/HSPH/HSDM	349	15.21	Other	117	5.10
Other	641	27.93	Prefer not to answer	259	11.29
Prefer not to answer	164	7.15			
Race			***Sexuality***		
White	1508	65.71	Straight	1464	63.79
Asian	230	10.02	Gay/Lesbian	155	6.75
Black	83	3.62	Other	331	14.42
Hispanic	124	5.40	Prefer not to answer	391	17.04
MENA	125	5.45			
Other	139	6.06			
Prefer not to answer	314	13.68			
Age			***Ideology***		
Under 21	123	5.36	Very liberal	457	19.91
21-25	217	9.46	Liberal	783	34.12
26-30	280	12.20	Slightly liberal	263	11.64
31-40	470	20.48	Moderate	255	11.11
41-50	381	16.60	Conservative	124	5.40
51-60	321	13.99	Other	170	7.41
61+	317	13.81	Prefer not to answer	243	10.59
Prefer not to answer	186	8.10			

Table 1 Note: Some categories do not sum to 100% since some respondents provided multiple responses to the same question. "Other" category for affiliation represents those that selected "Other" as their affiliation in the survey. "Other" category for religion aggregates: Buddhist, Hindu, Taoist, Shintoist, Sikh, Bahai, Jain, followers of folk religions, those who identified as spiritual, and those who chose to self-identify. "Other" category for School aggregates: HDS, HKS, GSD, HGSE, SEAS, HLS, Division of Continuing Education (including the Extension School), Central Administration, and those who simply selected "Other" as their School in the survey. "Other" category for gender aggregates: Gender Non-Conforming, Genderqueer, Nonbinary, Questioning, Transgender, and those who chose to self-identify. Other category for race aggregates: American Indian or Alaska Native, Native Hawaiian or Pacific Islander, and those who chose to self-identify. "Other" category for sexuality aggregates: Bisexual, Queer, Pansexual, Asexual, and those who chose to self-identify. "Other" category for ideology aggregates: Apolitical and those who chose to self-identify.

As we noted above, the survey was intended to provide an avenue for those affected by and/or desiring to express an opinion on matters related to the mandate of the two Task Forces — examining anti-Arab, anti-Israeli, anti-Muslim, anti-Palestinian, anti-Pro-Palestinian bias, and antisemitism as experienced by the Harvard community. Since this population frame is not readily identifiable and the survey was not administered as a University-wide survey, we cannot provide appropriate response rate numbers or say how representative our sample is of this population or of the underlying demographic populations such as race, religion, and political views (regarding the conflict). That said, we can use the 2019 Pulse survey — a University-wide effort at Harvard — as a benchmark Appendix D [of this Appendix 5] shows comparisons with the Pulse survey. As the first table shows, our sample here is 66% White, which is slightly higher than that in the Pulse data (59%). Asian/Asian Americans and Black respondents are underrepresented in our survey, and MENA respondents are slightly overrepresented, compared to Pulse. Respondents to this survey are twice as likely to not list a race (13% vs 6%) compared to Pulse.

By religion, Christian identifiers are effectively equally represented in this survey compared to Pulse (25% vs 26%). Muslim and especially Jewish respondents are somewhat overrepresented relative to the Pulse survey (3.9% vs 1.8% and 19.5% vs 6.8% respectively), as one may expect given the intent of the survey. "No religion" is the largest religious category in both surveys, with 38-39% of respondents identifying this way. Finally, a big difference between Pulse and this survey here is in the degree to which faculty and students are represented. In Pulse, there are 4 ½ times more students than faculty (45.7% vs 10.1%). In the current survey, faculty and students compose similar shares of the sample (21.3% and 26.5% respectively).

In addition to the survey questions that will be analyzed with quantitative methods, some survey questions solicited open-ended responses as a follow-up to the quantitative questions. While these were entirely optional, 81% of respondents provided at least one open-ended response. We analyze the qualitative data by directly reviewing responses from demographic groups that were outliers in their negative experiences as revealed in the quantitative analysis as well as by using machine learning techniques to help synthesize the main themes and salient responses for all respondents. The quotes were selected to reflect the main themes observed while protecting the respondents' identity. We present this qualitative analysis alongside the quantitative findings as it helps provide some more color and context.

III. Main Results

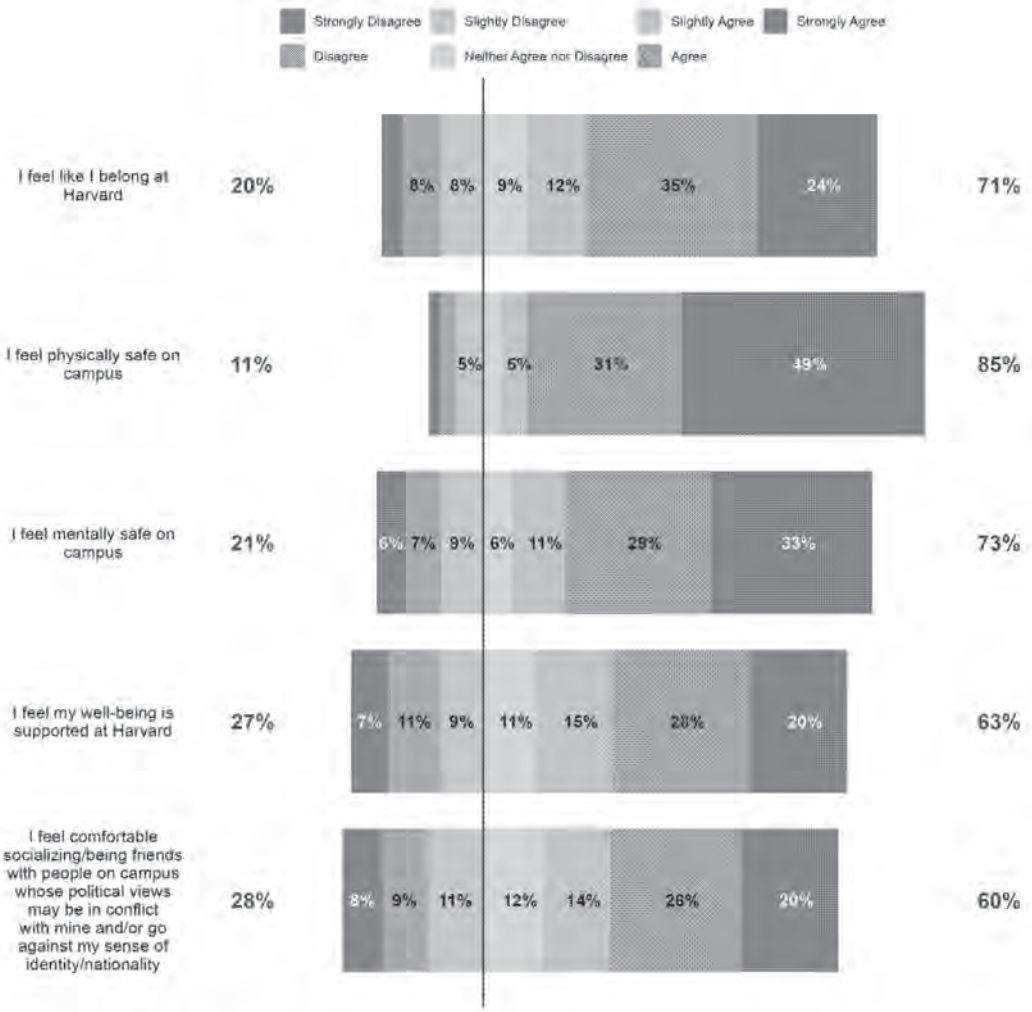
A. Safety, Belonging, and Free Expression

The first section of the online survey asked respondents a battery of ten agree/disagree questions. For each, respondents used a 7-point scale (from strongly disagree to strongly agree). They could also select that they preferred not to answer.

In Figure 1 below, we show responses to five of these ten agree/disagree items that relate to safety and belonging.[628] One in ten respondents (11%) reported they do not feel physically safe on campus. Twice as many reported that they do not feel like they belong or that they do not feel mentally safe on campus. Just over a quarter of respondents reported they do not believe their well-being is supported. Finally, 28% said they do not feel comfortable socializing with people on campus whose political views conflict with their own or go against their sense of identity. Thus, while most respondents reported positive sentiment toward their sense of safety, well-being, and comfort at Harvard, it is not uncommon for community-members to express negative sentiment either.

[628] We only report non-missing values for each question. Missing responses constitute 0.7-2.2% of all responses.

Figure 1: Safety and Belonging — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

As noted previously, respondents could also provide open-text responses to further elaborate on their quantitative responses. Specifically, we asked them to share recent and/or salient experience(s) — positive and/or negative — that could shed further light and/or nuance on their quantitative responses. Looking at this qualitative data helps further our understanding of the quantitative findings.[629]

Some respondents spoke directly to the low level of physical and mental safety they felt on campus. One respondent (#978, student) explained how "names being posted online so that people will search for those names and choose not to hire those people; faces being put on trucks and the campus doing nothing about it, students having guns pulled on them and having their rooms raided or their belongings thrown out also makes it a much less safe environment mentally and physically." Another respondent (#512, missing affiliation) wrote, "I am not comfortable and do not feel safe expressing my ethnic, religious or political self at Harvard, or even in this survey, for fear of retaliation. This has been the case for many years. The recent events on campus have only solidified this for me." A third (#135, missing affiliation) succinctly wrote, "I

[629] We provide excerpts directly from the quotations from respondents without changing any of their language. The only exception is that we correct obvious typos and spelling mistakes.

definitely do not feel safe on campus or in remote Harvard environments to express my political opinions and personal beliefs."

A key theme mentioned by respondents was how the response at Harvard to expressing opinions over the past year made Harvard less safe. Several respondents commented on Harvard's response directly — one respondent (#1460, student) wrote, "I have been very harshly punished by Harvard administrators for expressing my political views. These punishments have included sudden eviction from my source of housing and food, sudden termination from my job, the threat of not allowing me to complete the semester, the clear and material threat of calling in police against me, and the withholding of my degree for an entire year after I completed all my graduation credits with high honors… I have never felt more unsafe or unsupported in my life than I have at the hands of Harvard administrators this past year." Another respondent (#793, staff) echoed this sentiment, saying "I have felt unsafe by the way that Harvard has conducted themselves. People have been fired for speaking up for their beliefs and displaced from their homes. It is not right for a university to act this way when people have been peaceful, non-violent, and have not physically harmed anyone their actions."

Respondents also spoke to the lack of comfort and well-being they felt socially on campus. One respondent (#1803, student) noted, "I generally refrain from discussing political/controversial topics with members of the community who I do not know well because I find that conversations often become hostile and campus reputations are easily harmed." Another (#2167, student) wrote, "I do not feel mentally safe on campus. Though I am not Israeli, I have openly expressed sympathy for October 7th survivors and attended events for Holocaust survivors. I have faced many social consequences for not thinking in ways my classmates would deem progressive, which I find unreasonable."

Another frequent theme was a perceived lack of response by the University to outside actors — one respondent (#1091, student) wrote, "The sight of doxxing trucks and planes flying hateful messages like 'Harvard Hates Jews' around Harvard Square deeply disturbed me. Despite their prominent presence, it seemed like the University wasn't taking any action, which left me feeling perplexed and unsafe. The loud and repetitive circling of the planes over the yard heightened my anxiety, especially since I couldn't discern their intentions." Another respondent (#708, staff) described the presence of non-affiliated protestors on their safety — "I feel safe when it comes to Harvard and the people who are involved with the University. However, there are outside actors who will show up at the Science Plaza and pick fights with people for not supporting their cause. These same outside actors (or at least, other outside actors sharing their viewpoints) have attempted to assassinate the character of much more important people than myself on campus." Similarly, a different respondent (#2080, staff) noted that "the administration seems to prioritize external political interests over the well-being of internal community members, and has not done enough to earn trust among the community."

However, a few respondents had somewhat different views regarding safety and felt more comfortable despite the tumultuousness of the past year. One respondent (#1603, staff) said, "I have never felt unsafe on campus, but the camp in the yard made a big mess of trying to just get my own things done. I wish it had made a difference without disrupting everything and making folks angry but ineffective." Another respondent (#413, student) wrote, "Much of the discourse that would make someone feel unsafe or unable to express their opinions happens online. In my experience, people are often less combative in person and the negative climate is more digital." A third respondent (#532, staff) even stressed that the safety on Harvard's campus should encourage challenging conversations — "I think most of the students, faculty, and staff are perfectly capable of engaging in difficult dialogue… Harvard's campus is very likely the safest place on the planet for Palestinian, Israeli, Jewish, and Muslim students, faculty, and staff to engage in productive dialogue. Make it so, keep leaning into this. Wasted potential that can genuinely save lives is hard to witness."

The remaining five agree/disagree items in this first battery of survey questions largely reflect on how comfortable or uncomfortable it is to express one's views on campus. Is it easy to express oneself? Do respondents feel they suffer professionally or academically, or face outright discrimination, when they express their views? Figure 2 shows overall results.[630]

This second graphic shows that discomfort with expressing one's views is quite common, and much more common than feeling physically or mentally unsafe. About half of all respondents reported that they are uncomfortable expressing their opinions and uncomfortable expressing their political opinions. Most respondents (59%) believe there are academic and professional penalties for expressing one's political views at Harvard. Nearly a third (29%) said that they have personally experienced discrimination, stereotyping, or biases because of their views on current events. When asked about expressing religious beliefs and disclosing ethnic identifications, a third of all respondents do not agree that they can do so comfortably.

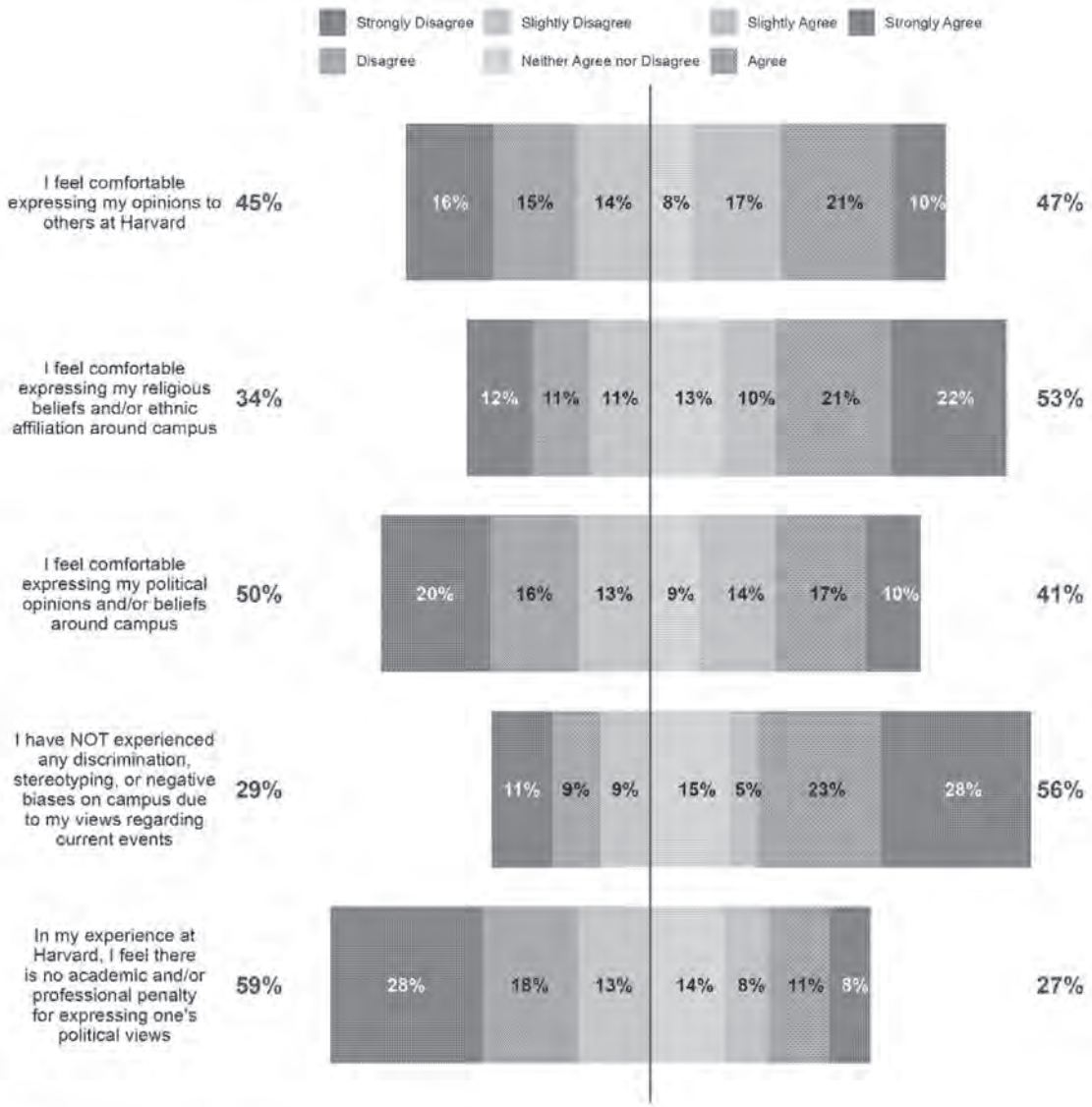
It is worth emphasizing that readers of this report may disagree about the normative interpretation of the results in these first two graphics. For instance, some may believe that at a university, faculty, staff, and students should all feel at liberty to express their views on political and other matters. If they do not feel comfortable doing so, this means the University is failing to create a culture of dialogue and debate. Others may believe, particularly for staff and faculty, that it is inappropriate to express one's personal views in the workplace. Thus, some readers may believe it would be better for more respondents to feel uncomfortable expressing their views.

As another example of normative disagreement, consider the item about being comfortable socializing with those on campus who have conflicting viewpoints. Some may believe that everyone should feel comfortable socializing with those who disagree with them politically; others may believe that community-members should not need to feel comfortable doing so.

Thus, while on some of these survey items, we think there would be widespread agreement about the interpretation of results (e.g., students feeling physically unsafe on campus is a problem), on other items, the interpretation of results would be more contested.

[630] We only report non-missing values for each question. Missing responses constitute 0.6-2.6% of all responses.

Figure 2: Freedom of Expression — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

Consistent with the quantitative results, respondents in the open-ended questions described a divisive environment on campus when it comes to political discourse. While respondents praised the diversity of Harvard, those who had been in classrooms or other settings that brought up political divisions described a level of discomfort. This sense of discomfort comes in many varieties. For instance, as one respondent (#932, staff) said, "I would never feel comfortable voicing my opinion on the current war in Gaza." The respondent does not share his/her identity with others. Another respondent (#894, staff) feels at home at Harvard because his/her views align with the majority view, but laments how unwelcome the environment is to those who are politically conservative. Harvard students, the respondent says, "are militantly passionate about certain approved views and they will make anyone who disagrees with the party line regret it."

Respondents feel they could be stigmatized or punished for expressing views outside of the mainstream views on campus. One respondent (#856, student) explained that "the climate at Harvard is such that unless you profess orthodox woke views, you're ostracized. Admin has contributed to this culture, as have some faculty. I've basically given up on the whole situation and don't particularly care at this point." Another (#346, staff) wrote, "While, in theory, there is freedom of speech, academic freedom, ethnic and religious diversity on and around Harvard, in reality those that are vocal or at either far end of a spectrum are often rejected. Given the dynamic and often volatile climate on campus, I find myself not wanting to discuss anything at all outside of just work related topics."

Respondents also reflect on institutional practices that lead to a strained environment for political expression. Several respondents believe that pressure from donors and external actors has led Harvard to punish students when they express dissenting viewpoints, with one respondent (#474, student) saying, "It was really astonishing to see the administration react so poorly towards student protesters simply to save face and protect donor interests. The administration simply could have let the students walk at their graduation without any consequence, but chose retributive action that ultimately eroded the faltering trust between the student body and the administrators." A staff member respondent (#132, staff) stated, "Freedom of expression has been severely restricted by OUTSIDE actors. Alumni and donors should NEVER have a say in Harvard life. Harvard is a FACULTY LED university, not donor led, not alumni led, not student led."

Respondents also reflected on the pressure coming from inside the University, with one (#297, fellow) saying "There is a peculiar sensitivity to expressing divergent views in light of recent events whether international or US-related. Often certain perspectives shared are constrained or deterred if they don't appear to align with University opinions. This breeds discontentment and likely civil disobedience." They also spoke about the effect that disciplinary action against protestors had on the overall sense of freedom of expression on campus — one respondent (#1067, staff) commented, "I have seen that Harvard administration has decided to pursue disciplinary action against staff and students who have peacefully protested, and in some cases simply been in the vicinity of the peaceful protesting. This makes me feel extremely uncomfortable with the administration's position on protecting free speech and the ability to express one's political views without fear of retaliation. It is Harvard's actions as an institution that is concerning to me, not the actions of students or staff with differing viewpoints."

Many respondents raised concerns about the unclear enforcement of free speech rules and confusion over the policies. One respondent (#2035, staff) said, "Harvard is consistently contradicting itself in advocating for free speech and social justice yet at the same time clamping down on those who speak out." Another (#2074, student) stated, "Honestly, I am agnostic to the School's policy on student speech but the sheer inconsistency of it astounds and disgusts me." A third respondent (#1054, staff) specifically explained their personal concerns: "As a staff member, I do not feel safe in expressing political opinions, particularly when they go against what many students and faculty seem to believe. While faculty and students seem to have license to express theirs, the University is lacking clear guidance, or at least clearly communicated guidance, on what staff members can and cannot say, as well as whether such speech is as supported as it is for faculty and students." A fourth (#907, student) similarly wrote, "I self censor these views because I do not believe to have any protection from the University on freedom of expression."

Another major theme arising from the open-ended responses is the sense that individuals no longer want to discuss views on campus. Some respondents explained they do so to avoid offending others even unintentionally or to prevent others from misinterpreting them. One respondent (#1008, post-doc) said "I simply don't express much of my political views, or if I do, I am careful to use tempered inclusive language," and another (#231, staff) similarly remarked, "The shifting definitions of terms that used to describe specific behaviors, actions, or identities has occurred under such ideological/partisan strain that it

is difficult to know how to express oneself, even when trying to comfort or empathize." A third respondent (#796, staff) though, explained how their views have shifted away from discussing sensitive topics in the workplace as a broader rule: "The events of this past year have made me question whether it is appropriate at all to be discussing my personal political views at work. As a person in a leadership role, I would not want my expression of views to inhibit more junior people or make them feel that they are not welcome or unable to advance because my views are different than theirs. Conversations with friends at work are different when they are during a break, but during working hours I sometimes wonder if we should all just be more mindful about when and how we express our views so others do not feel excluded."

A different group of respondents emphasized the importance of continuing to have difficult conversations openly on campus. "The penalties can be academic, professional, or social. Yet, I really want to push myself and others to have thicker skin, and better faith. It's impossible to stay comfortable, impossible to avoid 'harm.' Our freedom (of speech) should be exercised, not minimized," wrote one respondent (#217, staff). A second respondent (#2072, student) similarly commented, "While I find many conservative views antithetical to my own views, I think part of studying at a university is having your own views challenged. If we can't accept those with differing views at a place where diversity is encouraged, how can we expect society to do the same. I find that the University prides itself on diversity of thought, religion, sexuality, etc. — and that's a good thing, I love that about Harvard — but at least at the graduate level, I do not think enough emphasis is placed on accepting people with conservative views or at least welcoming them even if we disagree with their political values."

Finally, some respondents spoke positively about the status of free speech at Harvard and the administration's policies. One respondent (#1536, staff) wrote, "I feel the University has done a good job overall at trying to accommodate a very diverse set of opinions and feelings while honoring our values and the right to free speech." Another (#1409, staff) similarly commented, "In my relations with Harvard colleagues, I prefer to acknowledge differences, and despite our differences, focus on the good we can do together in fulfilling Harvard's noblest values, and when we have true consensus, act. I welcome the new Institutional Voice policy."

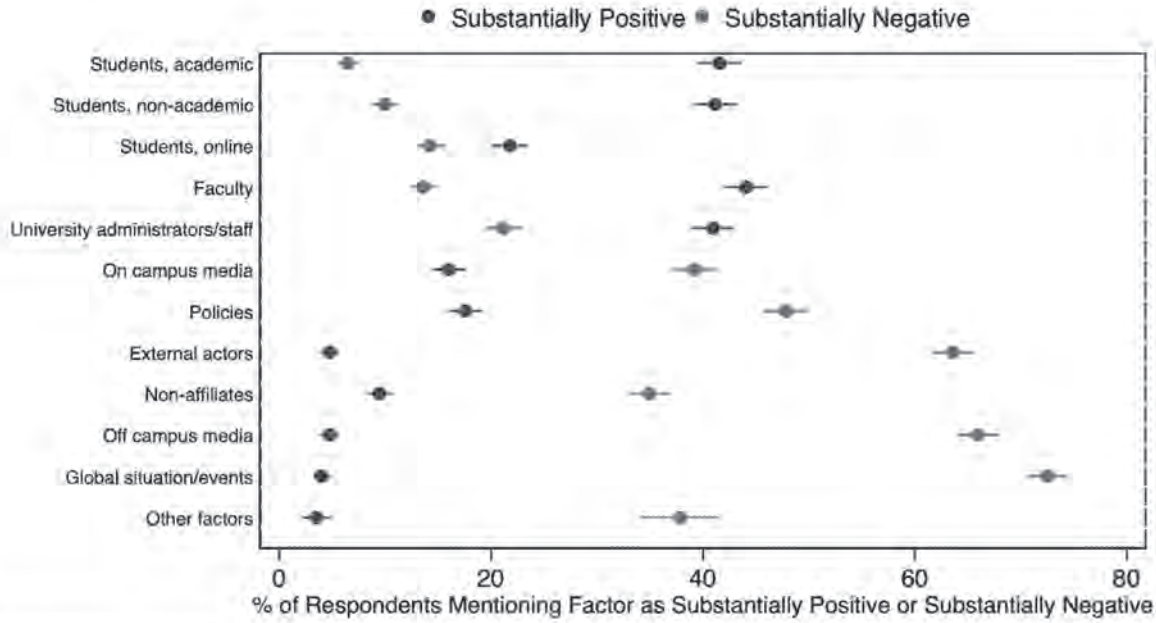
After answering this battery of ten agree/disagree questions, the survey asked respondents, "Compared to this time last year, how has your sense of safety, belonging, and/or ability to interact positively with the community on the Harvard campus changed?" Recall that respondents took this survey in the spring or summer of 2024, and so they were being asked to reflect on how they felt after the 2023-24 school year compared to after the 2022-2023 school year. They could say they felt the same or that things had become much worse, worse, better, or much better than the prior year. The data (see appendix B) shows — perhaps unsurprisingly given the circumstances of the 2023-24 school year — that there was a significant worsening with 61% reporting worsening situation (25% say much worse and 36% say worse). Thirty-six percent reported the situation was the same as a year before, and 3% said the situation was improved.

B. Contributing Factors

The survey asked respondents to reflect on the factors that contributed positively or negatively to their experience on campus. What factors made them feel "a sense of safety, belonging, and/or ability to interact with the community"? And what factors made things worse? Based on what the task forces had heard from the community in the open-ended listening sessions, we provided a pre-defined set of factors while allowing respondents to suggest additional factors (12.9% did). Since a given factor may contribute both positively and negatively, we allowed for both options: respondents could check that a factor contributed positively and/or negatively or that it did not have a substantial impact. Moreover, for each factor we allowed respondents to provide open-text details that we also include below.

Figure 3 below considers each factor in turn and presents the percentage of individuals who report this factor as positive and/or negative.[631] Overall, the findings make clear that interactions with faculty, students, and staff were seen as generally positive, whereas factors associated with media, external actors, and University policies were seen as generally negative. Recall that a large fraction of respondents to this survey are faculty and staff, and so their perceptions of interactions might differ than we restrict the sample just to students, as we do later on in this report.

Figure 3: Contributing Factors — All Respondents



Exact wording for each factor shown below:

Students, academic: In-person interactions with Harvard students in academic settings (e.g. classroom, lab, etc.)
Students, non-academic: In-person interactions with Harvard students in non-academic settings (e.g. extracurricular activity, event, or social gathering)
Students, online: Online interactions with Harvard students
Faculty: In-person or online interactions with Harvard faculty
University administrators/staff: In-person or online interactions with Harvard administration/staff
On campus media: On campus media coverage (print/social)
Policies: Harvard University and School policies
External actors: External actors' presence/influence on campus life and climate
Non-affiliates: In-person or online interactions with individuals not affiliated with Harvard
Off campus media: Off campus media coverage (print/social)
Global situation/events: Global situation/events
Other factor: Other factor

We now examine each potential factor in turn:

(1) In-person interactions with Harvard students in academic settings (e.g. classroom, lab, etc.)

41.6% rated a positive factor; 6.5% rated a negative factor.

In open-ended explanations, responses with positive reflections praised students for their thoughtfulness, intellect, and their desire to have open and honest discussions, even on controversial topics. One respondent (#2150, faculty) noted they "had a fantastic class, multi-cultural, from all parts of the world, different religions, and views. Classroom experience was still fantastic." Respondents felt that they benefit from a sense of community on campus centered around a desire to learn together, with one respondent (#1141, student) noting "In-person interactions with students is the heart of the on-campus connection. These interactions provide a sense of belonging and creative interaction that are essential to higher

[631] The omitted category for each factor consists of those that answered "not substantial/no opinion" for each factor or did not answer the questions. 0.4% of respondents did not answer the questions.

education." Most students, respondents said, understand that difficult political and social issues are complex and nuanced.

Respondents with negative evaluations found students to be easily offended when confronted with opinions they disagree with. One respondent (#1320, faculty) summarized this as "Students do not give others grace for differing opinions, and easily dismiss others in the course of class discussions. If someone misspeaks and then tries to course-correct, there is no forgiveness." Interactions with students in classes, some respondents noted, tend to be superficial and not lead to durable friendships and relationships. Some students are seen as struggling when discussing sensitive issues. Some respondents also have experienced directly either discrimination, bias, or teasing based on attributes such as their race or their political views.

(2) In-person interactions with Harvard students in non-academic settings (e.g. extracurricular activity, event, or social gathering)

41.2% rated a positive factor; 9.9% rated a negative factor.

Respondents expressed genuine excitement for the opportunity to learn from students from a diversity of backgrounds. Students are interested in what others think. One respondent (#324, staff) called students "thoughtful, curious, and wise." Another respondent explained that outside academic settings, students are not always discussing current events; they bond over shared interests like sports and entertainment.

Respondents who feel that student interactions in non-academic settings have been negative pointed to several contributing factors. One is that some students do not seem interested in exploring difficult issues with nuance, but rather want to be provocative or dominate conversations with their views. Another is that there is special difficulty in talking about sensitive issues such as race and gender without fear of retribution, with one respondent (#269, staff) saying they had "very intense social conversations in which it was made clear that if you didn't agree, you would be verbally attacked and criticized behind your back." A third is that students largely do not want to have deep conversations about issues.

(3) Online interactions with Harvard students

21.8% rated a positive factor; 14.1% rated a negative factor.

Respondents who found online interactions with students to be positive mostly articulated similar themes to those about in-person interactions. Namely, they find students online to be open, empathetic, thoughtful, and inquisitive. Respondents also reflected on the benefits of diversity of perspectives in online interactions. Much online interaction is not political at all. As one respondent (#152, faculty) said, their "online interactions with Harvard students have been very similar to this year as in prior years" adding that "political discussions basically never arise for me — we are scientists and stay focused on that."

Those with negative evaluations pointed to the intolerance they witness online. One respondent (#1075, student) suggested an increase among students in "racism, Islamophobia, and colonial mentalities." Another (#1111, NA) noted that they "hate that Sidechat and other University socials exist because they perpetuate radical views, student conflict, etc." A third respondent (#998, faculty) found online student behavior to be lacking nuance: "I have been very disappointed by the level of vitriol, ignorance, and binary thinking in these posts."

(4) In-person or online interactions with Harvard faculty

44.1% rated a positive factor; 13.6% rated a negative factor.

Respondents with positive insights about their interactions with Harvard faculty pointed to the supportive, thoughtful environments created by faculty, with one respondent (#278, faculty) noting "I saw colleagues engaging current events in unprecedented ways, reading deeply and broadly and wanting to discuss academic works on the topic". Most respondents feel energized by the professionalism and research-orientation of faculty, but typically avoid politics-related conversation, with one respondent (#152, faculty)

explaining: "Interactions have been very similar to in prior years (which is to say, positive), but it's important to note that political topics rarely (if ever) arise."

On the negative side, respondents find that discussions with faculty members are superficial because there is a general avoidance of sensitive subjects. Respondents also find that interactions can be difficult due to underlying power dynamics between faculty and students or because of a lack of diversity among faculty with respect to race and gender. One respondent (#1712, faculty) succinctly said, "They have power to decide my future. I am very careful how I present myself".

(5) In-person or online interactions with Harvard administration/staff

41.0% rated a positive factor; 21.1% rated a negative factor.

Respondents with positive interactions with administration and staff describe staff as helpful, collegial, and effective. One respondent praised technology, maintenance, and library staff. Another respondent (#395, staff) specifically praised staff for helping the University work through conflicts in a constructive way — "My interactions with administration and staff have all focused on finding a way through these problems and protecting students".

Respondents with negative interactions did not think staff and administration performed well in dealing with campus conflicts. Multiple respondents felt that staff-members approach difficult issues with increasingly inflexible, top-down methods, with one (#1788, student) explaining "Top-down policies around discipline, and restrictions on what they can say through public emails, made it difficult to have any good interactions".

(6) On campus media coverage (print/social)

16.0% rated a positive factor; 39.2% rated a negative factor.

Respondents with positive experiences with on-campus media praised campus publications for platforming a more diverse set of perspectives than off-campus publications. Respondents found on-campus media to be entertaining, informative, and leading to dialogue. One respondent (#277, faculty) noted "I found opinion pieces on both sides, some agreeable, some disagreeable; this is as it should be."

Those with negative experiences find that the on-campus publications, like mainstream publications, prioritize negative stories and casting blame, presenting a skewed view of Harvard. One respondent (#1520, staff) explained "I felt a lot of the media coverage was negative and did not provide for a full picture of what was happening across the University." Respondents find this approach is not constructive and does not help build a sense of community.

(7) Harvard University and School policies

17.5% rated a positive factor; 47.8% rated a negative factor.

Respondents with positive reviews of Harvard polices reported that policies succeed in being inclusive, thoughtful, and balanced. As one respondent (#853, staff) said, "I felt like policies tried to balance different views as best as possible."

Respondents with negative reviews had a wide variety of themes. One theme is that policies are made reactively rather than proactively, which undermines the goal of the University having a principled approach to campus issues. One respondent (#979, staff) explained this as follows: "The School policies have not felt clear and have seemed to change with the times rather than policies intended for the best academic honest approach". Another theme is that policies have failed to get the balance right between free expression and creating an inclusive environment. A third theme is that rules are vague, and enforcement of rules is inconsistent, and so students do not have a clear sense of what behaviors will be punished. Finally, respondents believe that University policies are politically biased. To some respondents,

the political bias disfavors pro-Palestinian voices. To others, the political bias disfavors conservative voices on issues such as race (e.g., diversity statements) and gender (e.g., use of pronouns).

(8) External actors' presence/influence on campus life and climate

4.7% rated a positive factor; 63.6% rated a negative factor.

Respondents who had positive reports about external actors pointed to several themes. Due to Harvard's standing, it is inevitable that outsiders will take interest in what happens on campus. One respondent (#1487, student) argued that this was good, explaining that "External actors, including speakers and commentators, help connect the campus to the real world and larger community in which we will serve." Outside actors can also be helpful in pointing out problems on campus. One respondent mentioned that outside actors helped to call out antisemitism on campus.

Respondents who had negative reports about outside actors point to the undue influence of certain actors, such as donors, on the University administration, which comes at the expense of the administration listening to on-campus stakeholders. Other respondents felt that outside interests have goals (such as advocating for a political position) that are at odds with the goals of the University (such as research and learning) — one respondent (#34, student) noted "I have gotten the sense that external actors often operate solely with their own interests in mind and without respect for our mission as academics."

(9) In-person or online interactions with individuals not affiliated with Harvard

9.5% rated a positive factor; 34.9% rated a negative factor.

Those who describe positive interactions with individuals not associated with Harvard reported a general satisfaction with discussions with friends. Some specifically felt they benefited from talking about some of the University-related conflicts with friends not affiliated with Harvard, with one respondent (#1983, faculty) explaining "I have found outsiders I talk to open, respectful and interested in learning more. While people have had, not infrequently, strong views on Harvard and how it has presented in the public forum over the last year; no one has given me trouble but instead they have been interested to hear what my experience and thoughts are". Another respondent (#1957, faculty) found that interactions with those outside Harvard helped pushed Harvard toward prioritizing "diversity of thought."

Respondents with negative interactions with individuals outside of Harvard point to the spillover between campus conflicts and those not affiliated with Harvard. Respondents received negative feedback about Harvard from outsiders, which affected their ability to do their work. They saw negative messaging about Harvard on social media. One respondent (#1731, staff) felt a lower sense of morale due to the tarnished reputation of Harvard in their community: "My community has been largely negative about the institution and so that has been tough to my sense of pride in my work."

(10) Off campus media coverage (print/social)

4.8% rated a positive factor; 66.0% rated a negative factor.

Respondents who pointed to positive attributes of media coverage expressed that most news about Harvard is positive and draws attention to work being done on campus. When it comes to media coverage of campus conflicts, some respondents felt that the outside coverage shined light on real problems on campus, such as a lack of viewpoint diversity. Finally, one respondent (#859, faculty) said outside media coverage was "good and useful to see how the events at Harvard compare with events at other universities."

Respondents who felt that off-campus media coverage was negative said that the stories reported about Harvard were negative, conflict-driven, biased, sensationalist, and not fully truthful. One respondent (#386, NA) explained "News and social media coverage has been highly skewed and, due to the nature of these medias, help worsen tensions. Headlines are simplistic, social media posts are short and snappy, neither provide nuanced coverage nor do they encourage nuanced and thoughtful engagement."

(11) Global situation/ events

4.0% rated a positive factor; 72.6% rated a negative factor.

Respondents who viewed global events as having a positive effect on them fell into two camps. Some respondents felt hopeful about the prospects of change in the world, a sense of connection to the world outside Harvard, and, as one respondent (#1248, fellow) put it, a feeling of "solidarity in the actions of others around the world." Another camp identified world events as catalyzing introspection and change on campus. As one respondent (#1722, faculty) put it, "Global events have provoked thoughts for everyone in terms of the role and appropriate behavior for both institutions and individuals."

Those who viewed global events negatively tie events, namely the war in Israel and Gaza, to campus conflicts. The war and the reactions to the war have been both polarizing on campus and constant topic of discourse. Some found the discourse around the war to be uncivil and lacking in nuance. Others viewed global events negatively not because of the effects on campus but rather because the "suffering and brutality in Israel and Palestine" (respondent #1747, staff) affected them emotionally. One respondent (#331, student) wrote they felt "overwhelmed and powerless in the face of enormous injustice."

(12) Other factors:

3.5% rated a positive factor; 37.8% rated a negative factor.

The positive additional factors primarily surfaced themes that were already reviewed above. Respondents felt positive about an environment conducive to open inquiry and a setting in which students can develop as people and express themselves. On the negative side, respondents emphasized the mood on campus is not good, with community members feeling isolated, feeling required to conform to viewpoints, and feeling that they have witnessed hateful behavior on campus.

IV. Heterogeneity by Affiliation, Religion, and Race

We now revisit the analysis in the previous section but focus on whether and how this varies across different demographic groups. We focus this section on dimensions where we find the most meaningful differences by subgroup, particularly as they relate to campus issues brought on by the events in the Middle East. We report on the other demographic groups (age, gender, nationality, political ideology, School, and sexual orientation), in the appendix. We do encourage readers to look at analyses of other subgroups, where there are meaningful differences as well. For instance, a common theme in some open-ended comments relates to a lack of ideological diversity and conservatives feeling stifled. Figure A4d shows meaningful differences between liberals and conservatives in their ability to express themselves.

We should caution that while comparisons within a demographic category — say between students and faculty — are interesting, they need to be interpreted carefully. As is standard in survey work, interpreting these differences as arising due to differential biases experienced by these groups assumes that the groups themselves did not differentially select to participate in the survey based on their experiences of bias. For example, if we find that student respondents report worse outcomes than faculty respondents, to ensure that this result would hold for the average student compared to the average faculty requires that a student with a given level of bias experienced is as likely to participate in the survey as a faculty member with a comparable bias experienced. While plausible, without being able to test for this explicitly, we need to be cautious in interpretating the results. As an additional reminder, when a finding references a respondent's affiliation, that finding only encompasses those who chose to respond to this survey and also chose to identify their religion, ethnicity, or other demographic characteristics in the survey.

A. Heterogeneity by Harvard Affiliation

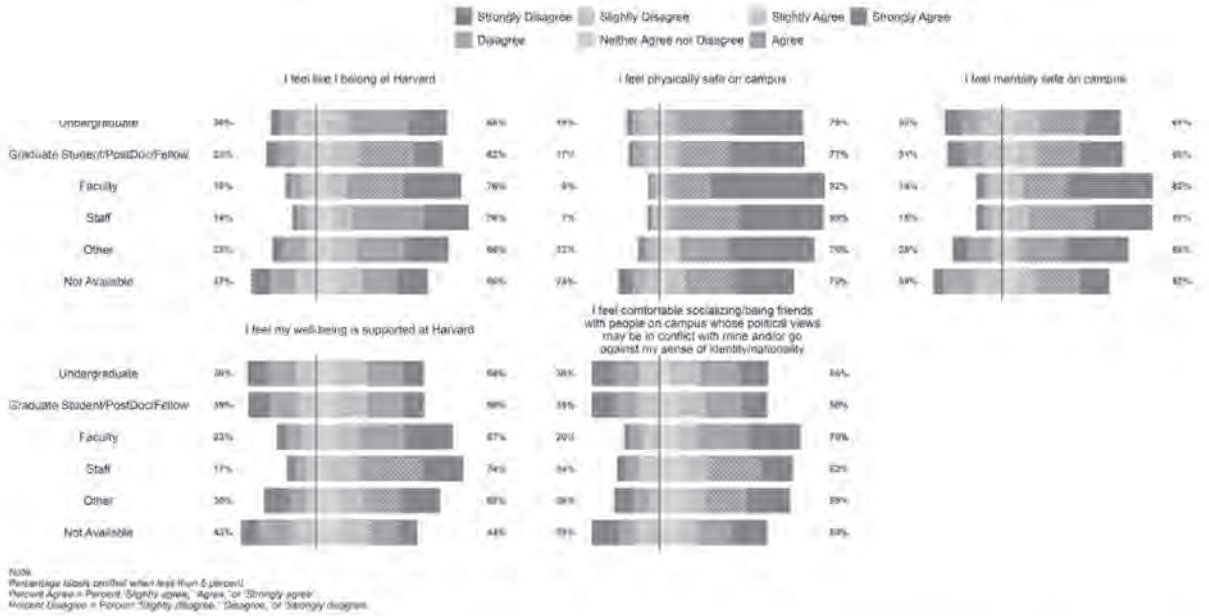
The results below present our previous findings separately by the Harvard affiliation of the respondent. The general result here is that student respondents (undergraduate students and graduates/fellows) tend to report more negative responses as compared to faculty and staff respondents (note: for the sake of brevity we will not always add the word "respondents" after each demographic category).

SAFETY, BELONGING, COMFORT, AND FREE EXPRESSION

For all measures reflecting on a sense of belonging, undergraduate and graduate students report worse outcomes. For the sake of completeness, we report results also for respondents who chose not to report their Harvard affiliation. These also tend to report worse outcomes, perhaps unsurprising, since their unwillingness to report their status may itself reflect their sense of belonging and well-being.

One in five (19%) undergraduate students report feeling physically unsafe on campus, and even for graduate students this number is quite high at 17%. Close to 40% of undergraduate and graduate students do not feel their well-being is supported at Harvard or that they are comfortable socializing with others on campus who have differing views.

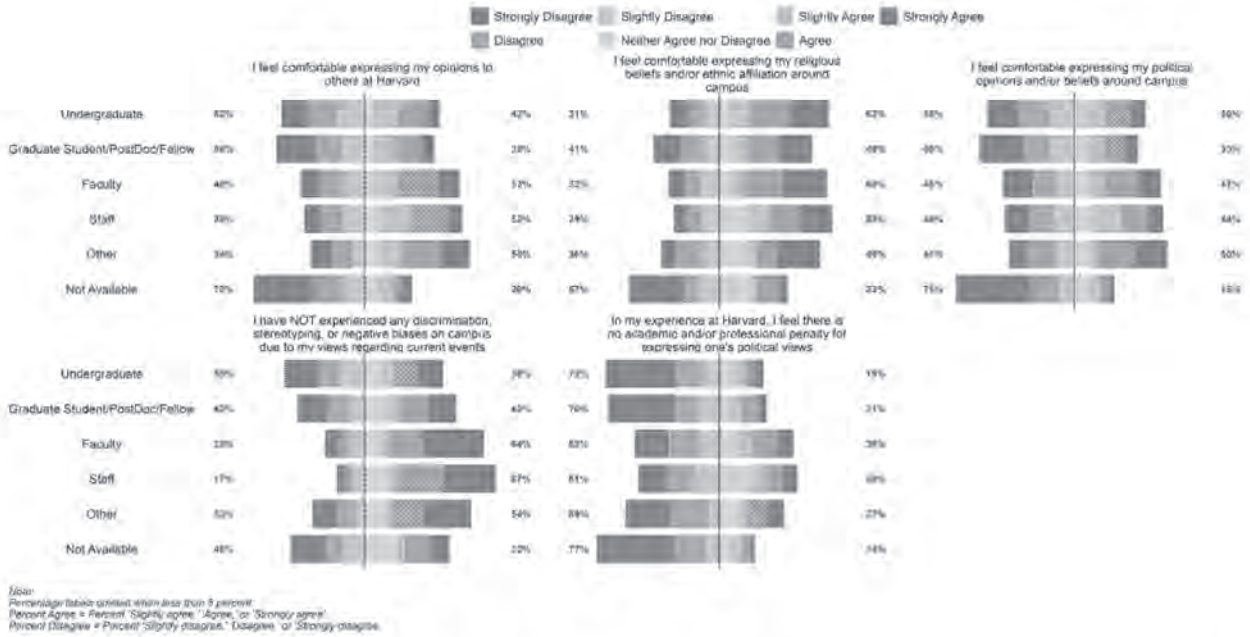
Figure 4: Safety and Belonging by Affiliation — All Respondents



Recall from the previous section that results related to free expression contained more negative evaluations than the ones regarding safety and belonging. Here, too, undergraduate and graduate students/fellows report more negative evaluations than others at Harvard. For instance, 72% of our undergraduate students and 70% of graduate students and fellows said that there is an academic and professional penalty for expressing their political views. The majority of faculty agree with this as well (53%).

Interestingly, the one area where the difference between students and faculty/staff is less stark is comfort around expressing one's religious beliefs and ethnic identity. On this item, undergraduate student and faculty are similarly uncomfortable (31% and 32%) while graduate students and fellows are the most uncomfortable (41%).

Figure 5: Freedom of Expression by Affiliation — All Respondents



Note:
Percentage labels omitted when less than 5 percent
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

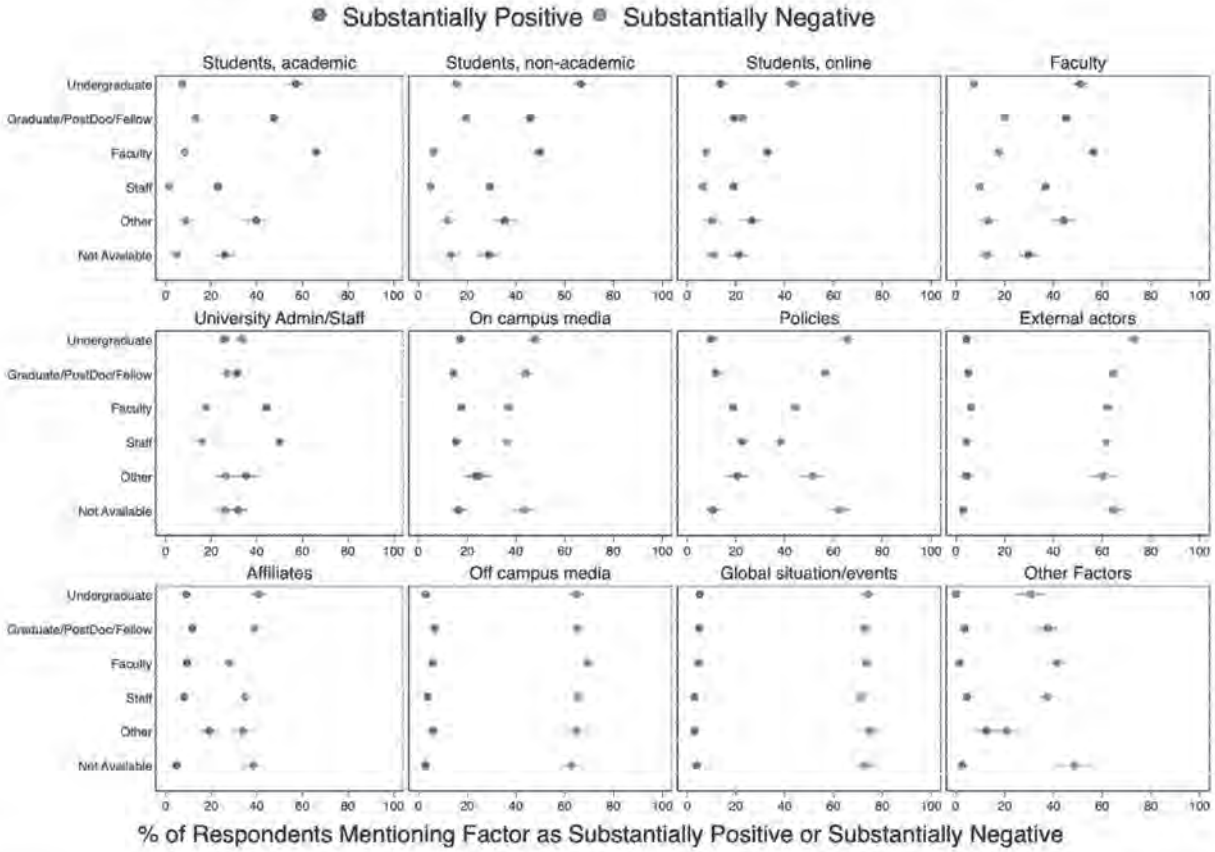
In examining the qualitative data, students talk about a range of issues. One student noted, "I have repeatedly felt physically unsafe on campus." (#649, student). Another student worries that "Having seen how Harvard has sanctioned or threatened student protestors, I no longer feel like the University has our safety at heart, nor that it does its utmost to defend academic freedom" (#876, student).

And while not everyone has expressed discrimination, students note the difficult situations others face because of their identity. As one student comments "I have not personally experienced discrimination of this sort because I fall into the majority view at my School — anti-genocide, anti-Hamas, anti-Netanyahu. I am not Jewish or Muslim, nor have I been active in the protests. However, I have had conversations with groups of my peers about taking a more active role. These conversations always acknowledge the real risks of doing so. We don't consider these to be safety risks; instead, we see how students like those at Columbia have been treated, and how our University president was forced out, and we recognize the possibility of social (and professional) censor that could derail our careers". (#487, student)

CONTRIBUTING FACTORS

The general pattern we had noted earlier was that for most factors internal to Harvard (except campus media and Harvard policies), more respondents reported them as positive. On the other hand, factors external to Harvard were widely seen as negative. As seen in the figures below, this pattern generally holds for the different Harvard affiliates. However, there are some nuances that we highlight below, again showcasing the more negative experiences for students. Students tend to report more negative and somewhat less positive roles of internal factors compared to faculty and staff. The starkest example of this is perhaps online interactions with students, which undergraduate students rate as more negative than positive (43% say it is negative while 14% say it is positive) and graduate students noting them somewhat similarly positive and negative (23% say it is negative while 19% say it is positive). In contrast to internal factors, we find less heterogeneity across Harvard affiliates with regards to factors external to Havard — all find them more negative than positive.

Figure 6: Contributing Factors by Affiliation — All Respondents



Students generally talk positively about their interactions with other students. One notes that "Working with other students is half the reason why I am here. This contributes to my sense of belonging" (#744, student). Another says that "engaging with other students in academic settings has made me feel like I can agree to disagree more, and I like learning why people think the way they do in an academic context" (#1426, student).

Students are also grateful that they have been supported by classmates. One noted that "I have had people ask me how I am doing in class and offer assistance in terms of study groups" (#965, student). Yet another respondent noted that "speaking with friends often proved to be the most fruitful way to discuss difficult themes and events." (#474, student)

But there is also a sense that students may be choosing carefully who to interact with. One student noted that "(I) was able to surround myself with people who have similar interests and do things that distracted from the political atmosphere on campus (or allowed me to talk about it in a safe space)" (#348, student).

But there are examples of negative student interactions, with one student noting that other students can be "Incredibly unfriendly and unwelcoming" and that there is a "lack of accountability in students being aggressive or offensive" (#845, student). Yet another student observes that they have had "very positive interactions with open minded people on campus, but interactions with other students has felt unproductive, and some students have acted provocatively, making me feel uncomfortable engaging in a peaceful protest. These students have had a hateful agenda and been uninterested in dialogue or common ground, just stoking anger and further disengagement across lines." (#1165, student)

The University's' policies received negative feedback from students, but for different sets of reasons. One student questioned: "Why were the protests allowed when they were in CLEAR violation of campus

policies?" (#2048, student) Another remarked that "Banning protests is a ridiculous policy. Inventing rules and secretively imposing academic sanctions to those who break them is unjust. The University has worked overtime trying to chill free speech." (#1871, student). Another student worried that "the University seemed to selectively enforce its policies, and it often generated more controversy than it was worth." (#934, student)

Even more negative is the students' views of external actors. One noted that "Outside agitators absolutely influence campus vibes and security" (#2154, student) and another that "outside media and alumni made Harvard too concerned about its reputation rather than its students" (#1412, student). Student respondents were quite attentive to external actors engaging in "doxxing." A student noted: "The doxxing trucks were an awful addition to the school campus this year, and did much harm to the student community, especially Muslim students. IT discouraged free speech and punished specific people for their political opinions. Furthermore, Harvard's inaction towards this harassment only exacerbated the situation and demonstrated Harvard's lack of care for its brown students." (#474, student) Another (#844, student) said that "I have seen many people attempt to photograph or record students, and it makes me feel less safe walking on campus, especially on the main campus."

Students noted that external individuals and media attention has been especially harmful. One student observed that "The amount of random protesters who come onto the school to yell at passerby students makes me feel uncomfortable when I'm walking to class" (#1070, student) Another wrote that it has been "incredibly stressful to have prominent figures constantly weighing in on Harvard and adding tension to difficult times on campus." (#1086, student) These concerns are well summarized by a student who remarks that "Politicians, journalists, donors, etc., all writing or talking about how terrible and violent the community at Harvard has become. This has been extremely divisive, both directly for the community, and in the way it has brought further negative media attention to us." (180, student)

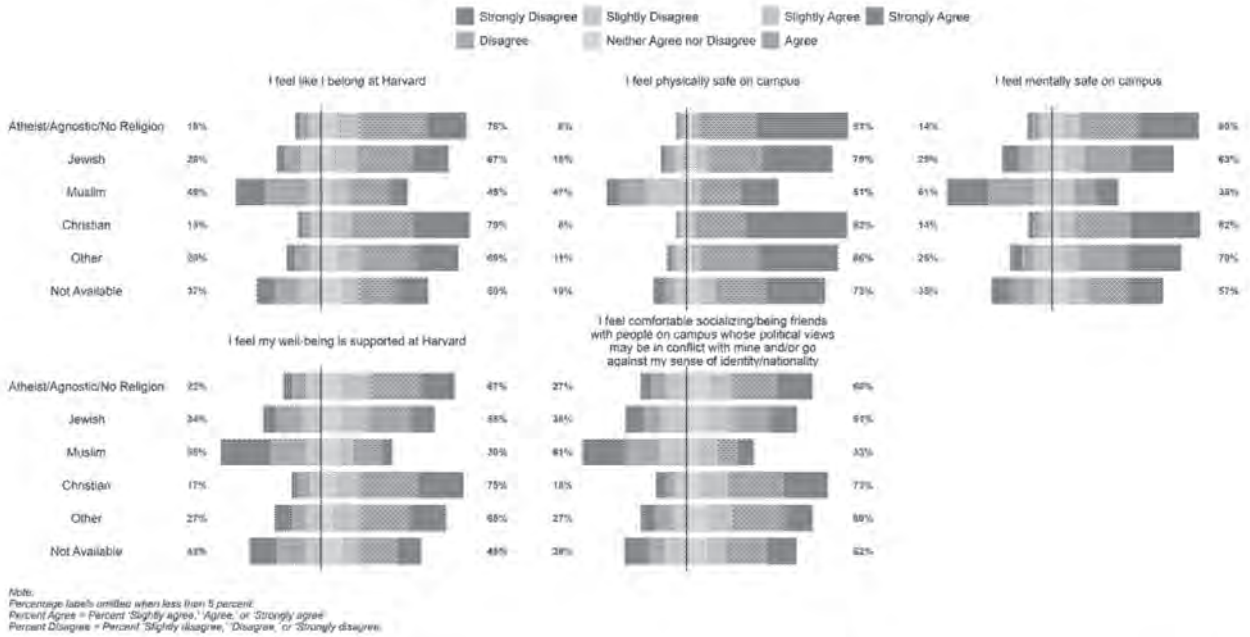
B. Heterogeneity by Religion

We now examine whether there are differences in experiences across individuals' self-declared religious identities. We combine some categories for ease of presentation. There is a nontrivial fraction of individuals who did not declare their religious identity and we separately report outcomes for them as well. The general result across all these questions is Muslims tend to report the worst outcomes, followed by Jews as well as those who chose not to report their religious affiliation.

SAFETY, BELONGING, COMFORT, AND FREE EXPRESSION

As seen in the figure below across all measures of safety and belonging we see Muslim community members report the most negative outcomes followed by Jewish community members. A common pattern seems to be Muslim respondents are four times as likely, and Jewish respondents twice as likely, to report negative sentiment compared to Christians and Atheists/Agnostic/No Religious Affiliation. The starkest comparison perhaps is physically safety where 47% of Muslim respondents report they are not physically safe on campus and 15% of Jewish respondents also feel physically unsafe relative to 6% for Christians and Atheists/Agnostic/No Religious Affiliation. The item with the highest rate of negative evaluations is the one asking if respondents feel comfortable socializing on campus with people with conflicting political views: 61% of Muslim respondents, 36% of Jewish respondents, 27% of Atheist/Agnostic/No Religious Affiliation respondents, and 18% of Christian respondents said they are not comfortable doing so.

Figure 7: Safety and Belonging by Religion — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'.

Given our previous results that students tend to report worse outcomes, we felt it was instructive to show the religious heterogeneity for students (undergraduate student and graduates/fellows) only to see if the patterns change. Among student respondents, Muslims have the most negative evaluations followed by Jews though the ratios are somewhat less stark. Jewish students are roughly twice as likely as Christian students to report negative evaluations, while Muslim students are around 3 times more likely to do so as Christian students.

Figure 8: Safety and Belonging by Religion — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'.

Muslim and Jewish respondents offered many details about their sense of safety and belonging on campus. Beginning with Muslim respondents, several commented about the discrimination they face even though they take no political positions. Respondents encountered hostility if they present as Muslim, wear a hijab, or have a Muslim surname. One wrote (#89, student), "My peers who have lost their jobs simply for being in the leadership of Muslim faith organizations have been left out to dry once they had their offers revoked. Most of them never signed anything or participated in any activism." Another (#649, student) wrote, "Between October and December at the peak of the tension, I took Ubers at night to go from campus to home and would not use public transportation or walk at night alone for fear of my safety due to my Arab-looking and Muslim identity." Another (#1486, student): "As a Muslim woman who wears hijab, I have faced violent verbal and mental abuse across campus. I have been spat on, yelled at, and harassed in multiple places on campus."

For Muslim respondents who expressed solidarity with Palestinians, they found it was difficult to figure out how to express their political views without being accused of antisemitism. As one respondent (#38, staff) put it, "I avoid bringing up support for Palestine with anyone I don't know well as I'm worried about being labeled antisemitic. I fear this would negatively impact my career/promotion opportunities." Another (#162, student): "I often self-censor in fear that my opinion be misinterpreted or misunderstood and that I would be labeled antisemitic." Another (#505, student): "My hesitancy to speak up about my political beliefs lies in the fact that I feel as if being pro-Palestinian is automatically viewed as being antisemitic. For example, wearing a kefiyyeh, an indicator of Palestinian solidarity, may be considered antisemitic simply because of its affiliation with the pro-Palestinian cause. As a result, I do not and never plan to wear a kefiyyeh on campus. The ambiguity between what is considered antisemitic and what is considered rightfully pro-Palestine is what frustrates me most of all." Another (#1003, staff): "I don't wear the keffiyeh because I feel like I will be targeted. I already wear a hijab and have faced verbal abuse just because of that before. The definition of `antisemitism' has been stretched beyond belief (to people who simply want a ceasefire) and that is detrimental to Jewish people who are actually facing antisemitism."

Finally, some respondents felt that the chasm between sides in this conflict were too deep to allow for civic discourse. As one student (#901, student) wrote, "Why would I ever feel a sense of belonging here? I would rather be dead in Gaza than feel comfortable conversing with the people who defend a genocide that has murdered 10 of my family friends."

Muslim respondents noted multiple forms of racism they experience. One (#1863, student) said "There are, of course, the everyday instances of racism—a professor questioning my English (my native language!) in a way they would never question that of a White student, a lecturer playing an unprompted guessing game as to my family's country of origin, a student dismissively attributing my opinion to my religion in a seminar, an administrator telling us to be "grateful" when we challenged the bestowal of a University award upon an apologist for genocide, a fellowship interviewer indicating that my interests were too informed by my Muslimness and asking me what I would study if I weren't Muslim, an administrator calling the henna design from my culture ugly, my research constantly being mischaracterized by my department and beyond because work on Arabs and Muslims can't possibly be considered "theory," a *Crimson* reporter incorrectly reporting on an event I held and thus landing it (with my name and photo) on a right-wing website, my first-year adviser (who was also a senior administrator) recurringly confusing me with another female Muslim student three years my senior. Examples like these are endless."

Several Muslim respondents recognize antisemitism is real but is not zero sum with Islamophobia. As one wrote (#1210, student), "While I acknowledge Antisemitism is indeed an issue, this attitude should not project into believing that Islamophobia is lesser of an issue."

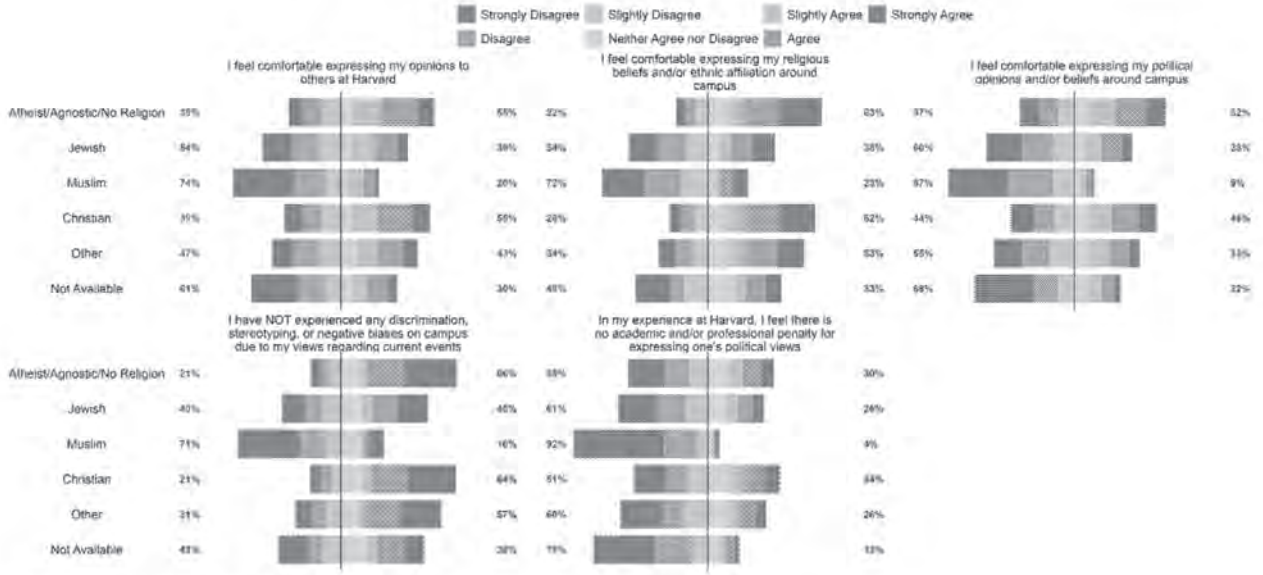
Among Jewish respondents, several themes emerged in the open-ended responses. The first is that a number of Jewish students felt targeted based on their Jewish identity. As one wrote (#361, student): "I've never

experienced antisemitism as profound and pervasive as it has been at Harvard. I left campus before the end of the semester to move back home due to the detrimental effects on my productivity and well-being. I've been stalked across Harvard Yard by students whose faces were completely covered by keffiyehs, I've been screamed at while attending outdoor, on campus events held by Harvard Chabad, and have encountered more swastikas and classic antisemitic canards than I did growing up in the Bible Belt." Another (#1251, fellow): "I hesitate to wear any visible symbols of my Jewish faith or to express support for Israel, due to potential negative reactions, or being perceived as wanting to inflame tensions." Another (#997, student): "I was in a class and had said that I spoke Hebrew. Right afterwards, someone pretended to stretch in order to punch me in the face. Although the professor saw it, she said nothing to the student. I also do not feel comfortable expressing my views even in the field that I study for fear that I will not receive funding or good letters of recommendation. I do not feel physically or intellectually safe at Harvard."

Jewish respondents reported that they pay social penalties for expressing support for Israel. As one said (#286, student): "As a Jewish student, I have been told that certain people (particularly the ones in the encampments) hate me for being pro-Israel. I have lost friendships because of it as well." Another (#118, student): "When I walk around campus, I do not fear for my physical safety. But I feel socially isolated. At times, I tried to have conversations with students whom I knew had different views, but this often did not go well. Even though I have not engaged in any counter-protests (or said anything publicly about the conflict), the students at the encampment refused to speak to me because, as one said, "I'm a Palestinian-hating Zionist." Maybe it was the fact that I wear a kippah that led them to believe that?" Another (#1273, staff): "I cannot express my opinions (two state solution and peace) as I know I would face backlash professionally and socially. It is almost like Jews have to pass a purity test to be 'a good jew' in order to be accepted." Another (#82, student): "I have felt totally alienated and alone on campus- anyone who was friendly to me before October 7th has gone to at best, ignoring me, or at worst saying awful comments to me about how `no Israeli is a civilian including babies who will grow up to be in the IDF' and that they want to scare all Zionists away from Harvard." Another (#1224, student): "The 'cancel' culture rules this campus. If you are not progressive, you should know that expressing your opinion == someone will cancel you and some doors will be closed for you, etc."

On measures of free expression (Figure 9), we see Muslim community members report the most disagreement with the items followed by Jewish community members. A common pattern seems to be Jewish members are twice as likely to disagree with the survey items compared to Christians and Atheists/Agnostic/No Religious Affiliation, while Muslim members are one-and-a-half more likely to report negative outcomes than Jewish members. Almost all (92%) of Muslim respondents, 61% of Jewish, 55% of Atheist/Agnostic/No Religious Affiliation, and 51% of Christian respondents say there is an academic or professional penalty for expressing political views. Another stark comparison is experiencing discrimination based on one's views: 71% of Muslim respondents report they experienced discrimination, bias, or negative stereotyping along with 40% of Jewish respondents and 21% of Christians and Atheists/Agnostic/No Religious Affiliation respondents.

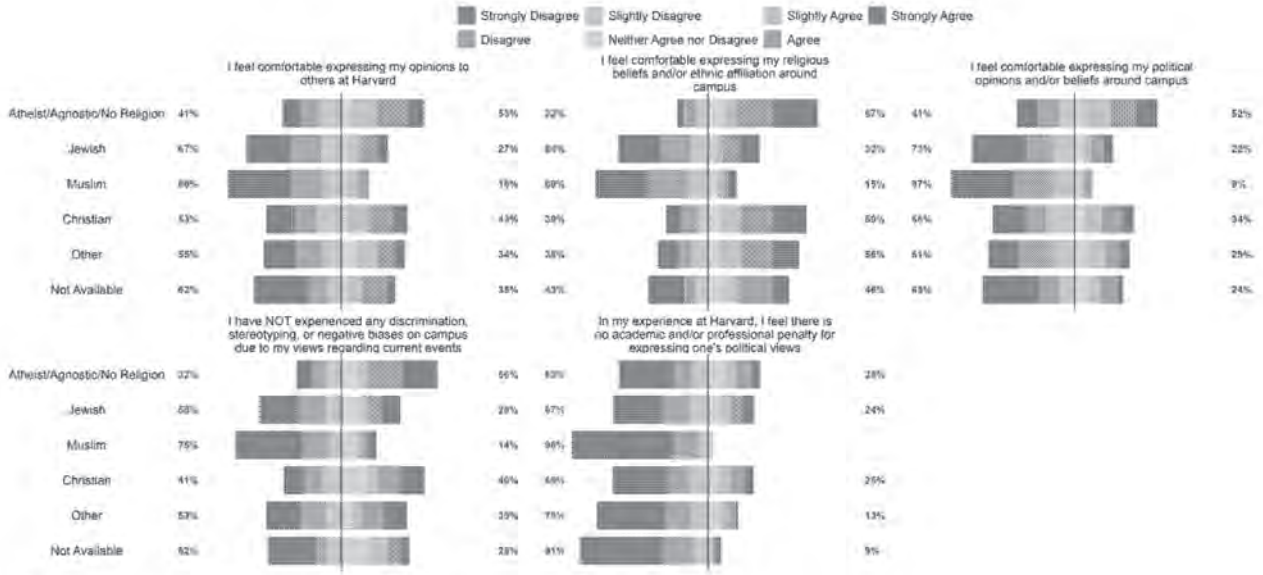
Figure 9: Freedom of Expression by Religion — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

As before, we also show the above results restricted to students and see the same patterns as previously — the ordering remains the same though the ratio of differences is reduced. For example, around two-thirds of students regardless of religious affiliation perceive academic and professional penalties from expressing their political views, though here too Muslim students are more likely to offer negative evaluations (96% negative).

Figure 10: Freedom of Expression by Religion — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

Muslim respondents also reported they paid penalties for expressing support for Palestinians. One respondent said that a potential donor for a research project decided not to support the research after learning that the respondent signed a letter supportive of a ceasefire. Another wrote (#121, staff), "I have felt that my professional relationship with the leader of my organization at Harvard has deteriorated after she sensed my support for Palestinian freedom. For example, this leader started leaving me off emails and invites for teams that I have long been a part of."

Respondents who expressed support for the Palestinian cause felt harassed. For instance, one wrote (#412, student), "I myself have heard slurs and insults such as `terrorist', `baby-killer', `towelhead', and `antisemite' … because of my decision to wear a keffiyeh and show my solidarity with a people experiencing the worst crime known to humanity." One respondent (#302, faculty) wrote about how they were surveilled after being publicly supportive of Palestinians: "My boss has told me my colleagues are complaining to him that my social media posts are offensive. This is all because I am posting about Palestine. HR has found my posts compliant but it hasn't stopped them from surveilling me. My boss has refused to tell me what exactly was offensive or offered to facilitate a conversation with those who have been offended."

Muslim respondents perceived double standards in how the University responded to events on campus. As one wrote (#89, student), "If there were antisemitic trucks driving around campus and planes flying over with antisemitic slogans, I cannot help but believe Harvard would have done more to stop it." Another student (#314, student): "An antisemitic cartoon gets a University wide email from a president but doxxing, physical violence and a list of other crimes does not." Another student (#1966, student): "I have never before felt more disappointed and embarrassed to be a Harvard student. I find it appalling that Harvard can show empathy to other groups of oppressed people but does not extend that same responsibility to Palestinians."

Several Jewish students felt uncomfortable around the pro-Palestine protests. As one explained (#861, student), "For almost eight months Jews living in the Yard have been yelled at, or around them, things like 'globalize intifada'. I experienced the second intifada in Israel, in which suicide bombers kept blowing up in civilians centers, busses, coffee shops, night clubs — murdering over a thousand children, elderly, just people. Having that chanted daily without any repercussion, recourse, or help from the University has been a complete failure of the University to protect one of its smallest minority groups."

A common refrain from Jewish respondents was that there was a lack of nuance on campus, and Jewish students had difficulty taking a middle position on the conflict. One wrote (#383, student), "The abject canceling, dehumanization, and unwillingness to even engage with anyone who even slightly questions small aspects of the groupthink mentality has unfortunately characterized my final year at Harvard." Another (#570, student): "I am in my first year of grad school and I am afraid to meet new people (including both students and faculty) because they may very well think I am a monster for being a Jew and a Zionist (I believe that the State of Israel has a right to exist and is the homeland of the Jewish people. I also believe there should be a Palestinian state)." Another (#1650, faculty): "I think that the polarization has eliminated discussion of moderate liberal views on many issues — e.g., despite a two-state solution being the only viable path, it is hard to bring up in the current climate."

A number of Jewish respondents are supportive of Palestinian rights, anti-Zionist, and/or advocates of a ceasefire in the region. These respondents felt uncomfortable and upset as well. As one said (#46, faculty), "As a Jewish faculty member without the protections of tenure, I am afraid of publicly expressing my support for a ceasefire or Palestinian human rights. I was afraid to be even seen walking near the encampment lest someone doxx me and try to get me fired." Another (#1014, student): "As an anti-Zionist, pro-Palestinian Jewish student at Harvard, I have been targeted and harassed by Harvard students and faculty for my political views. At the same time, my Jewish identity is totally ignored by the Zionist

individuals telling me I am `pro-Hamas.' If my Jewish identity is addressed, I have been told I am antisemitic, not a real Jew, or a `kapo.'" Another (#486, student): "I am a Jewish student who holds pro-Palestinian and anti-Zionist views. I do not feel unsafe at all as a Jewish student at Harvard, but I do feel unsafe publicly demonstrating those political beliefs at Harvard although I think that my being Jewish makes me more comfortable voicing those beliefs than if I wasn't. However, I think that there is still a considerable effort to target Jews who stand up for Palestine, and I think Harvard should take steps such as recognizing Harvard Jews for Peace to protect us."

When asked if the 2023-24 school year was worse than prior years, Muslim and Jewish respondents had many reflections about the Israel/Hamas war and its effects on campus.

A student (#61, student) wrote, "Muslim students were almost constantly subjected to both internal and external persecution regardless of whether or not they had actually said anything about the conflict, and administration never provided support the way it has shown support for Jewish students." Muslim respondents specifically mentioned doxxing (i.e., publicizing names and faces of individual student activists and leaders) as a source of their negative feelings on the year.

Jewish respondents perceive a double-standard against them as well. As one student (#2136, student) wrote, "I lost faith that my classmates would treat me and my beliefs and opinions with respect. I felt isolated and threatened by chants that protesters claimed were made with good intent. However, while we broadly condemn microaggressions not for their intention but for their impact, we seem to not care at all about the impact of the chants that echo around campus."

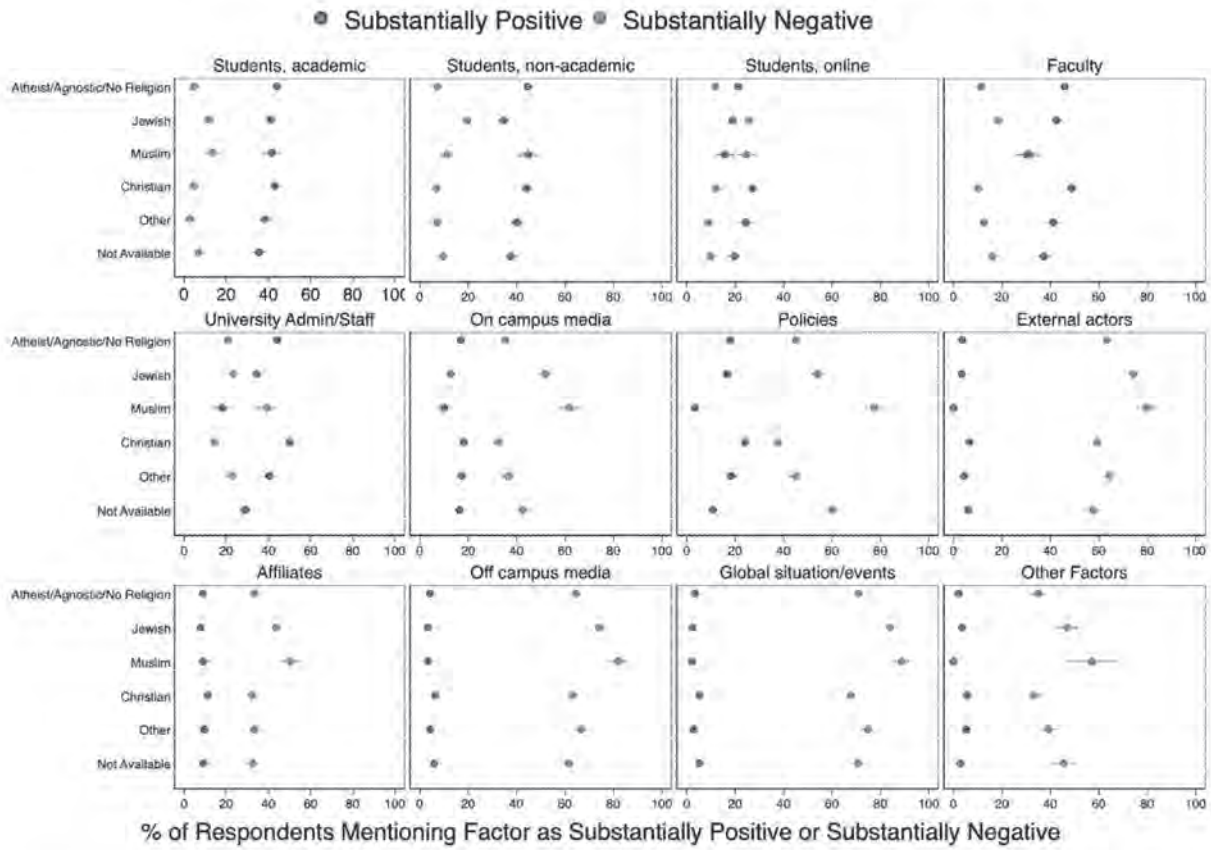
Jewish respondents largely said the year was worse than prior because they feel unwelcome. As one wrote (#95, student), "The barrage of antisemitic hate speech and protests outside of Harvard regulations (e.g. encampment) is nonstop and unrelenting. I feel completely unwelcome and out of place at Harvard now." Another wrote (#361, student), "Literally have been stalked across Harvard Yard by protestors while walking my dog, had "Heil Hitler" yelled at me twice while waiting for the M2, lost most of my non-Jewish friends and acquaintances on campus after posting about antisemitism I've been experiencing (nothing about Israel or politics). I've never felt less safe on a campus than I did this past year at Harvard."

Jewish respondents who were supportive of pro-Palestine protests also voiced dismay about being vilified for their views and the "consequences for standing up against genocide."

CONTRIBUTING FACTORS

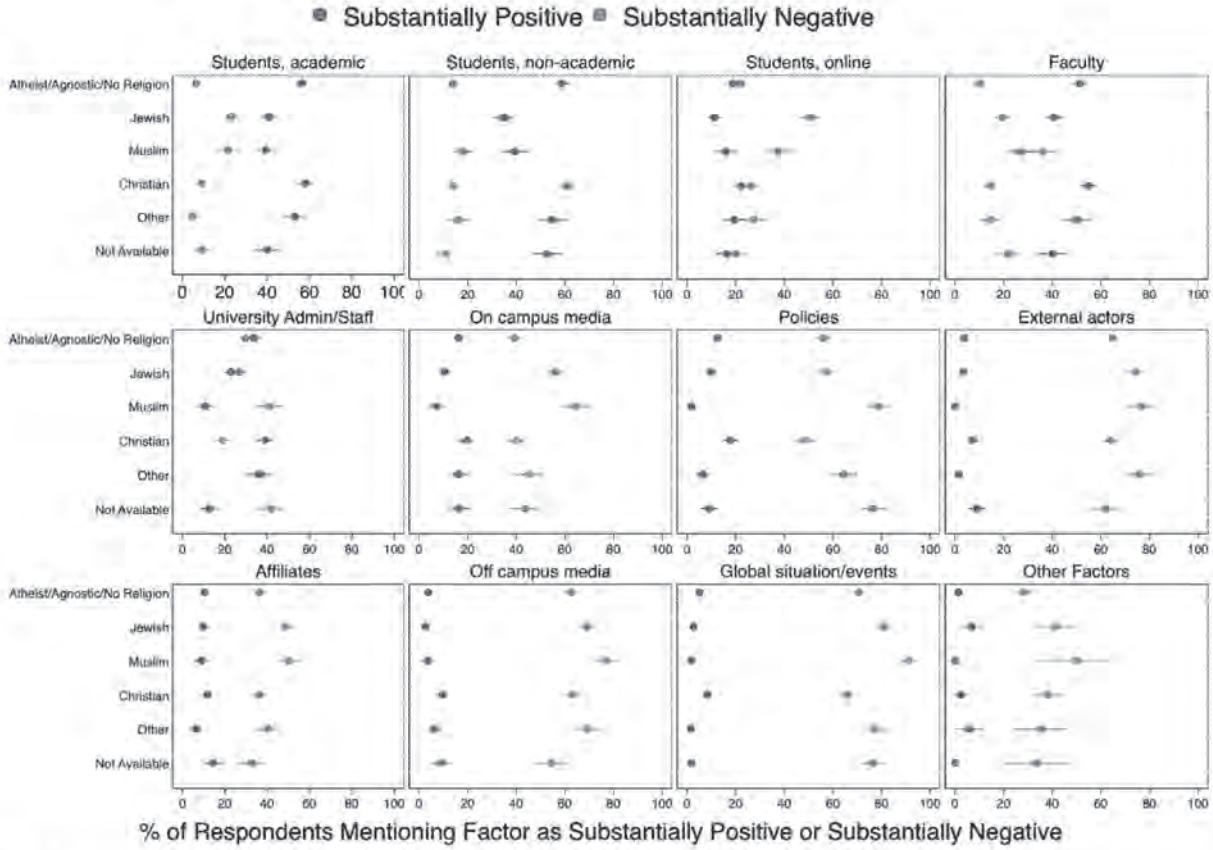
When examining factors that are contributing to the community's experiences, we tend to see similar patterns across the different religious groups as we saw previously. The few noteworthy effects may be that Jewish community members (especially students — see the subsequent figure) find non-academic interactions with students to be more negative than other religious groups, and Muslim respondents (especially students) are less happy with faculty and staff interactions, on-campus media, Harvard polices and several of the external factors.

Figure 11: Contributing Factors by Religion — All Respondents



The graph below presents the results but restricting to students only. The results mostly accentuate those presented above. Student online interactions with other students is now factor that is more negative than positive, especially for Muslim and Jewish students. For Jewish students, in-person non-academic interactions with fellow students is viewed equally negatively as positively.

Figure 12: Contributing Factors by Religion — Only Students



When asked to describe the positive and negative factors that contribute to their sense of belonging at Harvard, Muslim and Jewish respondents echoed similar themes as previously reported. With respect to their experience with other students, Muslim students citing positive stories wrote responses like that they "appreciated getting to know students by visiting encampments (#55, faculty)" and "Harvard students are, as a whole, immensely capable of nuanced interactions and curiosity — in a structured environment, they are willing to learn and discuss difficult ideas (#104, staff)". One respondent wrote (#302, faculty), "Working with students who have been bravely speaking up for justice in Palestine have been an inspiration. I respect them. I learn from them. I appreciate them." A student recounted a story of a dialogue that happened at an event (#1511, faculty): "Even when I was at an event discussing the dismal public health situation in the Occupied Palestinian territories and one of the other attendees called Arabs animals unwilling to make peace, I approached them after class to refute those general claims. We ended up having over an hour-long conversation and exchanged book recommendations and hugs."

Some Jewish respondents had similar positive experiences with other students, writing notes such as, "I have enjoyed lots of peaceful and productive academic discourse in my classes and sections (#349, student)" and that they appreciated "students open to listening and providing different perspectives in a respectful manner. (#1977, student)"

Muslim and Jewish respondents both also wrote about the negative experiences they have had with their peers. Among Muslim respondents, we saw messages such as this (#302, faculty): "I have been dismissed and silenced for speaking out about Palestine. Reactions from my peers have been shocking. Many have stopped speaking to me. Some (not sure how many) have made complaints about me." Another (#1028, student): "Blatant racism was expressed by a small minority of students in my cohort, but massively soured

my entire experience. I spent every Monday of the Fall dreading attending or speaking in class lest I be doxxed by my classmate who sent us emails she received from reporters asking for the names and contact information of Arab/Muslims students who were suspected to be pro-Palestine." Another (#1614, student): "In the days and weeks following October 7th, I noticed several Zionist classmates of mine checking my LinkedIn profile, when they had never looked at it before. This was clearly, to me, an attempt to dox me for any membership in organizations they deemed to be critical of Israel."

For Jewish students, many them pointed to the toxic student environment they witnessed on the social media platform, Sidechat. As one says (#30, student), "Have you seen sidechat? The amount of antisemitism there is unlike anything I've seen before." Another (#35, student): "Sidechat — people say horrible things. Antisemitic, antizionist, just plain hurtful about other students." Jewish students also experienced negative interactions with fellow students in class. As one wrote (#1305, student), "Students in my program make racist and discriminatory jokes about Jews and Christians. It is almost even worse outside of the school environment."

Some Muslim and Jewish students praised interactions with faculty for being kind and supportive. But others had negative comments about faculty. Muslim students wrote responses such as this (#926, student): "Certain members of Harvard faculty feel comfortable calling students `terrorist sympathizers' and are then somehow expected to maintain professional boundaries." Another (#55, faculty): "It has been hard to interact with faculty who are silent on the genocide and our complicity in it, or even worst, justify it." Another (#1146, student): "Harvard faculty have expressed outrageous and dangerous opinions that show clear anti-Arab and anti-Muslim bias." A Jewish respondent (#996, student) wrote that faculty contributed negatively because they showed "no empathy for the effects of October 7th on Jewish students." Another student noted (#1800, student): "My comments in class are always judged through the lens of `the Israeli is speaking'. Also, there have been many cases of anti-Israeli and anti-Jewish bigotry in classroom settings, mostly dismissed by the Professors in a way that would never fly for any other minority group.

Respondents have more lopsidedly negative comments about the Harvard administration and its policies. One Muslim respondent (#1467, student): "Harvard has abdicated any responsibility it has towards its students to conservative donors who now get to even dictate who receives a Harvard degree and who does not. There are no Harvard policies to protect Arab and Muslim students and other students of color." Another (#1749, faculty): "I am deeply disappointed in Harvard's treatment of its students. I'm appalled that the Board was able to interfere in the graduation of students who earned their degrees. I am not annoyed, I am appalled." Another (#121, staff): "I believe Harvard was creating rules and applying rules to stifle the pro-Palestine voice on campus."

Many of the negative comments about the administration and policies point to the influence of donors. Said one respondent (#121, staff), "I believe the pressure of Harvard's donors has reduced Harvard's academic freedom." Another (#1003, staff): "I think Harvard as an institution has really distanced itself as a rigorous, academic institution and has degraded itself in the eyes of the public. Personally, I will be quitting. The environment on campus has just been so toxic and I can't contribute to a university that values money and Zionism over education and its own students." Another (#1003, staff): "Big money donors. The sway they have on administration is shocking."

A Muslim student (#1486, student) pointed to double standards in enforcement of rules: "These policies were not harshly enacted in previous protests like the Occupy movement, but all of a sudden when they protest Israel the policies are used to crack down on Black and Brown students."

A Jewish student (#95, student) thought double standards cut the other way: "Harvard policies are a joke because they are enforced with a massive double standard. If protesters wore KKK regalia and chanted slogans offensive to large numbers of Black students, I doubt they would have been allowed to camp out in

Harvard yard for three weeks and escaped any disciplinary consequences." Another Jewish student (#383, student) wrote: "Hate speech apparently tolerated."

The role of outside actors was a negative contribution for many Muslim and Jewish students. Here are a couple of Muslim respondents: "Doxxing trucks! Airplane banners at Commencement! Zionist CEOs shouldn't be calling for the resignation and expulsion of children and students (#982, staff)." Another: "Doxxing, getting students fired, sending doxxing trucks to their homes, signed letter after signed letter calling Muslim students pedophiles and child-be-headers, etc (#1028, student)."

On the matter of outside actors, Jewish students had similar responses to Muslim students. "People who are not on campus and not actually experiencing what was happening presumed they knew what was happening on campus and injected themselves into campus life in inappropriate and detrimental ways. It made the environment on campus far worse (#742, student)." Another Jewish student: "The Zionists that drove around trucks with images of students labeling them as antisemitic were horrible (#1076, student)."

Finally, and not surprisingly, the war in Israel and Gaza itself was a major source of pain for many Muslim and Jewish respondents. As one Muslim respondent put it, "Forced famine. War crimes. Genocide. International organizations and the world's highest courts have been spoken. It's a very dark time in history. We are in a country and an institution that is not only denying these atrocities, we are actively supporting them (#302, faculty)." Another: "I felt like weeping or did weep pretty much ever day the past 8 months on campus and my pain was never once acknowledged by my teachers, administrators, or University leadership (#1614, student)." Another: "I don't like my family being murdered, held hostage, and then blamed for defending themselves (#30, student)."

A Jewish student noted that the pain is felt by everyone: "The ongoing war in Gaza is a disaster for all parties involved. Seeing the suffering of Palestinian noncombatants and Israel's existential security threats makes me feel sad and helpless (#95, student)."

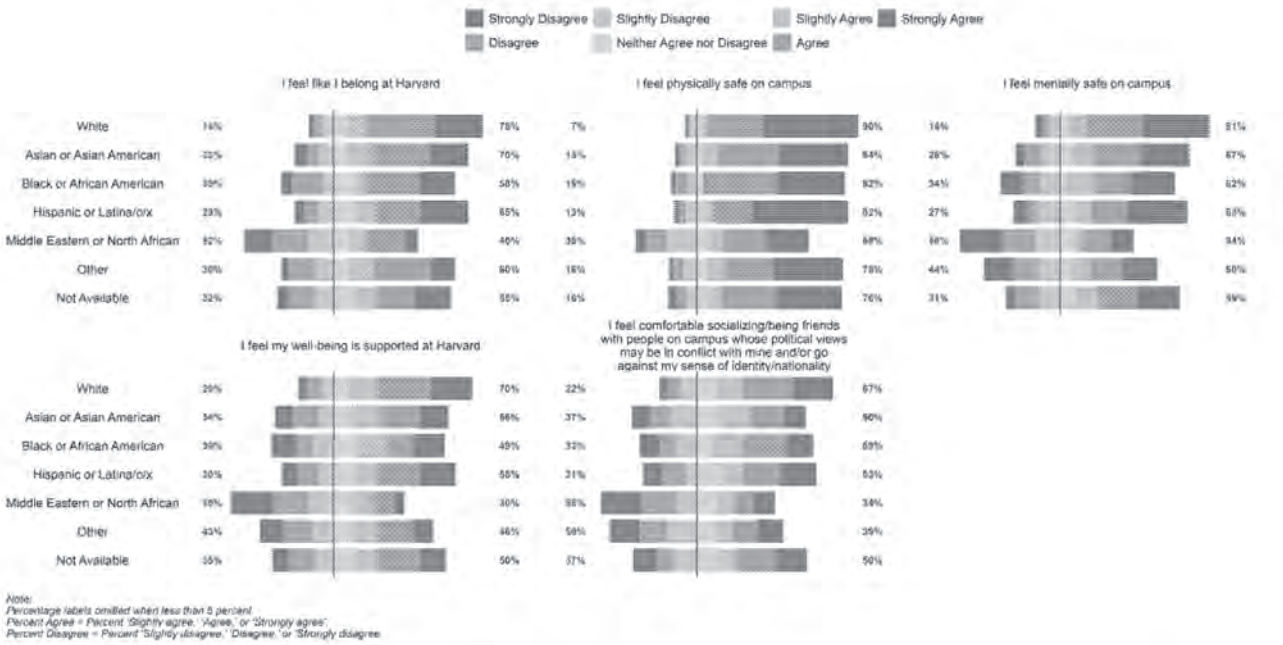
C. Heterogeneity by Race

We now examine whether there are differences in experiences across individuals' self-declared racial identities. We combine some categories for ease of presentation. The general result across all these questions is MENA community members tend to report the most negative evaluations, followed by Black, and then Asian and Hispanics, with Whites reporting the most positive evaluations.

SAFETY, BELONGING, COMFORT, AND FREE EXPRESSION

Across all the safety and belonging questions respondents who identify as Middle Eastern or North African (MENA) reported the most negative outcomes — 52% of them feel they do not belong at Harvard, 35% and 58% respectively do not feel physically and mentally safe on campus, 59% feel Harvard does not support their well-being, and 55% do not feel comfortable socially with others who hold differing views. MENA identifiers were almost twice as likely to offer negative evaluations as the next group articulating negative experiences — Black or African American students. Hispanic and Asian community members reported slightly more positive experiences than Black community members, and while mental safety is a similar issue for Hispanics as it is for Asians (27% feel mentally unsafe versus 26% for Asians), Asians reported their well-being is slightly less supported (34% versus 30% for Hispanics) and they are less comfortable socializing with others with differing views (37%) than Blacks (33%) and Hispanics (31%).

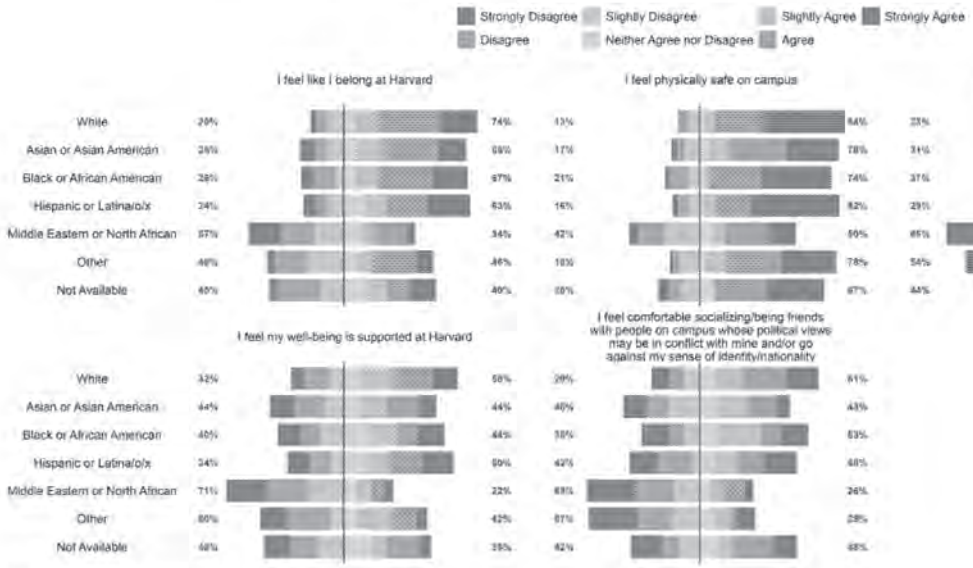
Figure 13: Safety and Belonging by Race — All Respondents



Note:
Percentage labels omitted when less than 5 percent
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

The next figure restricts the responses only to student respondents, where negative evaluations are especially common. Close to three-quarters of students who self-identify as MENA reported they do not feel mentally safe on campus or feel their well-being is supported by Harvard. Black students are typically the next group most likely to have negative experiences — especially in the case of physical safety (21% of Black students report feeling physically unsafe versus 17% for Asian and 16% for Hispanic students). On other items, such as those measuring comfort in socializing with those who hold differing views, Asian and Hispanic students are more likely to respond negatively than Black students.

Figure 14: Safety and Belonging by Race — Only Students

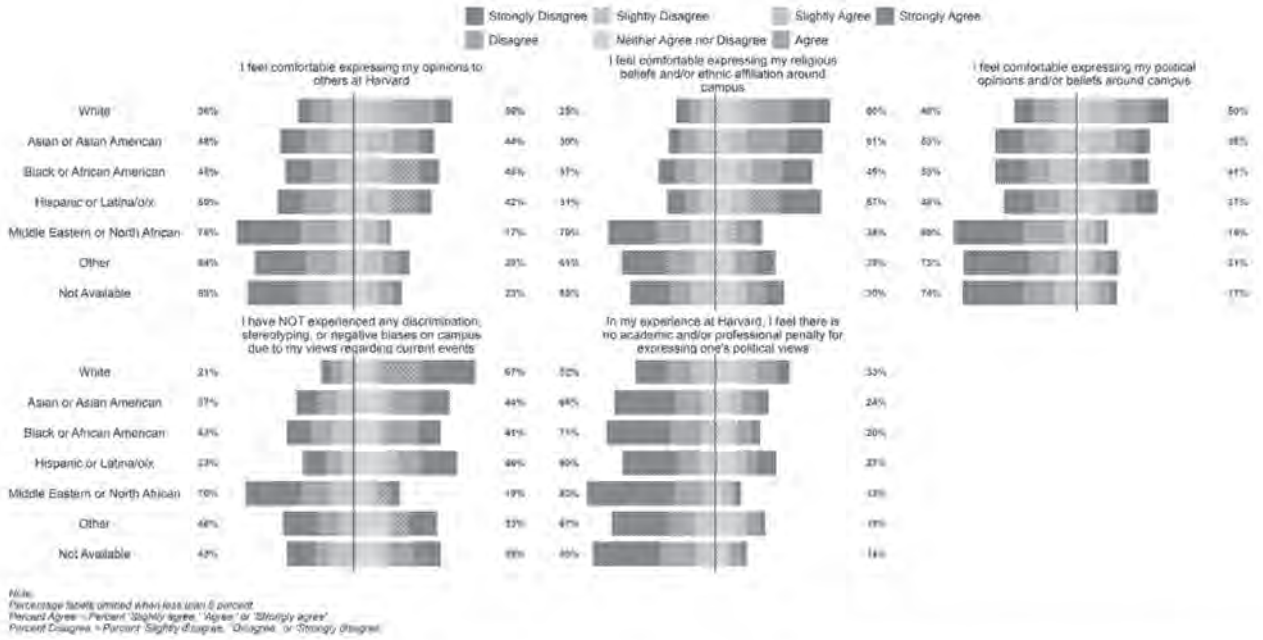


Note:
Percentage labels omitted when less than 5 percent
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

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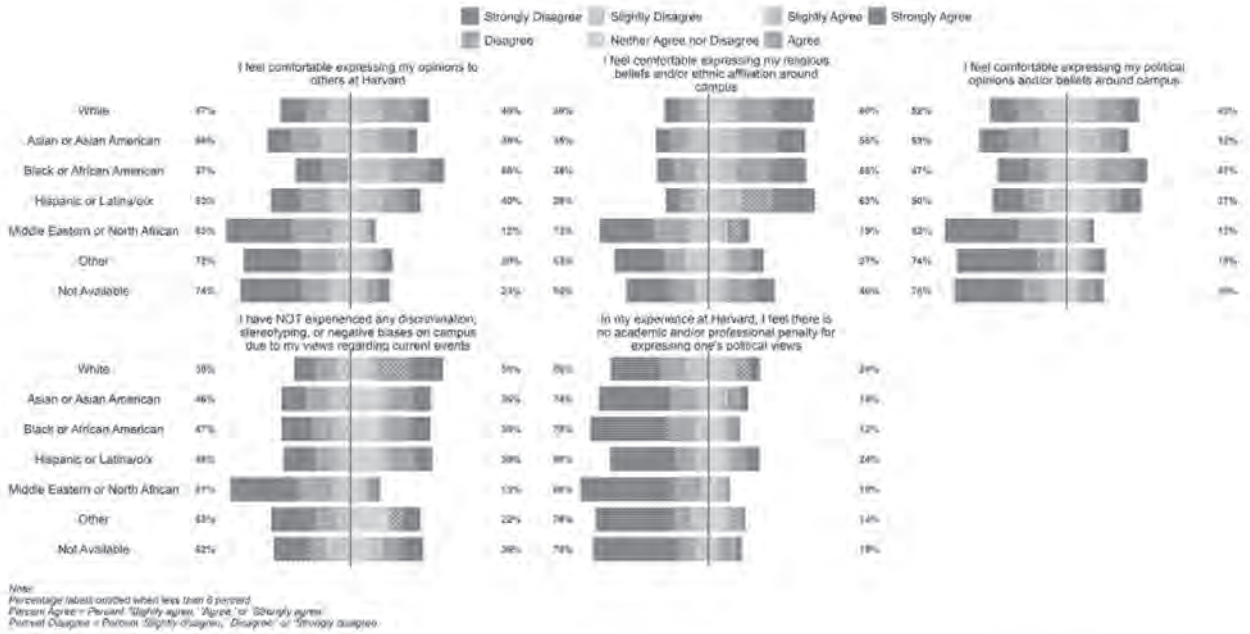
As the figure below shows, we again find the MENA community members reported the highest levels of concerns in being able to express their opinions. About four-fifths of the MENA respondents reported not being comfortable expressing their views, experiencing discrimination and facing professional and academic penalties for expressing their political views. While Black community members are typically the group next most likely to report negative experiences, in this case Asian and Hispanic community members are also close, and even White respondents report fairly high levels of discomfort expressing their views (25 to 40%), facing discrimination (21%), and facing academic or professional penalties (52%) when they do so.

Figure 15: Freedom of Expression by Race — All Respondents



Restricting to students (Figure 16) shows similar patterns with generally more negative evaluations on all the questions. As one example — even for White respondents, close to two-thirds reported there is an academic/professional penalty for expressing their political views; the corresponding number is 86% for MENA students.

Figure 16: Freedom of Expression by Race — Only Students



We now explore the open-ended responses by race focusing first on MENA given it is a large outlier. While there is overlap with our examination of religion — with a third of MENA respondents being Muslim and a quarter being Jewish — a reasonable fraction includes Christian, atheist, and others. And while the respondent numbers are not large enough to readily separate by national identity, the Israeli and Palestinian experiences seem especially distinct.

A MENA student notes that "Harvard, like most if not all American universities, is a place where the appearance of difference is tolerated, even welcome, but the reality of difference and the expression of difference is not. Diversity is skin-deep here — diversity of color, appearance, and identity markers is encouraged, but difference of opinion and worldview is suppressed in countless ways. This extends to all realms of thought." (#289, student) A faculty member noted that "As an Arab American who is committed to human rights for everyone, I have isolated and ostracized in the workplace and been silenced and threatened for speaking out." (#302, faculty) Another MENA faculty member reported, "In general, being Arab is hard — people just make a lot of assumptions about you, and you feel professional repercussions. Harvard has never made this easier, and in fact, in the past tried to limit discourse about being Arab or Palestinian. It feels like it has gotten worse this year." (#49, faculty). A staff member notes that "I fear sharing my Arab identity for fear of reprisal" (#1632, staff).

Jewish Israelis reported difficulty navigating campus tensions. As one said (#1174, student): "While I respect other students' privilege and right to make their voice heard and fully believe that Israel's actions deserve criticism, I have felt that a growing portion of the student body increasingly feels that the state where my entire family has lived for generations does not deserve to exist, and that my very existence as an Israeli Jew marks me in some way as morally in the wrong." Another (#44, student): "I have had professors who have found out that I'm Israeli (without even knowing my political beliefs themselves) treat me completely differently in and out of class after they find out. One professor literally cut me off from speaking in the middle of response I was giving in class and asked if anyone else wanted to speak instead of me." Another (#6, postdoc): "I'm Israeli and while I am appalled by the situation in Gaza, I support the

existence of the State of Israel where my family and friends live. This has somehow become a controversial opinion which I cannot state anywhere for the fear of being cancelled."

This is echoed by the Palestinian experience as well. A student noted that "Harvard has made it quite clear that as a Palestinian-American student, I am not welcome here. As someone who started at Harvard in Fall 2023, the things I have experienced this past year will forever shape how I feel at Harvard." The same student goes on to note that "Because of the genocide of my people, my mental health has been terrible this year, which has negatively affected my productivity. However, I am too scared to bring that up to my advisers because I fear that I would face discrimination, rather than support." (#1879, student)

One staff-person (#158, staff) wrote, "In most ways my work days chug along as usual, but there is a pit in my stomach anytime anything having to do with the conflict comes up. What will people say? My team knows I'm Palestinian — I feel all eyes are on me so I have to watch how I act and what I say."

A MENA student (#389, student) perceived double standards that made the year worse, saying, "I feel the University prioritized the concerns/feeling accepted of certain groups while dismissing other groups of students, specifically Arab ones felt ignored."

Black students also reported facing a lack of belonging. An undergraduate student notes that "I chose Harvard because I felt safe and seen when I visited before I enrolled. My first semester, however, showed me that the support only came from the students who looked like me, but to the larger community, we did not really matter. (#327, student)" A Black graduate student remarked that "I have experienced negative biases due to my views on current events and even due to my identity — there's a sort of assumption that solidarity with Gaza is equivalent to antisemitism, or that all Black women inherently carry some sort of antisemitism" (#2253, student). This is echoed by a Black staff member who noted that: "As a woman of color, I don't feel safe expressing my views, especially considering that President Gay was forced out not because she was antisemitic, but because she was a Black woman." (#169, staff). A Black faculty member (#1270, faculty) noted that "While I feel like I belong within certain communities at Harvard, I do not feel a strong sense of belonging to my School or a sense of shared identity with the Harvard administration. Events since the October 7th attacks have contributed to the sense that I do not fully belong at Harvard." The same respondent goes on to note that, "I also question whether the University would offer any support if politicians or other outside actors targeted me due to my work or scholarly positions. While I believe my scholarly positions are independent of my ethnic and religious background, I fear that those factors would also be held against me in this context." (#1270, faculty).

CONTRIBUTING FACTORS

We now turn to contributing factors and here, despite the large differences in sense of belonging, safety and ability to speak freely, we do not see large differences in the contributing factors across the different racial groups. The salient difference is that MENA community members rated their online interactions with students, faculty and staff, on campus media and Harvard's policies less favorably than other groups. The results for students are similar but just slightly more accentuated.

Figure 17: Contributing Factors by Race — All Respondents

The figure below now shows the responses restricting to students only.

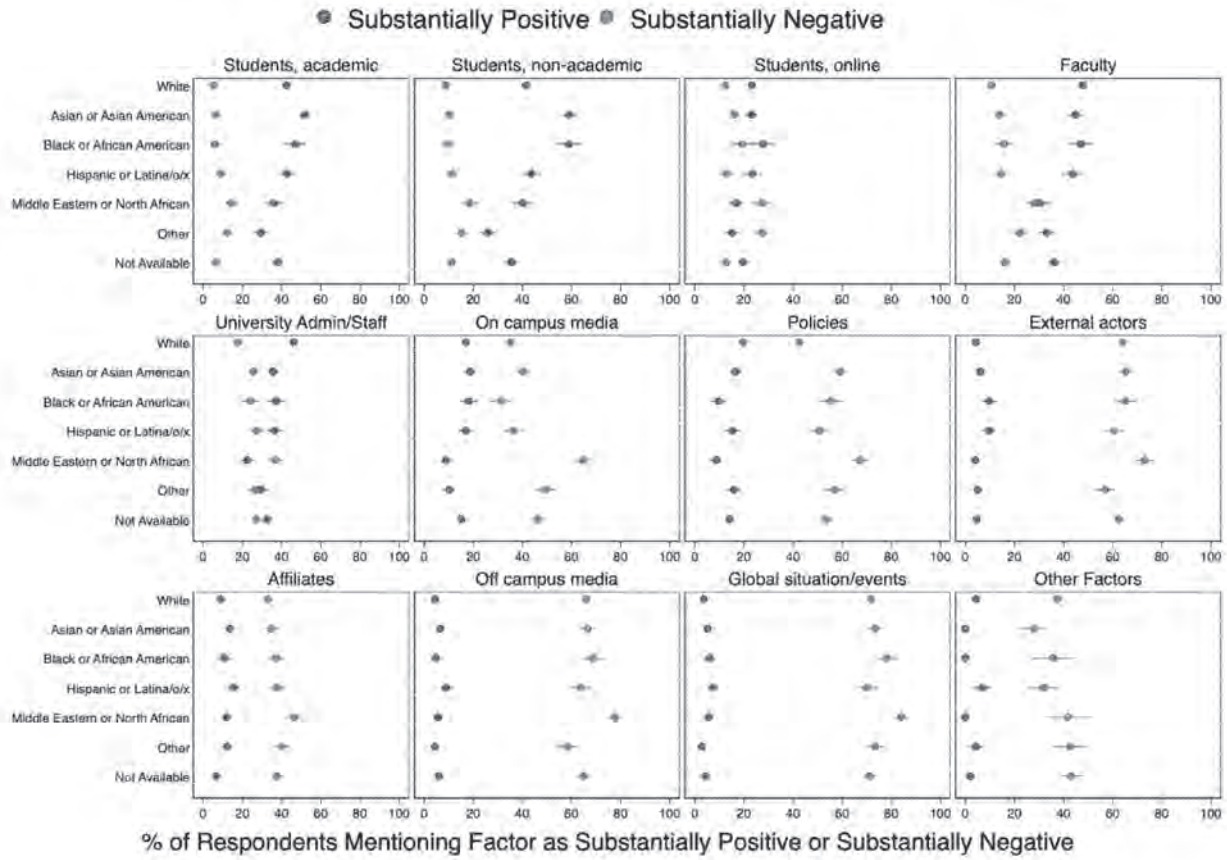
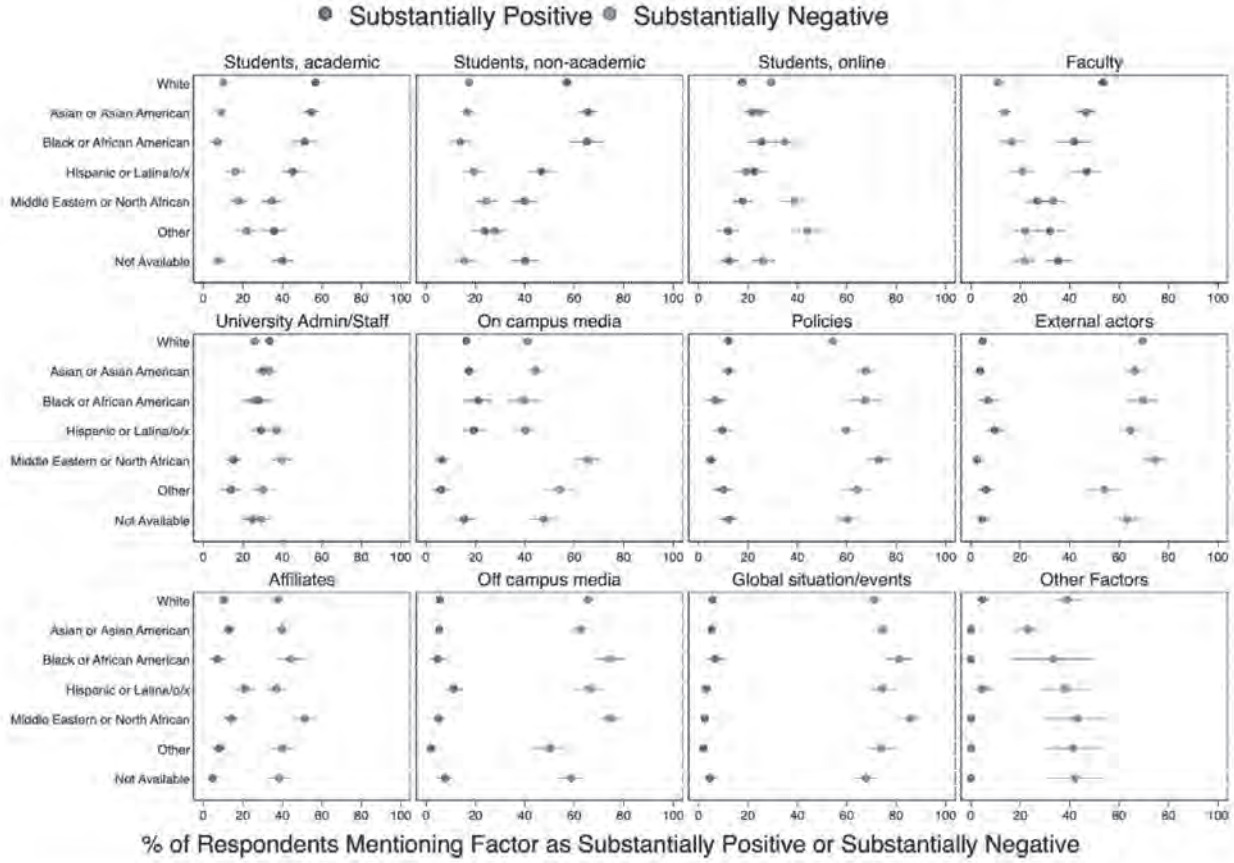


Figure 18: Contributing Factors by Race — Only Students



D. Regression Analysis on Religion and Race Heterogeneity

Our previous two sections have shown the there is substantial heterogeneity of impact by religion and race. Notably, Muslim and Jewish respondents as well as MENA respondents show the most negative evaluations. Given that MENA identity overlaps with both Muslim and Jewish, there is a question as to which dimension — race or religion — is more impactful in our results.

Table E1 in Appendix E shows the cross-tabulation of religion and race showing the extent of this overlap in our sample. Notably, the largest two religious categories for MENA respondents are Muslim and Jewish. Conversely, the two largest racial categories for Muslim respondents are MENA and Asian/Asian American. Given there is some overlap, we run multi-variate regression analysis (Appendix C) where for any of our given factors analyzed in the main body of our report (affiliation, religion, race) we show how our results are affected once we also control for other demographic attributes analyzed in the appendix (including gender, sexuality, political ideology, nationality).

Our results show that for the main outcomes our results are largely unaffected with the differences a given group experiencing remaining the same even when we have controlled for a range of other demographic attributes. This can be seen by comparing the odd number columns (results with no controls) with the subsequent even number ones (results with controls). The only case where our results are affected is the differential experience of Muslim and MENA respondents. While these two groups still show the most negative evaluations (within the religion and race categories respectively) even after we introduce other demographic controls, the magnitude of the differences for both are almost halved. Examining further, we find that this is because both Muslims and MENA identity have somewhat additive effects. In other

words, while non-MENA Muslim respondents report substantially negative evaluations, MENA Muslim respondents report even worse (at times twice as much) evaluations. Analogously, while Non-Muslim MENA respondents report large negative evaluations, Muslim MENA respondents have even larger negative evaluations: it is the combination of an individual being both Muslim and MENA that leads to the most negative evaluations. Tables C4a and C4b in the appendix show this further by simultaneously controlling for race and religion. As we can see the largest two (negative) effects are on the Muslim and MENA identities suggesting that both have distinct and separate impact. Moreover, for Tables C4a-b we see that adding more demographic controls (the odd numbered columns) does not affect either the coefficient on Muslim or MENA. This further confirms that our earlier results in Tables C2a-b and C3 a-b where the Muslim and/or MENA coefficients were affected due to controls was primarily driven by the overlap between Muslim and MENA categories.

While the data is somewhat limited to explore even finer sub-groups, we explore this further in Appendix E where we focus on SIX categories (respondent counts given in parenthesis) where we combine religion and race. Notably we separately present our results for the following respondents: (i) MENA Muslims (38); (ii) MENA Jews (36); (iii) MENA Other Religions (51); (iv) Non-MENA Muslims (51); (v) Non-MENA Jews (411); and (vi) non-MENA Other Religions (1710). We should caution though that some of the respondent counts are small and there is likely non-differential distribution of these categories across some of other demographic variables like Harvard affiliation etc. which is why we will also present regression results controlling for these additional demographics as well. Regardless, given the small sample sizes here, in comparing across race and religion categories, we draw suggestive inferences rather than firm conclusions. This is an area that we feel is worth exploring further using additional and more purposely collected data to study these adversely affected communities. That said, Figures E1 and E2 present now a more nuanced picture showing that while MENA Muslims typically express the most negative sentiment, the next most negative group is often MENA Jewish respondents, typically followed by Non-MENA Muslims and MENA respondents who are neither Muslim nor Jewish. Table E3 and E4 show the regression equivalent of these figures for the same six categories (the omitted category is non-MENA Other Religions) and present similar findings highlighting the adverse experiences that those with both MENA and Muslims/Jewish identities report. In the even numbered columns, we control for other demographic changes and while most results are unaffected there is a slight increase in the negative outcomes for non-MENA Jewish respondents likely because there is a higher fraction of faculty & staff than students in this category and we know from our results before that students tend to report worse outcomes than faculty and staff.

V. Respondents' Suggested Recommendations

The survey asked respondents to suggest specific recommendations that would be responsive to the concerns they may have raised in the questionnaire. We first used ChatGPT to help summarize themes in the recommendations suggested by students, faculty, and staff.

Among students, one key theme is about divestment and disclosure. A number of students recommend that the University divests financial interests in companies tied to Israel and/or to industries connected to warfare. Along these lines, students also recommended the University disclose investments in these areas.

A second theme relates to the enforcement of rules. Students would like clarity on rules related to free expression, and they would like for those rules to be enforced consistently in a content-neutral manner.

A third theme relates to claims about antisemitism, anti-Zionism, Islamophobia, anti-Arab bias and other forms of prejudice. Some students would like more education about what these terms mean to the

University. They also want the University to sanction those who behave prejudicially, and they want the University to do so consistently across targeted communities.

A fourth theme is about transparency in University procedures. Students want more information about how decisions are made, including disciplinary decisions and investment decisions. They'd like to know how large donors influence decisions.

A final theme is about inclusiveness. For some, Harvard has failed to be inclusive by hiring "so many antisemitic faculty members (#95, student)". For others, Harvard has failed to be inclusive by tolerating doxxing trucks. Still others feel that Harvard is not inclusive to pro-Palestine activists, who were treated negatively compared to activists of other social movements. And others report that Harvard could be more inclusive to religious students by offering more accommodations around their holiday observances.

Among faculty, the overall themes of recommendations were different. A core theme among faculty respondents was that Harvard should do more to engage students (including graduate students) in respectful dialogue, including on sensitive issues. Relatedly, faculty suggested more community-building and trust-building efforts so that the University feels more like a cohesive community. Faculty also raised several points related to ensuring the University is a place of free expression and not influenced by the interests of donors.

For staff, the theme of community-building also came up. Respondents want to see community-members spending more time together and more in dialogue. Staff also prioritized support for various subcommunities, such as "community members of color, its LGBTQAI+ community members, its community members with disabilities, etc (#83, staff)." Finally, staff members recommended both more transparency in University policies and improved communication across the University.

In addition to the AI-based review of all recommendations, we also read through the recommendations of Muslim and Jewish respondents. Among Muslim students, four key themes emerged.

One theme was around activism. Respondents recommend that students be given latitude to protest without fear of punishment from the University. Respondents recommend the University apologizes to students who were punished during the 2023-24 school year. Respondents call for the University to protect students who have been doxxed and support community-members when they are subjected to media attacks. Some ask for more security around Harvard Yard.

A second theme involves governance. Recommendations include divestment from Israel-related and military-related firms and disclosure of such investments. Respondents also recommend reducing the influence donors have on University policies and academic freedom. Some respondents want students to be more involved in governance around discipline and financial investments.

A third theme relates to education and dialogue. Respondents call for more educational opportunities to learn about the contemporary Middle East and specifically about "Palestine, Palestinian culture, and Palestinian history. (#290, student)" Respondents also want more opportunities for dialogue between Jewish and Palestinian community-members and more dialogue about the Israeli-Palestinian conflict.

A final theme from Muslim respondents is greater University support to the Muslim community. Recommendations include support for community-members dealing with Islamophobia and support in the form of programming around Ramadan.

Note that we also reviewed recommendation text for respondents by some racial categories, including Black respondents and MENA respondents. Black respondents and MENA respondents who were neither Jewish nor Muslim were largely overlapping with themes from Muslim students in terms of their suggested recommendations.

Among Jewish respondents, some recommendations were similar to those reported above and some were different. Perhaps the most common theme among Jewish respondents relates to protest, free expression, and discrimination. Respondents want Harvard to allow protests but to have clear and consistently applied rules, including clear consequences for the violation of rules. Several respondents mentioned the need for times, places, and manner rules so it is made clear that protests in venues such as classrooms and libraries are prohibited.

Second, Jewish respondents recommend that Harvard arrives at clear definitions of what it considers antisemitism. A number of respondents point to the lack of clarity on what amounts to antisemitism and a lack of understanding in the Harvard community of how antisemitism connects to anti-Zionism.

Third, respondents recommend Harvard adjust its recruitment policies both for students and faculty. For students, respondents recommend recruiting students more committed to learning and less to activism. For faculty, respondents recommend efforts to counterbalance the perceived left-wing orientation of professors. They recommend hiring more faculty who provide balanced perspectives and balanced course offerings.

Also, on the topic of education, respondents specifically recommend more course offerings related to Israel and Judaism across Harvard Schools in which Middle East politics is discussed. Respondents also suggest a research center that studies issues like antisemitism and anti-Arab prejudice together in a single center. On a similar theme, respondents call for more dialogue across difference and more open discussion on campus.

Fourth, respondents offered suggestions for adding offerings for community-members to explore a greater range of topics related to Jewish culture, languages, and religion. This includes the suggestion for creating a space for Jewish anti-Zionist students on campus.

Finally, a large number of Jewish respondents endorsed institutional neutrality as a guiding principle for the University. They also suggested reforming the University's engagement with DEI initiatives and staff. Many Jewish respondents feel that DEI offices are not able to satisfactorily engage with Jews as a minority group. Some would like DEI offices improve their engagement with Jewish community-members. Others would like to see DEI programs wound down.

In summarizing the above recommendations, we seek to emphasize that these recommendations have not been endorsed by two task forces nor by the authors of this auxiliary report. They simply reflect viewpoints of respondents to the survey.

VI. Conclusion

The results presented in the quantitative analysis shed light on the situation on Harvard's campus in the late Spring of 2024 as experienced by our students, staff, fellows and faculty. While they show sobering results — especially in terms of being able to have free enquiry and open discussions, and the experience of specific subgroups based on their religious and racial identities — they help by focusing on areas that can help heal our community. They also stress the importance of regularly collecting and analyzing data that take the pulse of how our community is feeling with respect to the educational, professional, and social environment. The results also raise several areas where further examination is needed.

Our results show that freedom of expression is one area where the most negative outcomes are perceived, especially for students. The latter is especially noteworthy to the extent we believe that students — who are developing their skills and need breathing room to make mistakes — should be more at ease with self-expression and not face academic, social, and professional risks from doing so.

Separate from the evidence on free expression, the responses from Muslim, Jewish, and MENA student respondents are troubling. Over a half of Muslim student respondents, a quarter of Jewish student respondents and a bit under a half of MENA student respondents do not feel physically safe on campus. A

clear majority Muslim, Jewish and ME students reported that they are not comfortable expressing their religious and ethnic identities on campus. On this measure, these groups appear very different from the other religions and racial groups.

While the task forces independently will offer recommendations specific to the Jewish/Israeli and Muslim/Arab/Palestinian communities, our primary recommendation in this document is a call for regular and in-depth research into community members and their sense of safety and well-being, with a particular focus on groups that appear to have a harder time expressing themselves and finding safety and comfort at Harvard.

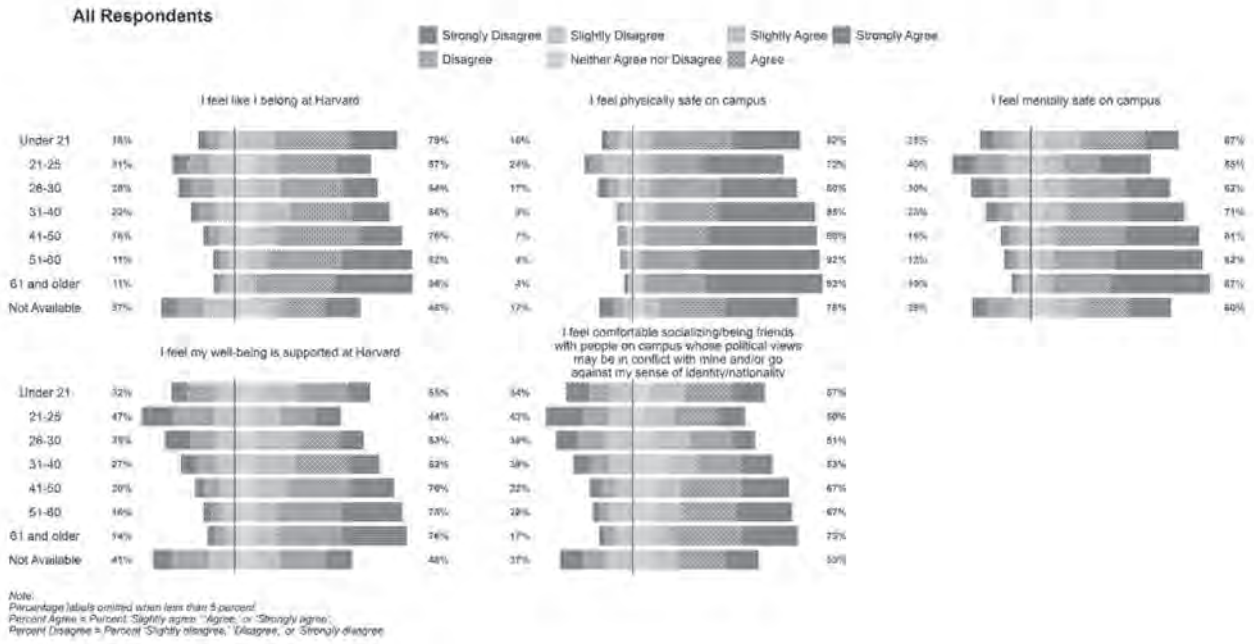
Appendices included in the Analysis Report from the Joint Subcommittee on the Harvard-Wide Task Force Survey

APPENDIX A

A1. Heterogeneity by Age

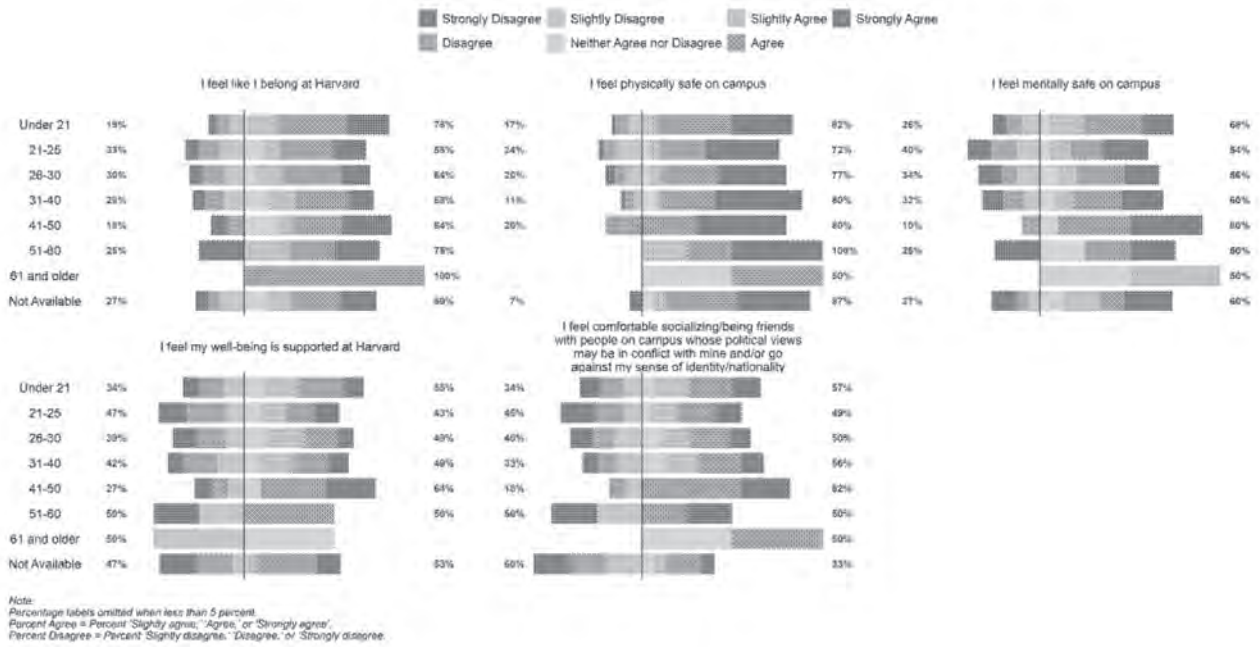
SAFETY AND BELONGING

Figure A1a: Safety and Belonging by Age — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree.'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

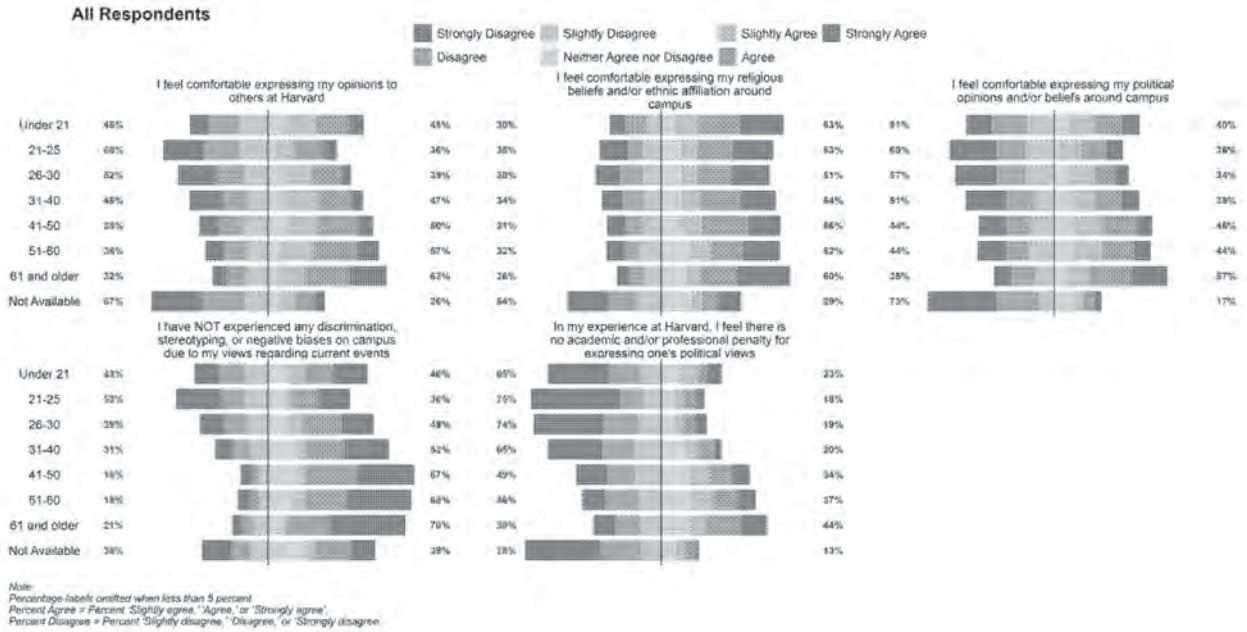
Figure A1b: Safety and Belonging by Age — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

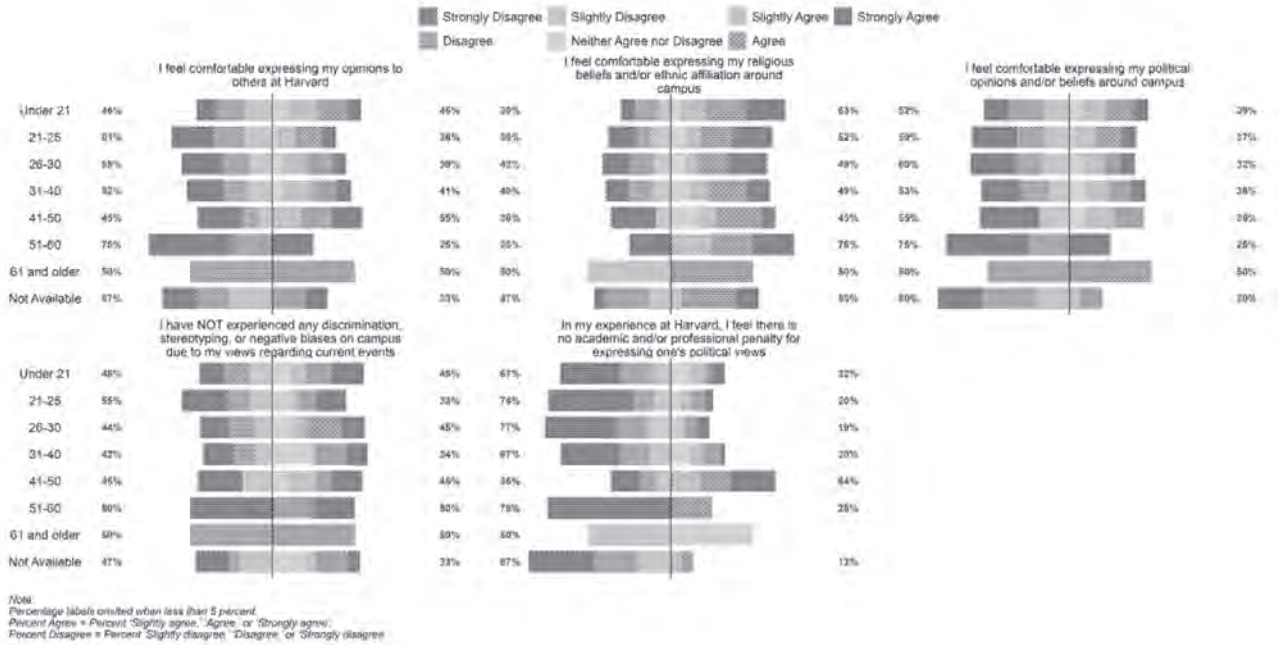
FREEDOM OF EXPRESSION

Figure A1c: Freedom of Expression by Age — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

Figure A1d: Freedom of Expression by Age — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

CONTRIBUTING FACTORS

Figure A1e: Contributing Factors by Age — All Respondents

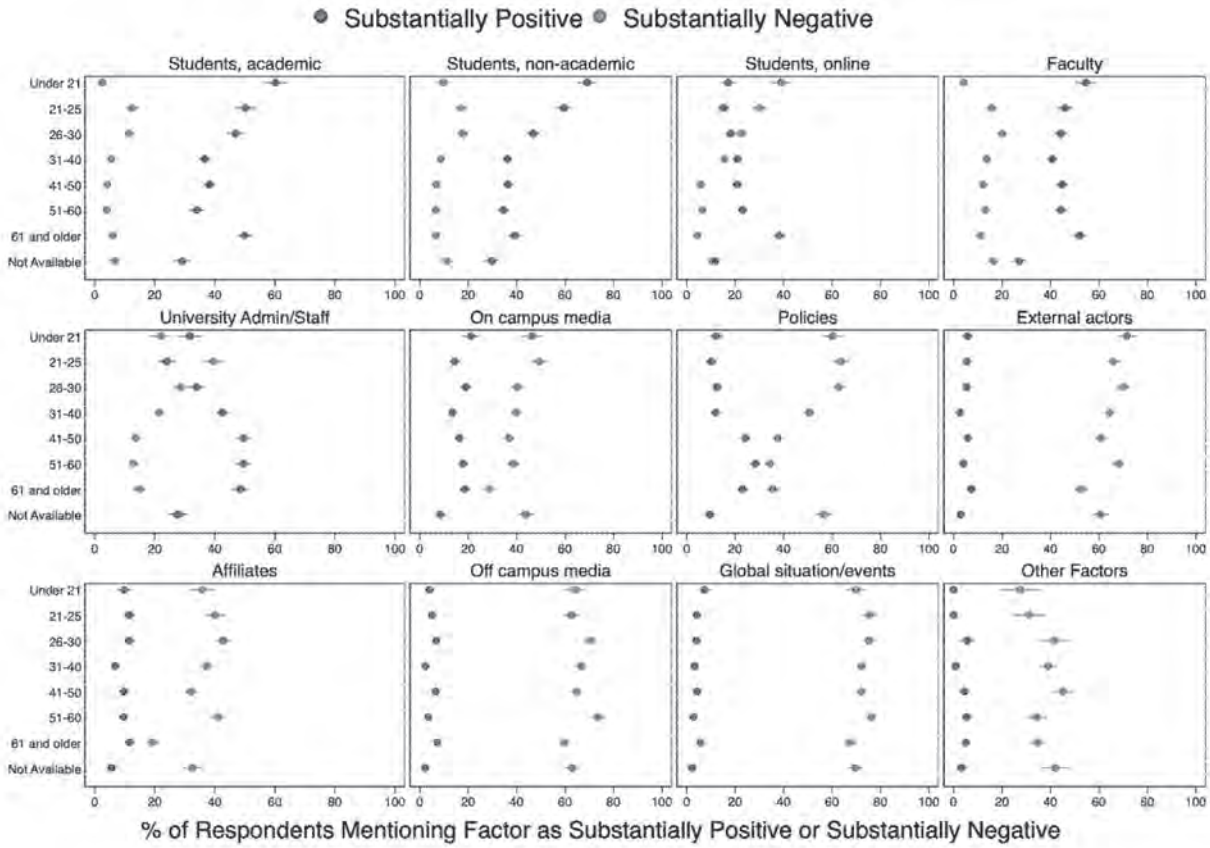
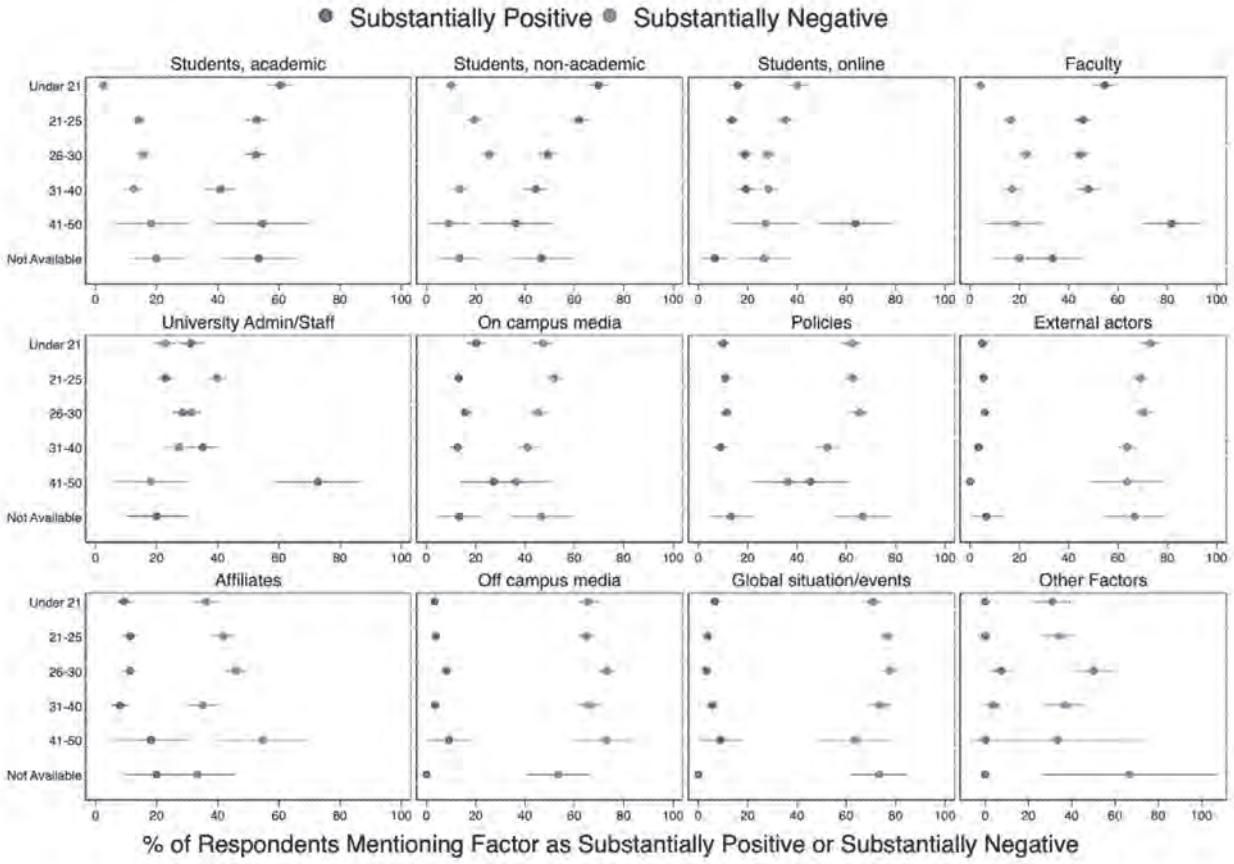


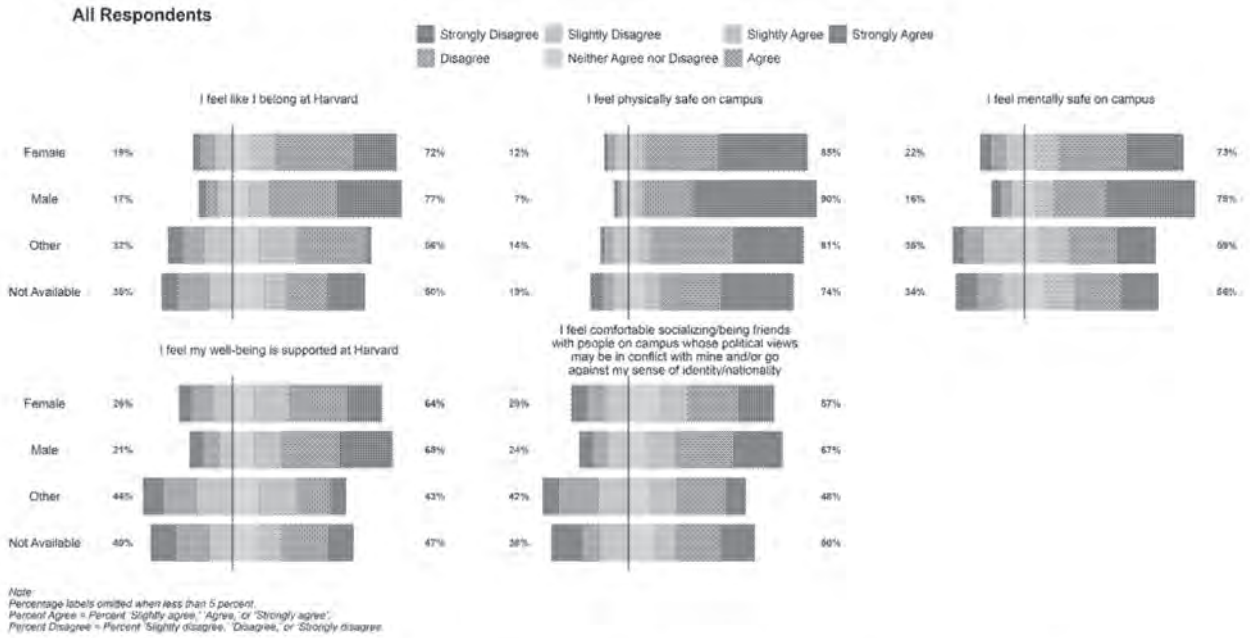
Figure A1f: Contributing Factors by Age — Only Students



A2. Heterogeneity by Gender

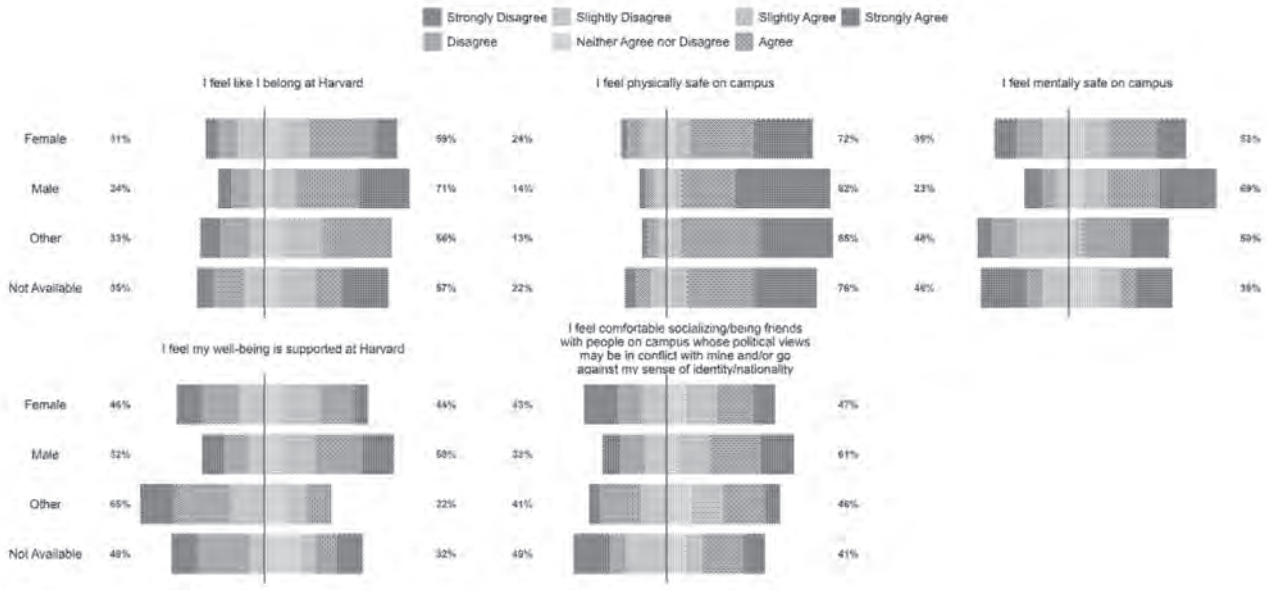
SAFETY AND BELONGING

Figure A2a: Safety and Belonging by Gender — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'.

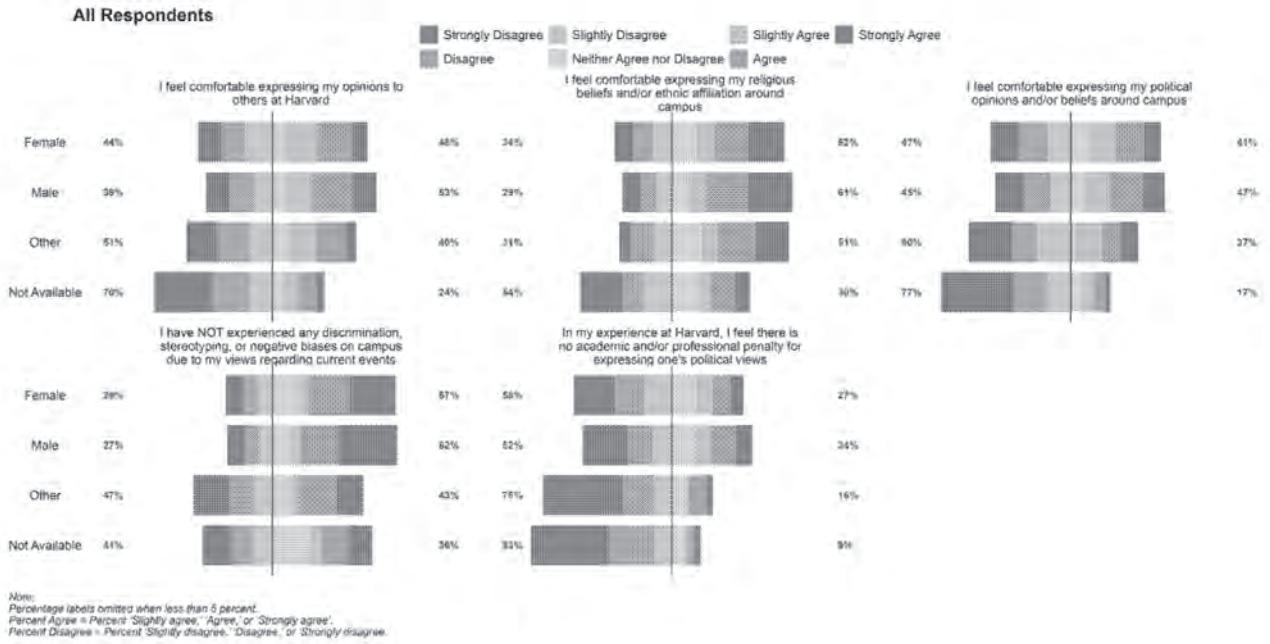
Figure A2b: Safety and Belonging by Gender — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'.

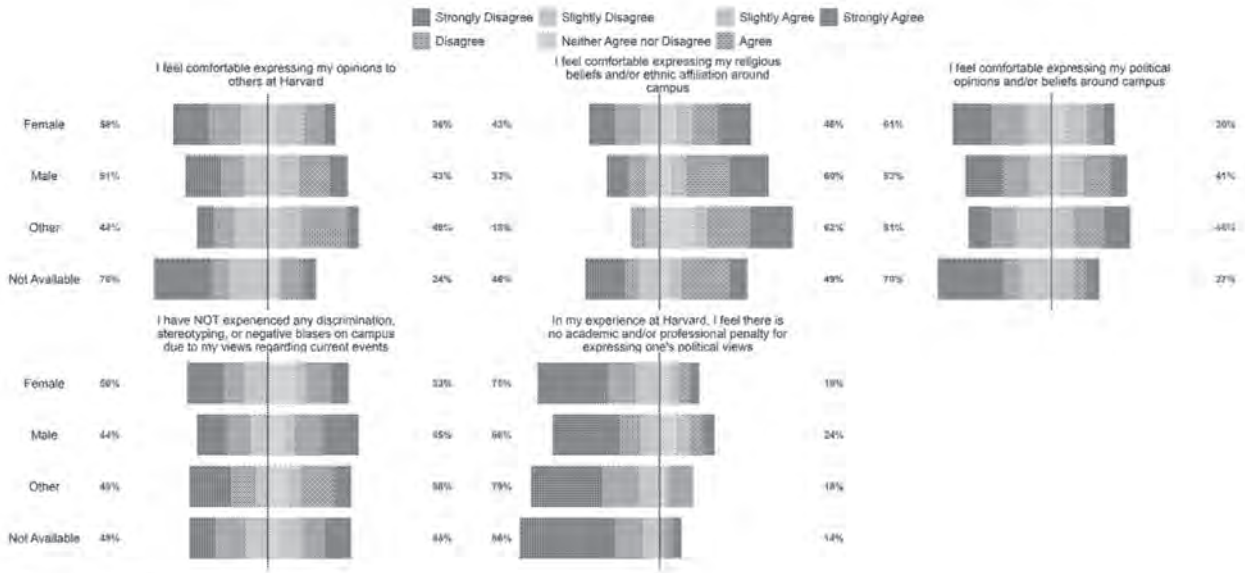
FREEDOM OF EXPRESSION

Figure A2c: Freedom of Expression by Gender — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

Figure A2d: Freedom of Expression by Gender — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

CONTRIBUTING FACTORS

Figure A2e: Contributing Factors by Gender — All Respondents

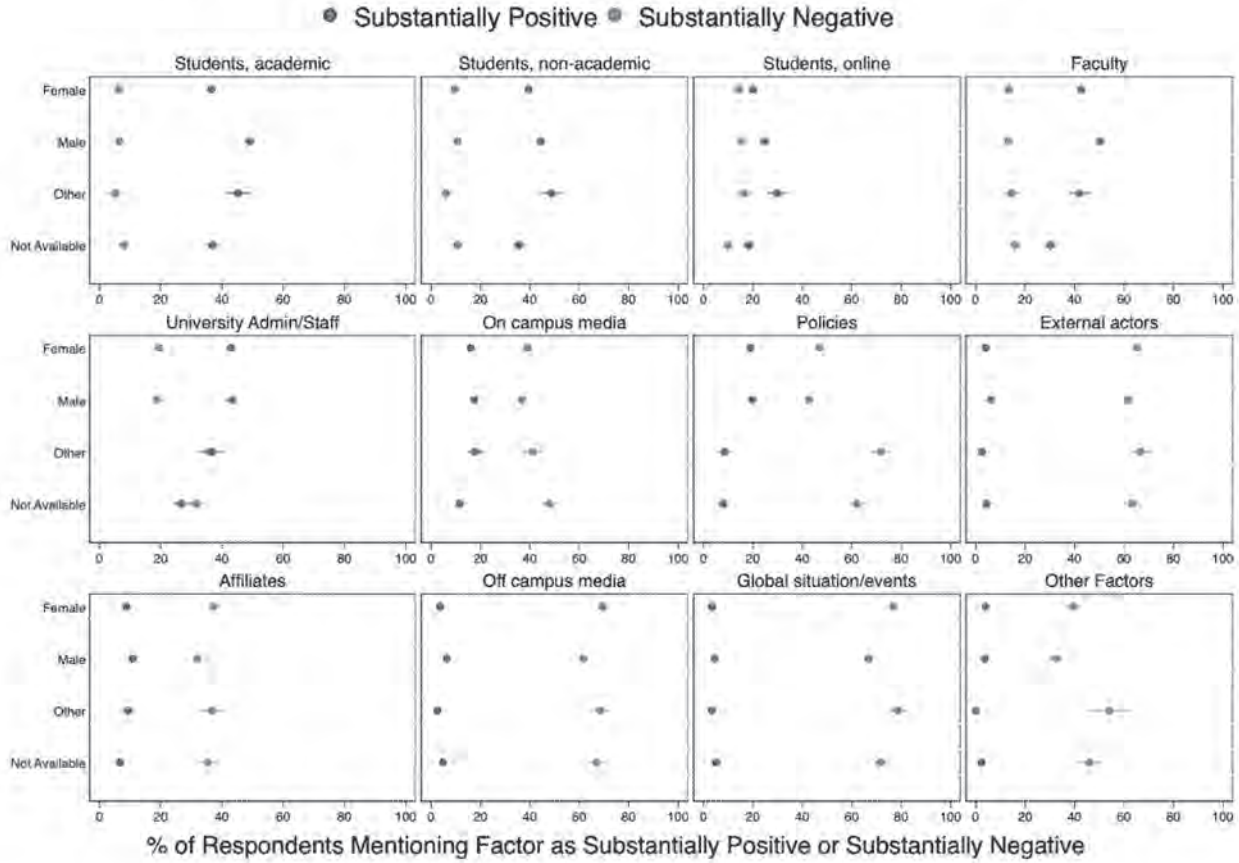
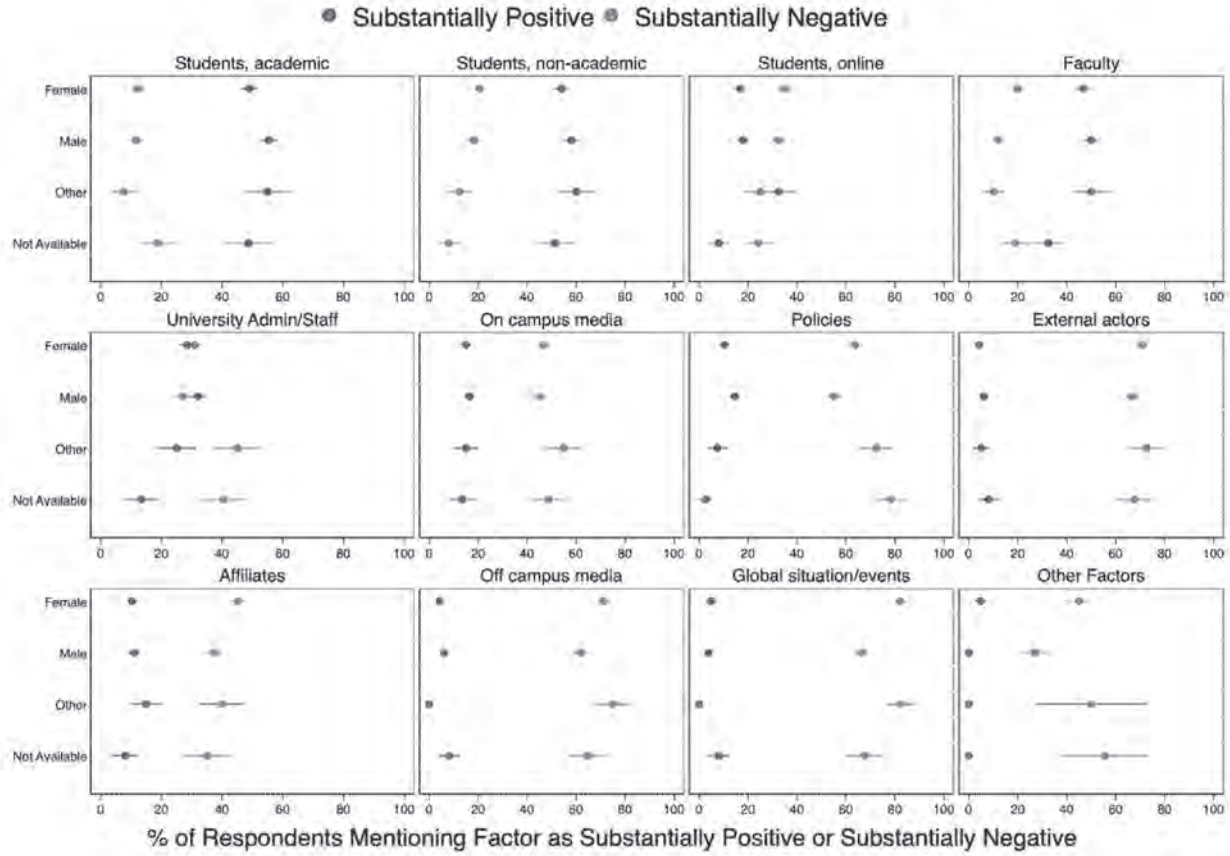


Figure A2f: Contributing Factors by Gender — Only Students

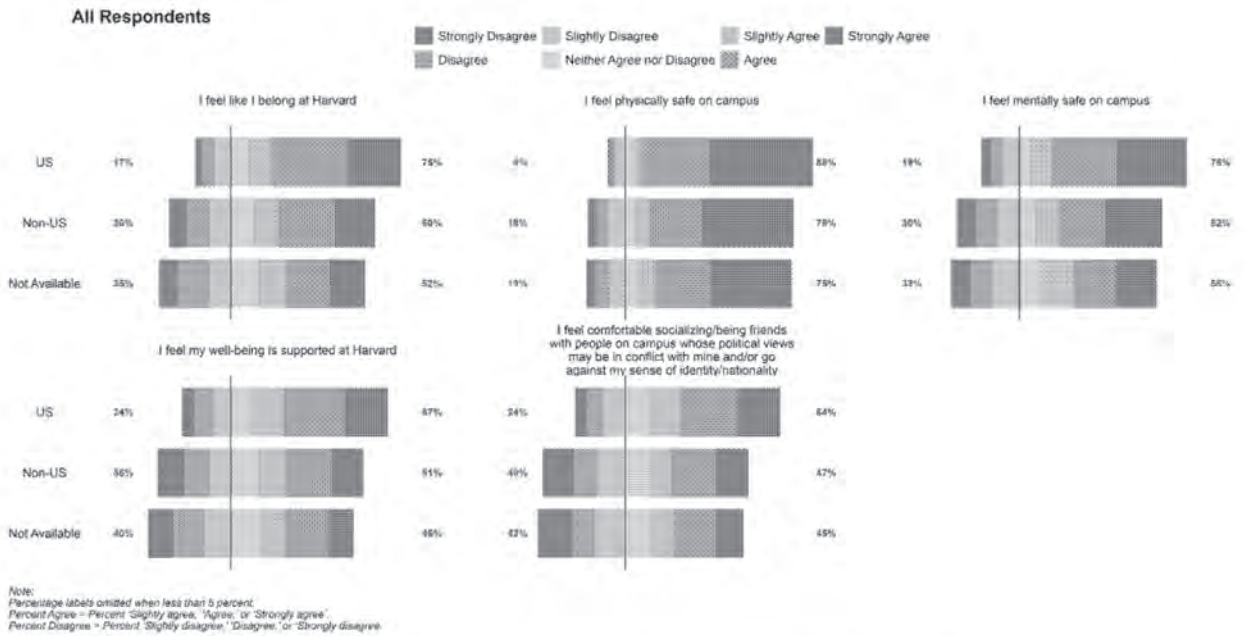


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A3. Heterogeneity by US/Non-US

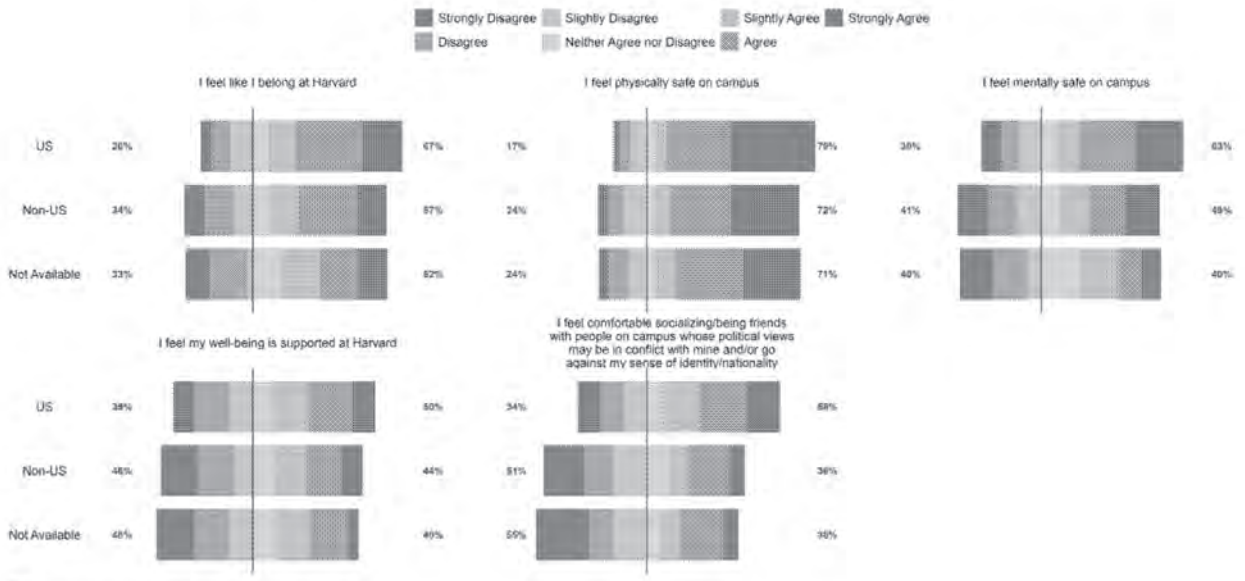
SAFETY AND BELONGING

Figure A3a: Safety and Belonging by US/Non-US — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

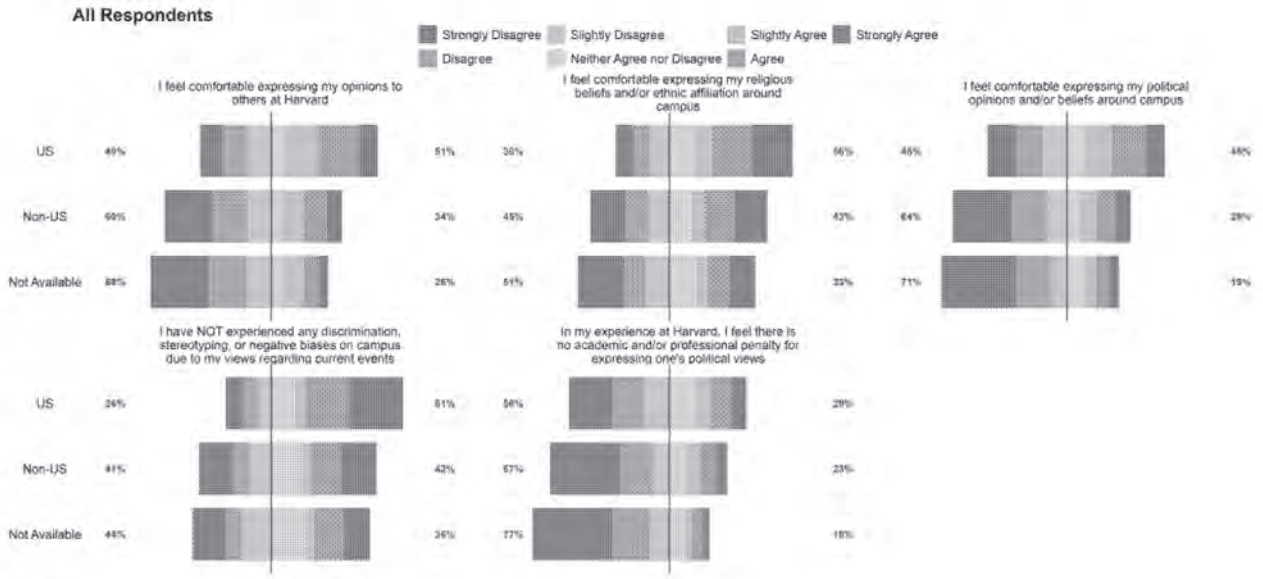
Figure A3b: Safety and Belonging by US/Non-US — Students Only



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

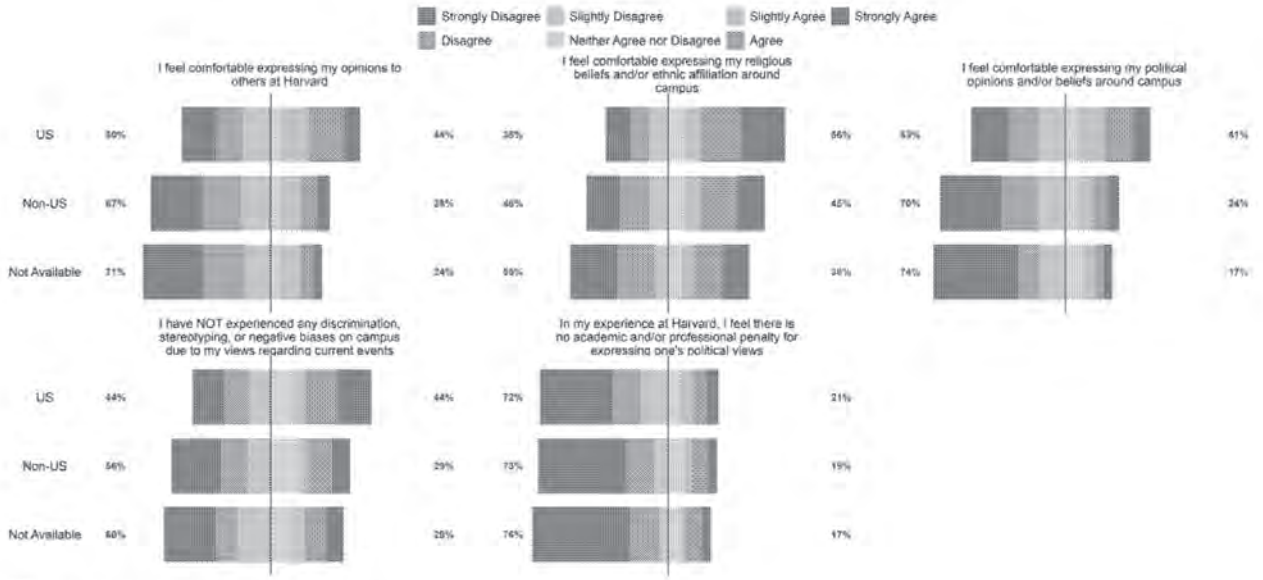
FREEDOM OF EXPRESSION

Figure A3c: Freedom of Expression by US/Non-US — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

Figure A3d: Freedom of Expression by US/Non-US — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

CONTRIBUTING FACTORS

Figure A3e: Contributing Factors by US/Non-US — All Respondents

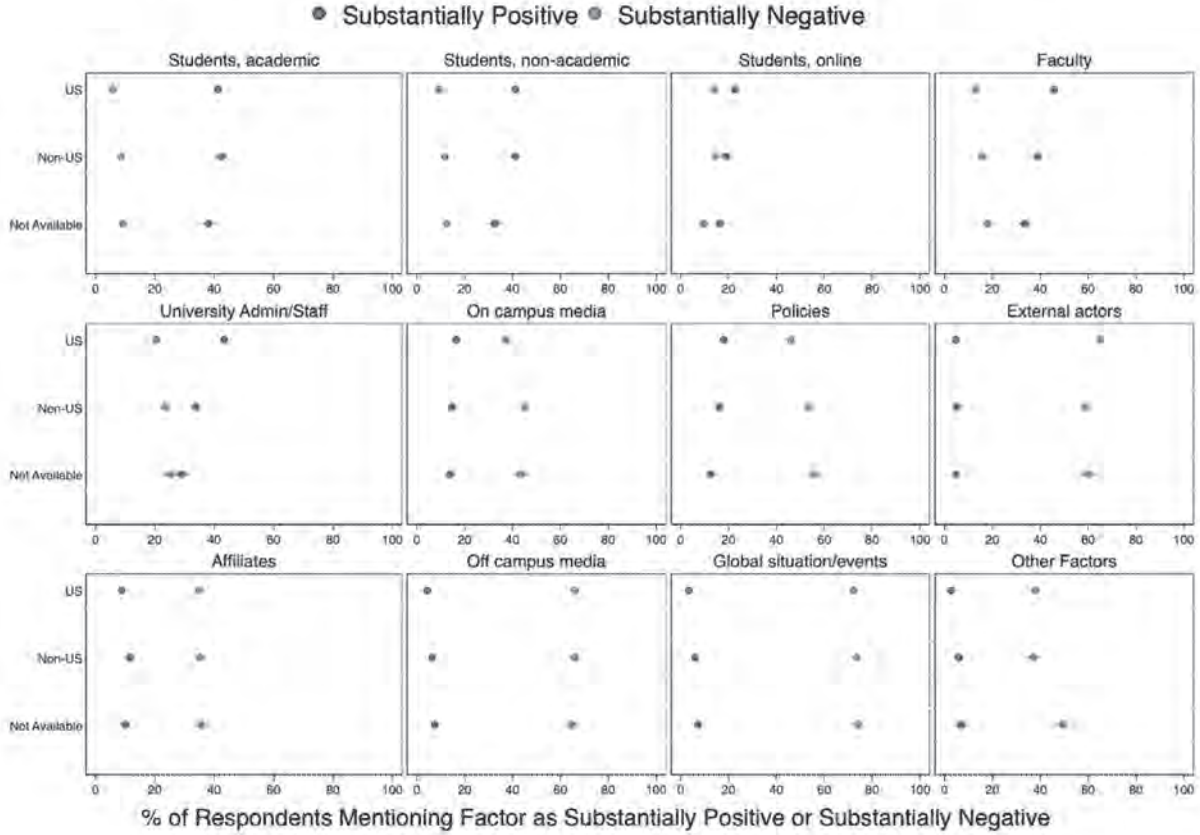
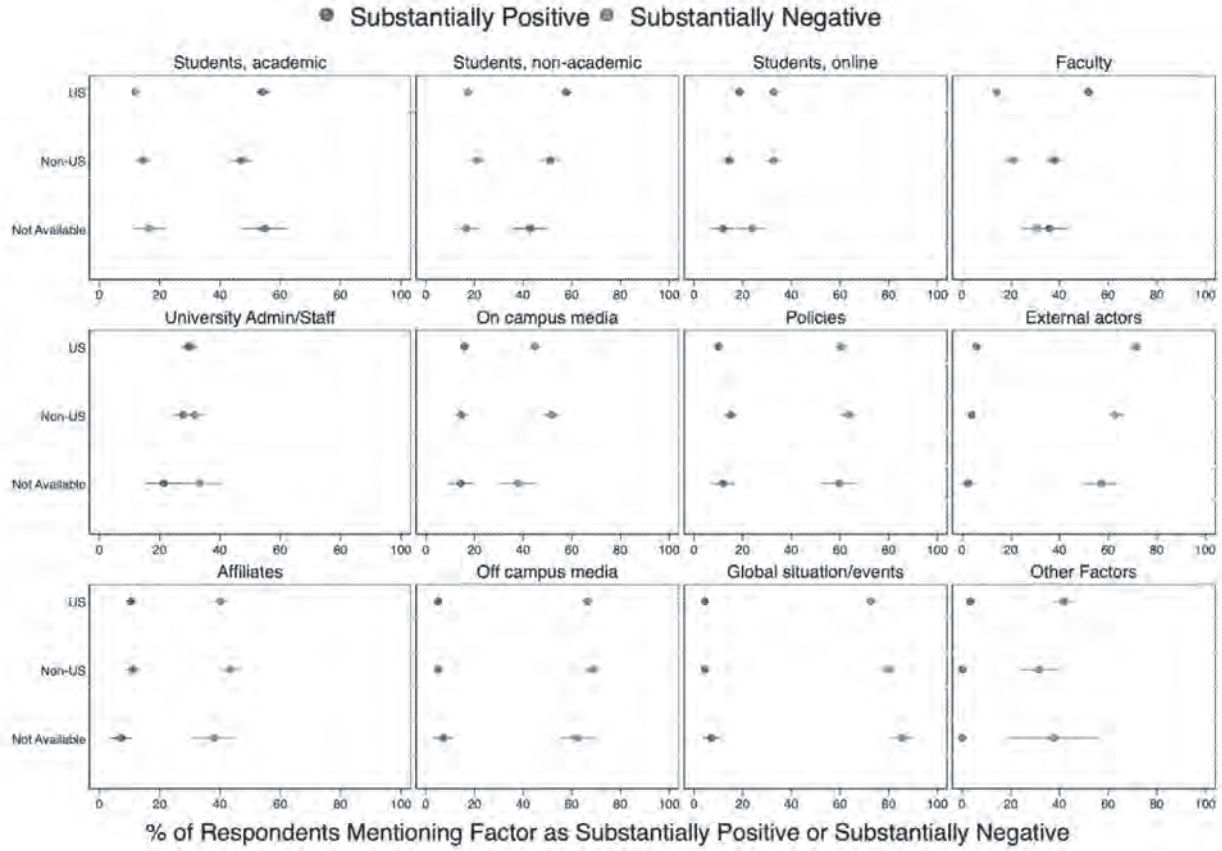


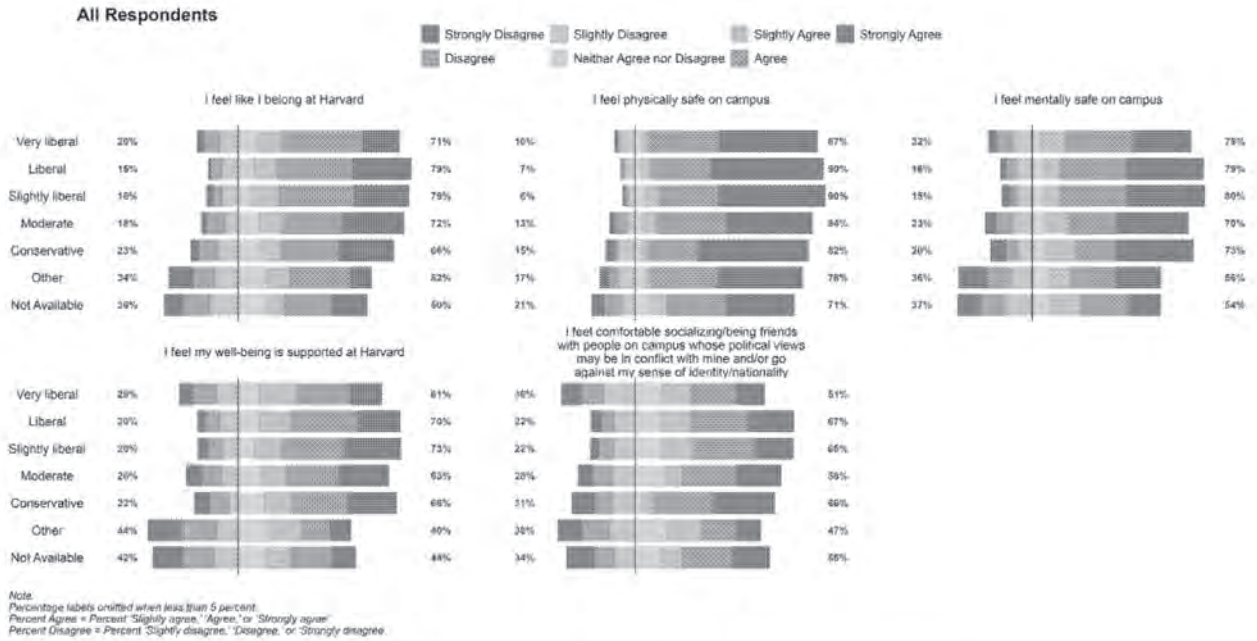
Figure A3f: Contributing Factors by US/Non-US — Only Students



A4. Heterogeneity by Ideology

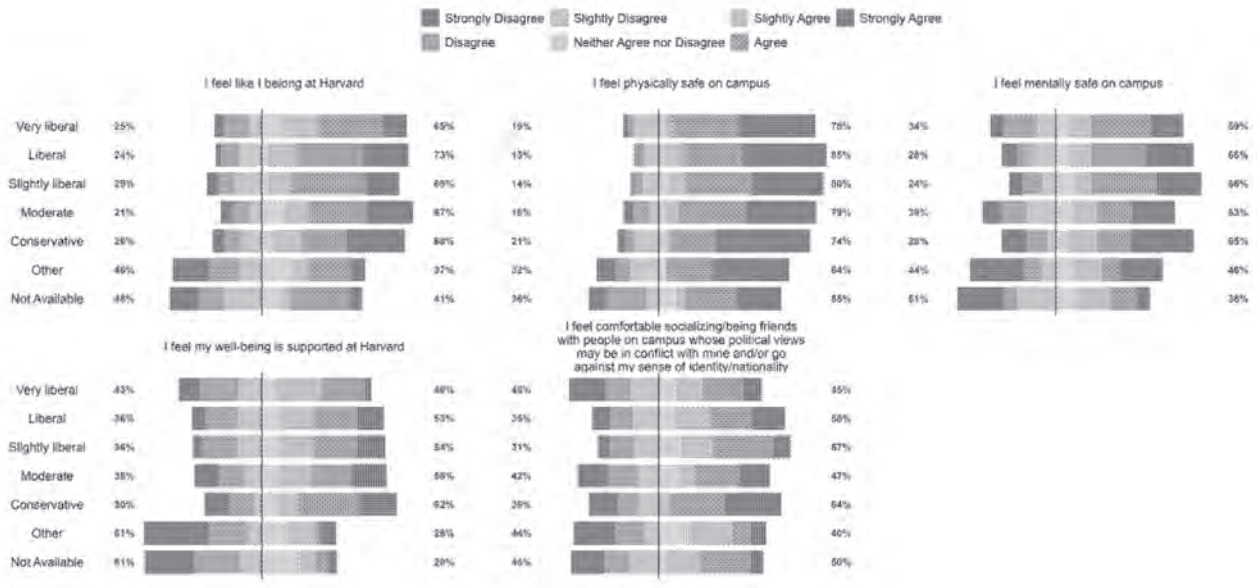
SAFETY AND BELONGING

Figure A4a: Safety and Belonging by Ideology — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

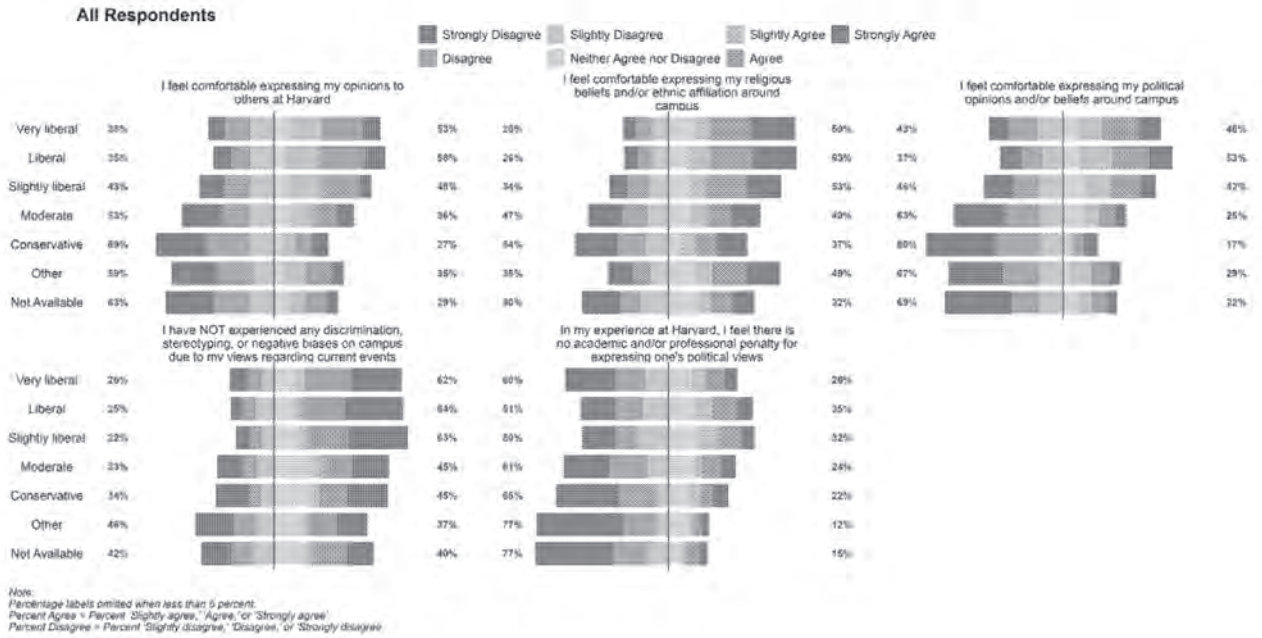
Figure A4b: Safety and Belonging by Ideology — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

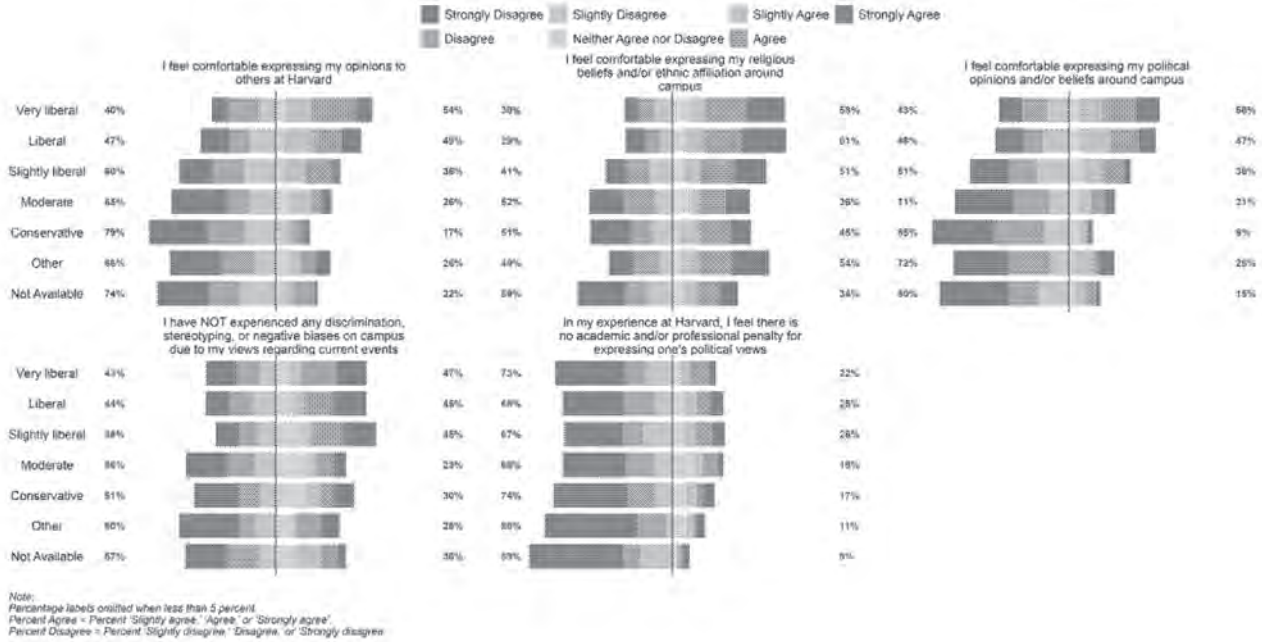
FREEDOM OF EXPRESSION

Figure A4c: Freedom of Expression by Ideology — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'.

Figure A4d: Freedom of Expression by Ideology — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'.

CONTRIBUTING FACTORS

Figure A4e: Contributing Factors by Ideology — All Respondents

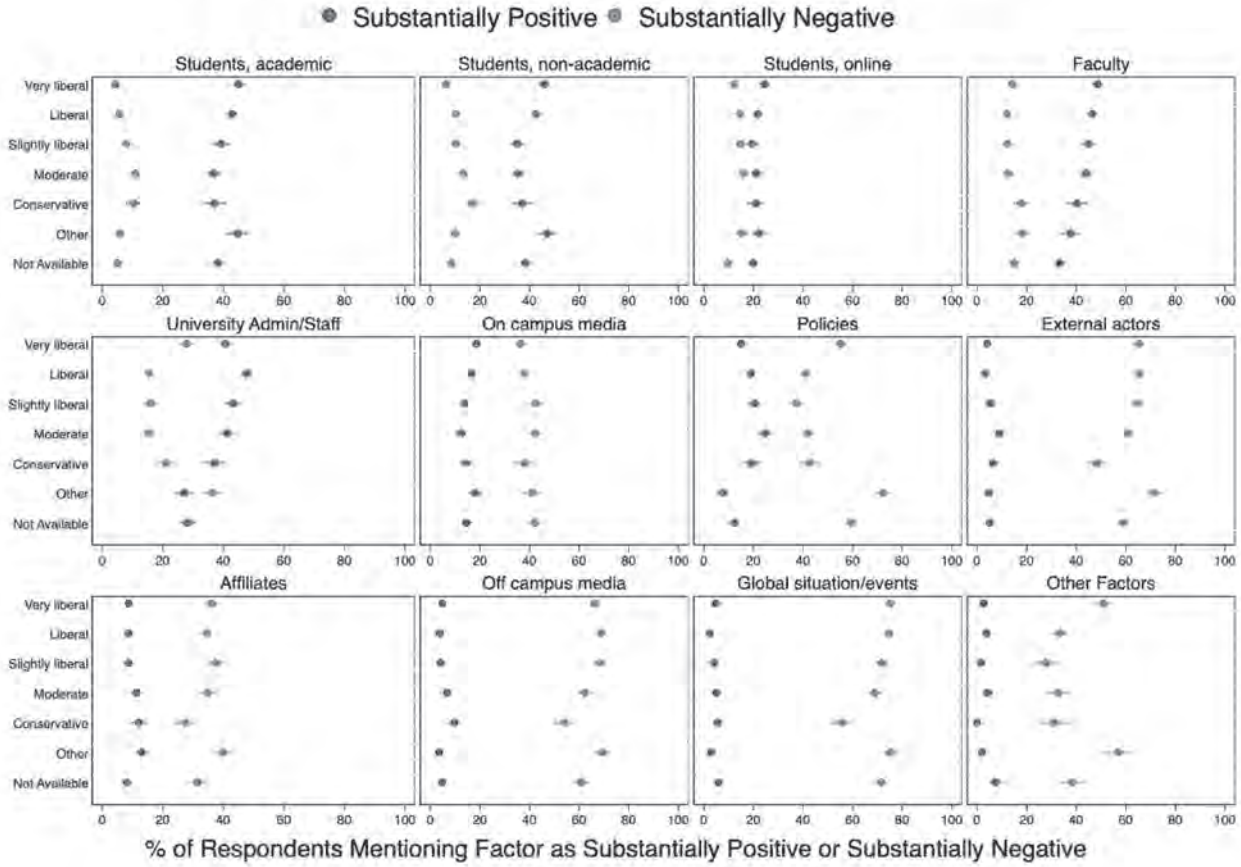
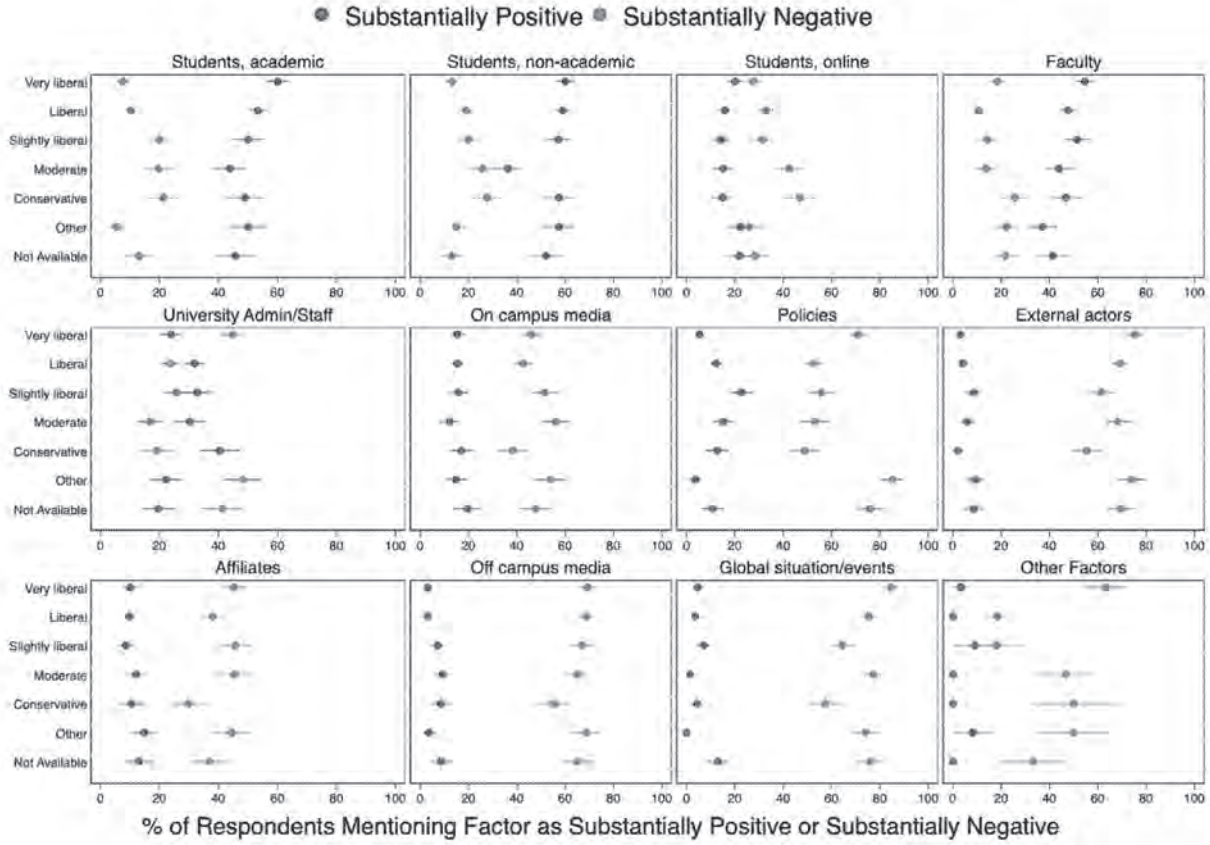


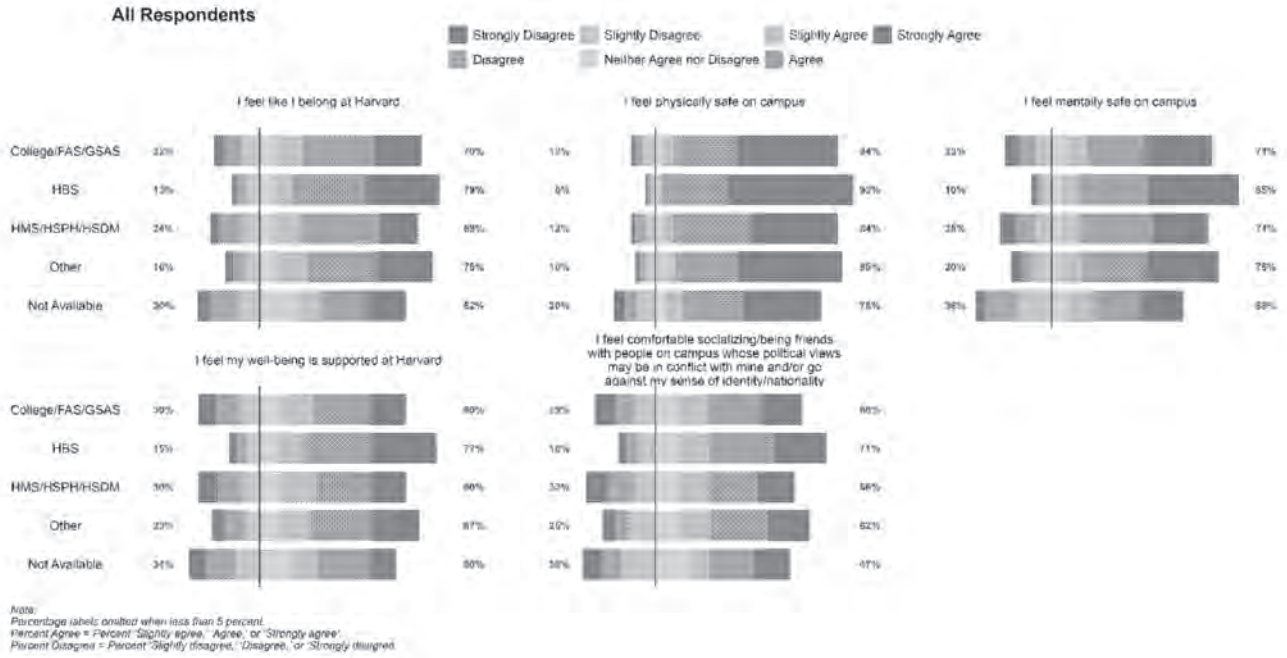
Figure A4f: Contributing Factors by Ideology — Only Students



A5. Heterogeneity by School[632]

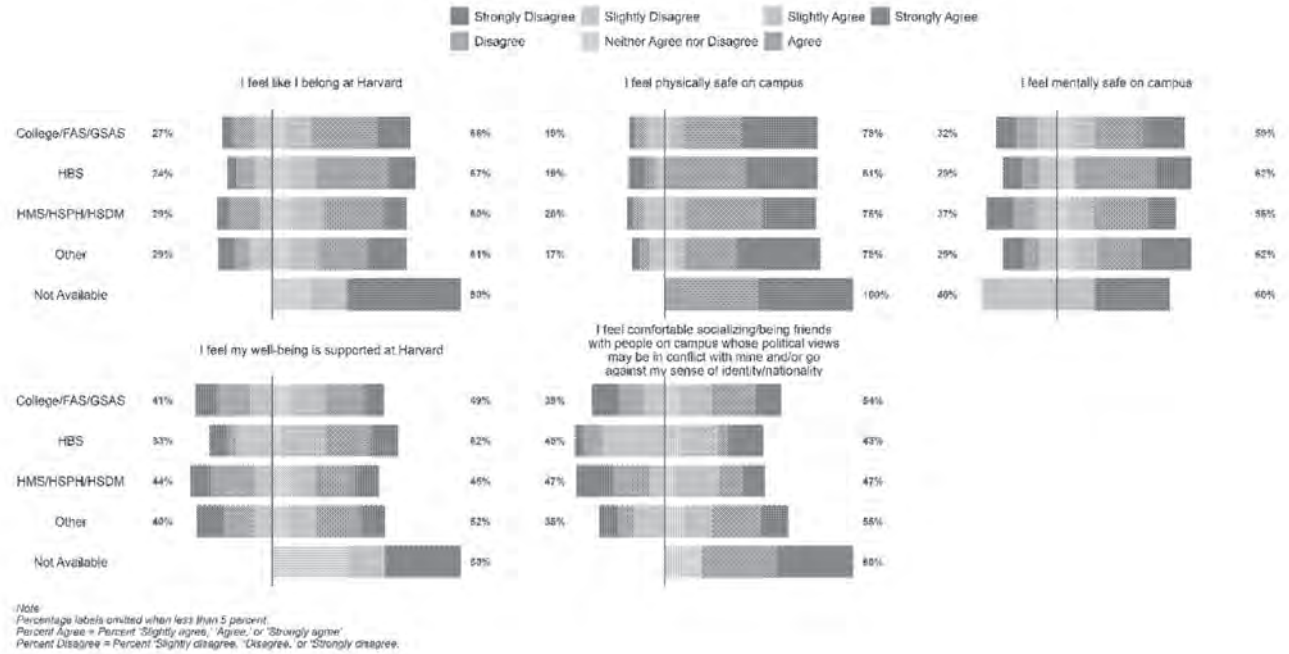
SAFETY AND BELONGING

Figure A5a: Safety and Belonging by School — All Respondents



[632] For presentational simplicity, we group similar Schools together and include Schools with the fewest observations in the "Other" category. Counts for each category are as follows: College/FAS/GSAS (FAS — 639; College — 367; GSAS — 260); HBS (303); HMS/HSPH/HSDM (HMS — 195; HSPH — 175; HSDM — 5); Other (Central Administration — 130; HKS — 116; Harvard Division of Continuing Education including the Extension School — 110; SEAS — 82; HDS — 61; HLS — 59; GSD — 56; HGSE — 55; Harvard Radcliffe Institute for Advanced Study — 13; Other — 16); Not Available (164).

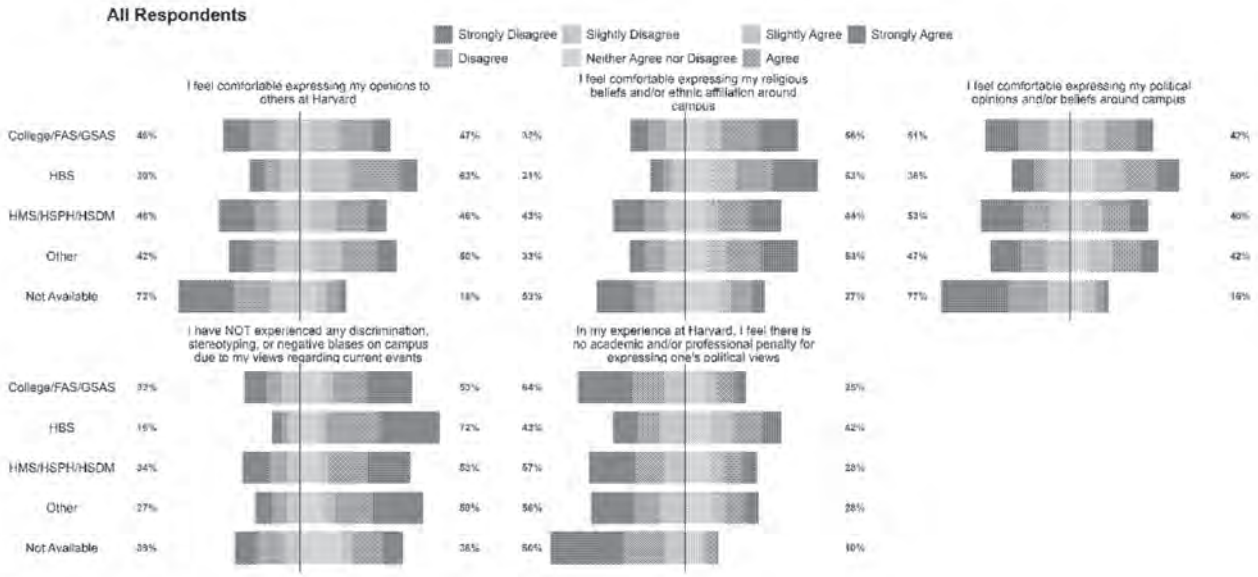
Figure A5b: Safety and Belonging by School — Only Students



Note
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

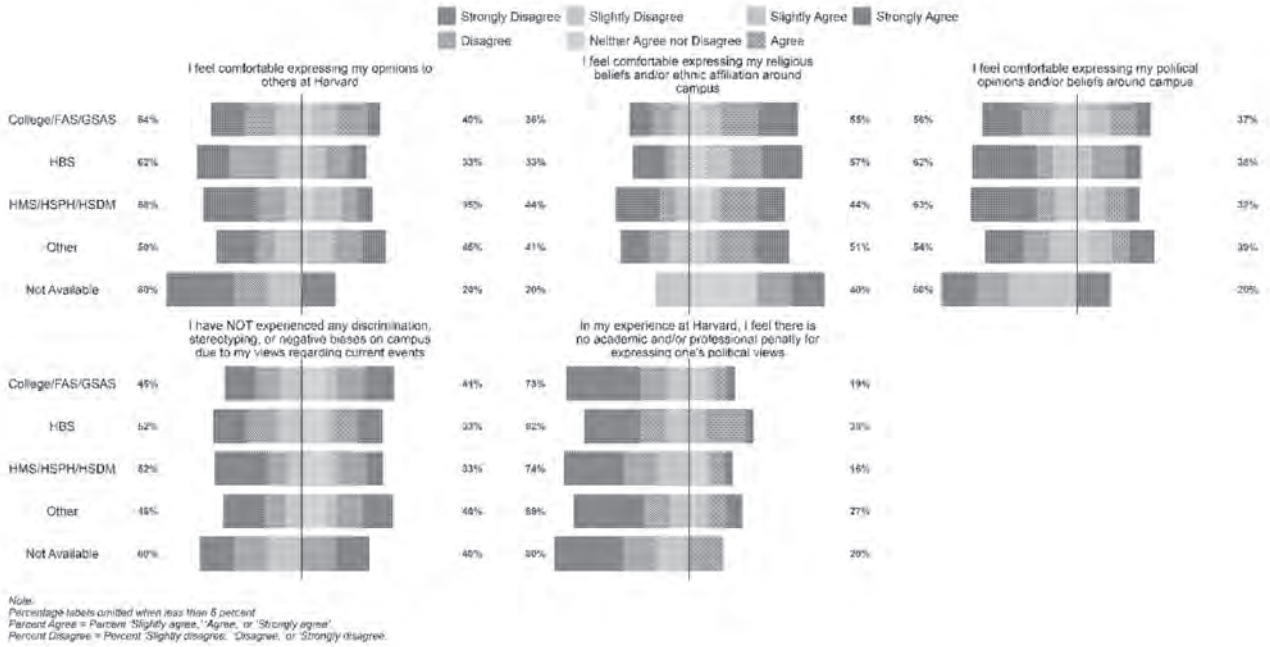
FREEDOM OF EXPRESSION

Figure A5c: Freedom of Expression by School — All Respondents



Note
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

Figure A5d: Freedom of Expression by School — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'.

CONTRIBUTING FACTORS

Figure A5e: Contributing Factors by School — All Respondents

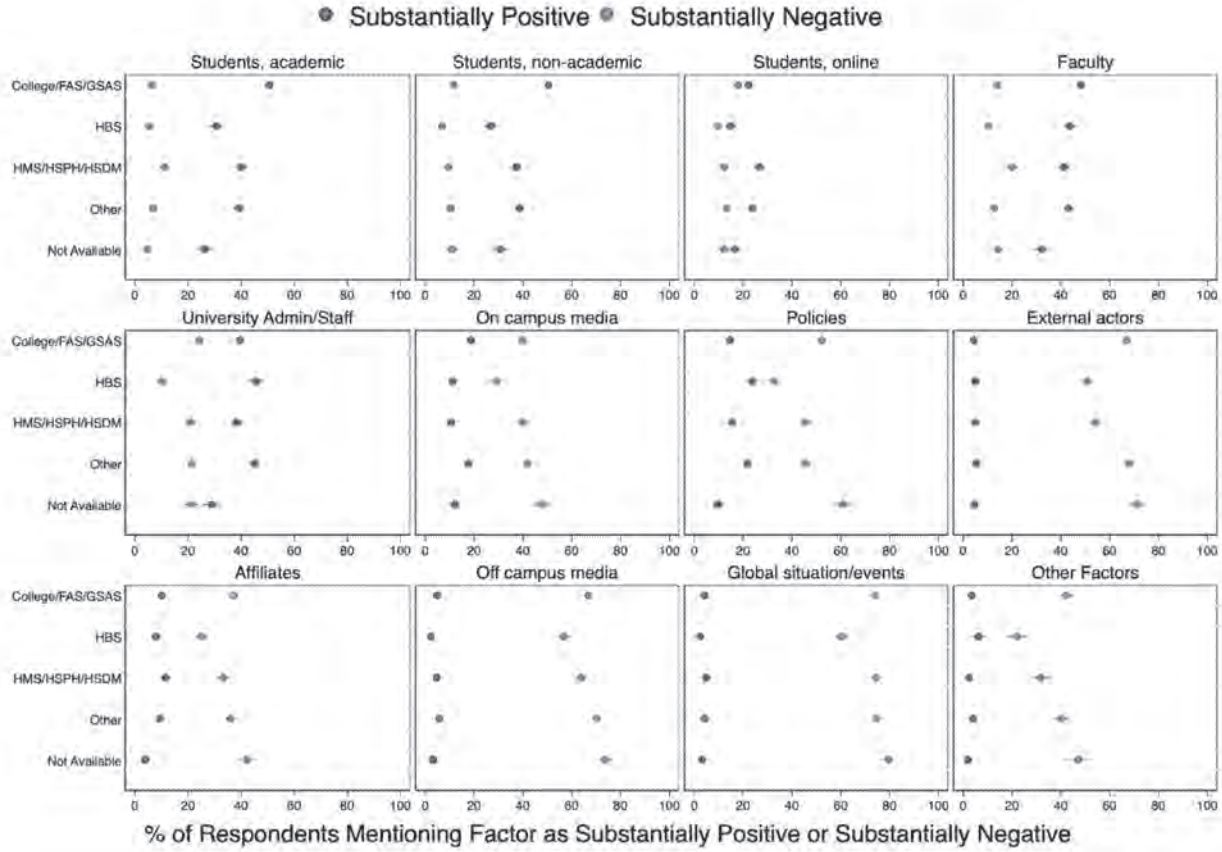
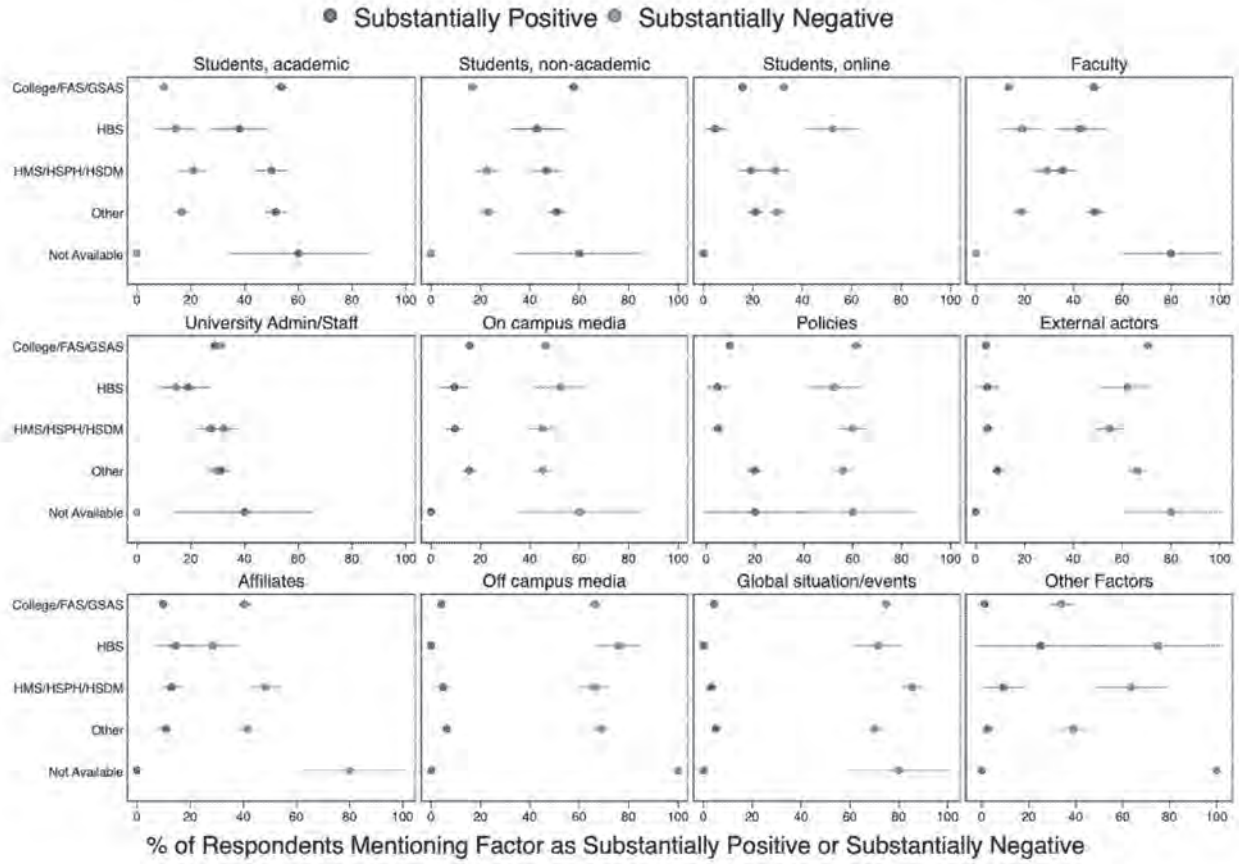


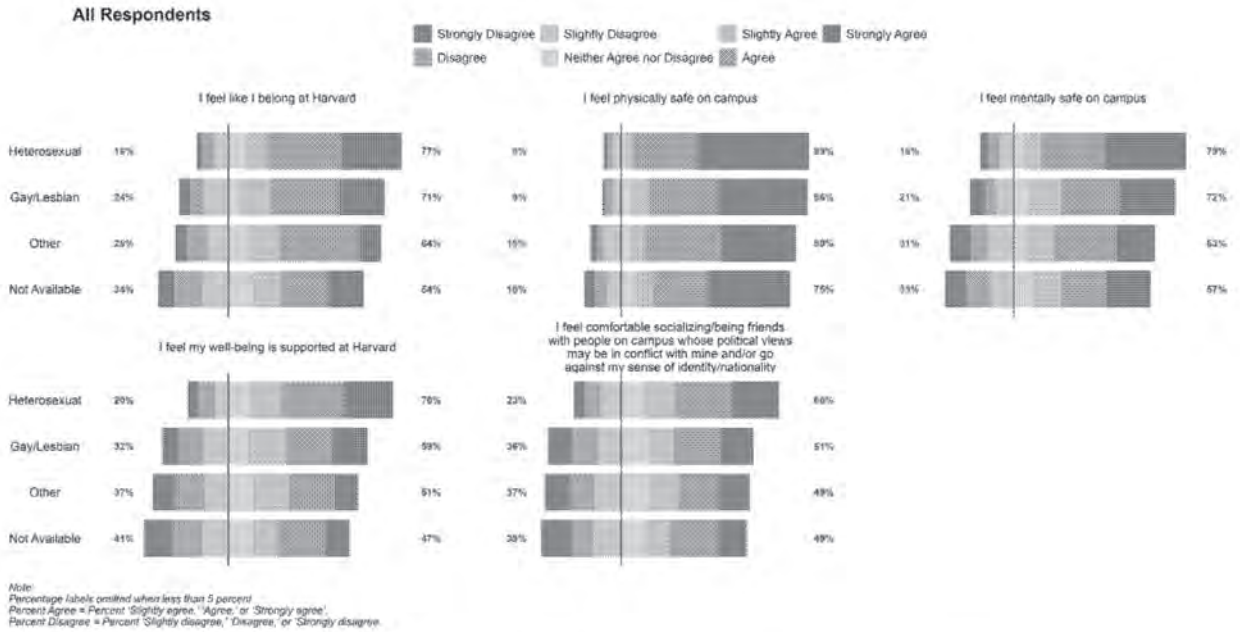
Figure A5f: Contributing Factors by School — Only Students



A6. Heterogeneity by Sexual Orientation

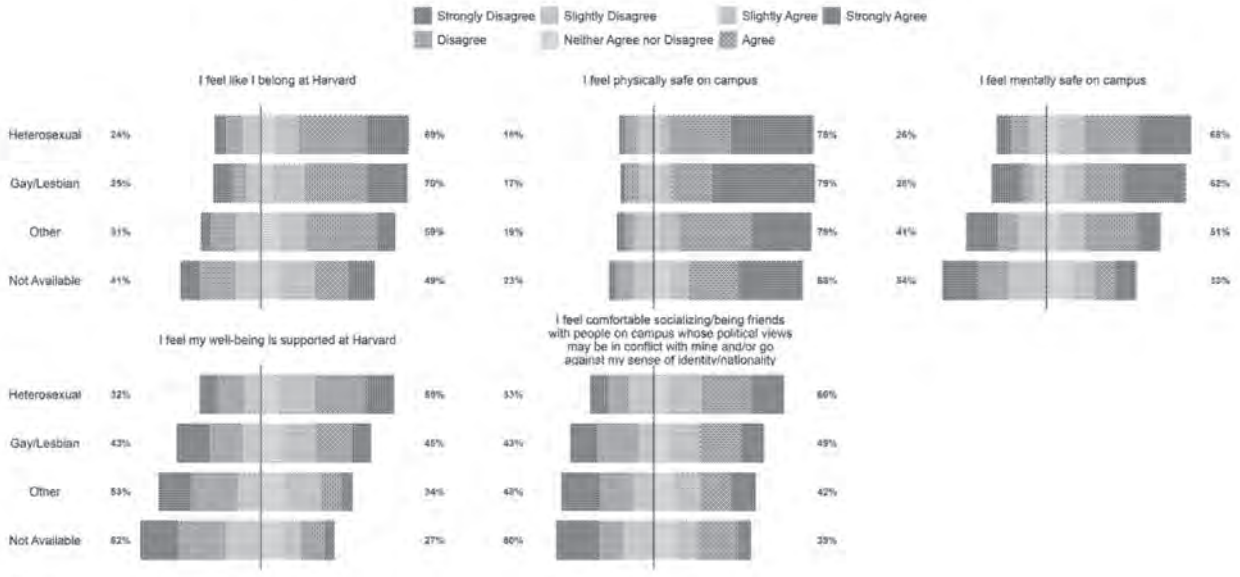
SAFETY AND BELONGING

Figure A6a: Safety and Belonging by Sexuality — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

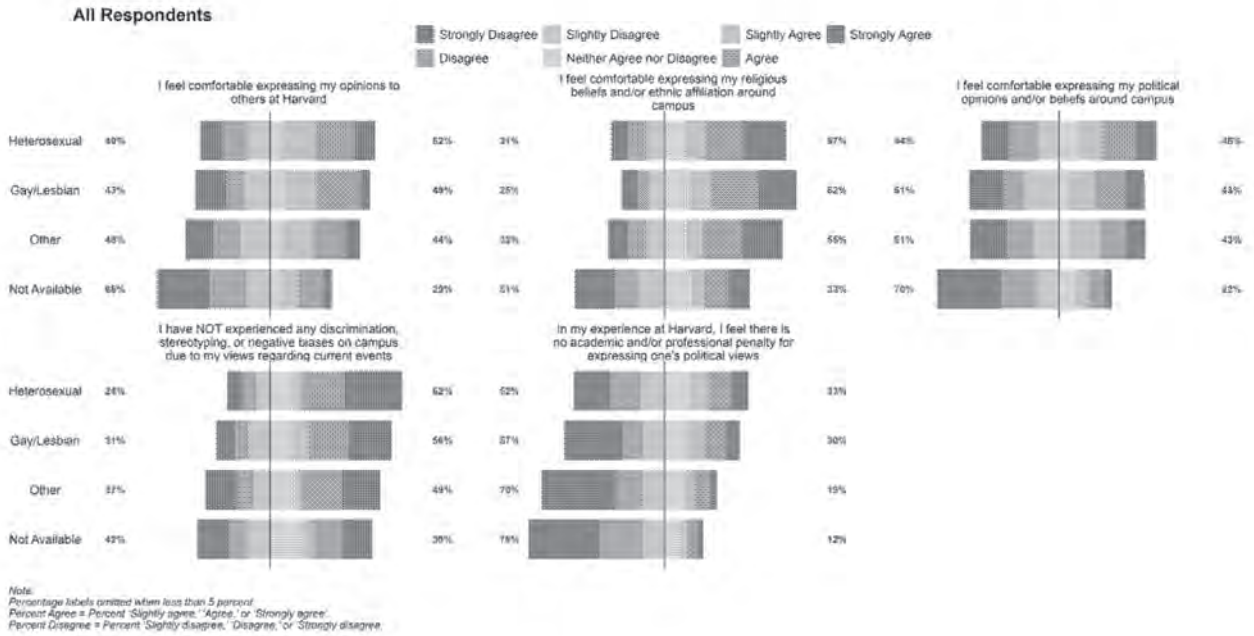
Figure A6b: Safety and Belonging by Sexuality — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.'

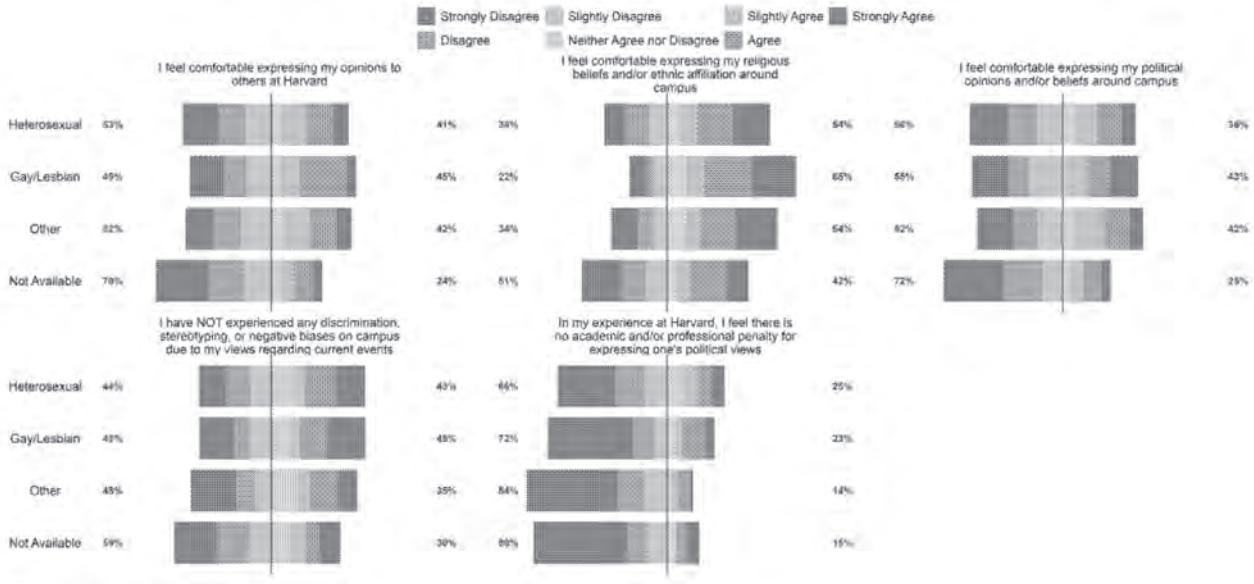
FREEDOM OF EXPRESSION

Figure A6c: Freedom of Expression by Sexuality — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

Figure A6d: Freedom of Expression by Sexuality — Only Students



Note:
Percentage labels omitted when less than 5 percent.
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'.
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree.

CONTRIBUTING FACTORS

Figure A6e: Contributing Factors by Sexuality — All Respondents

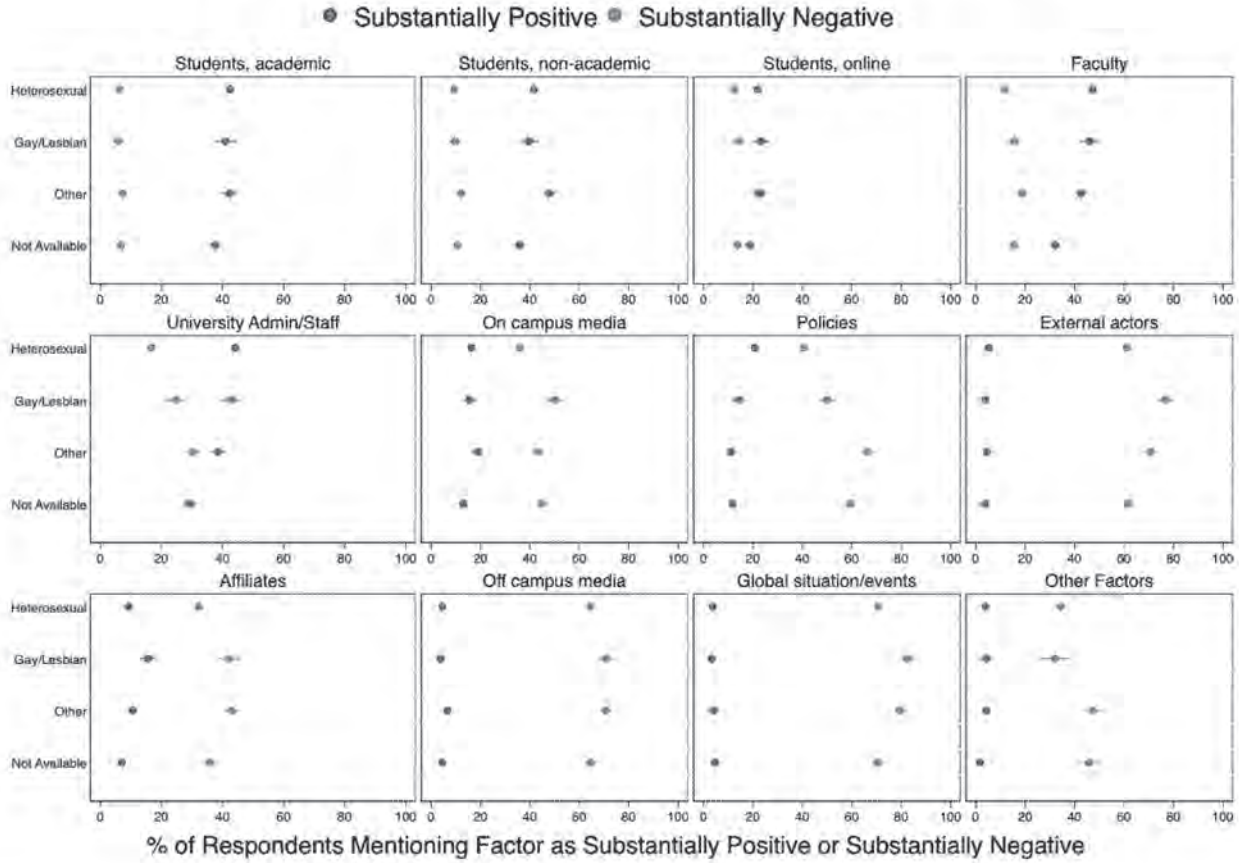
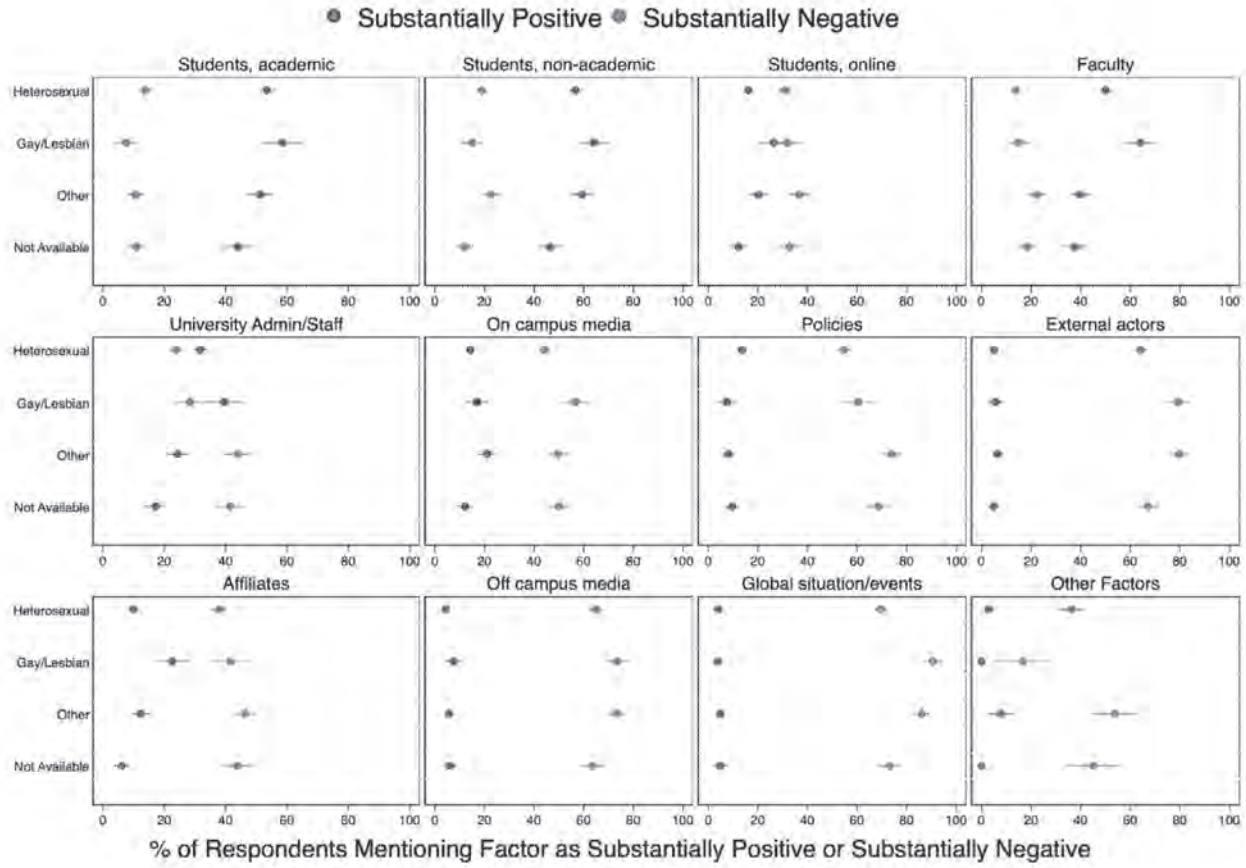


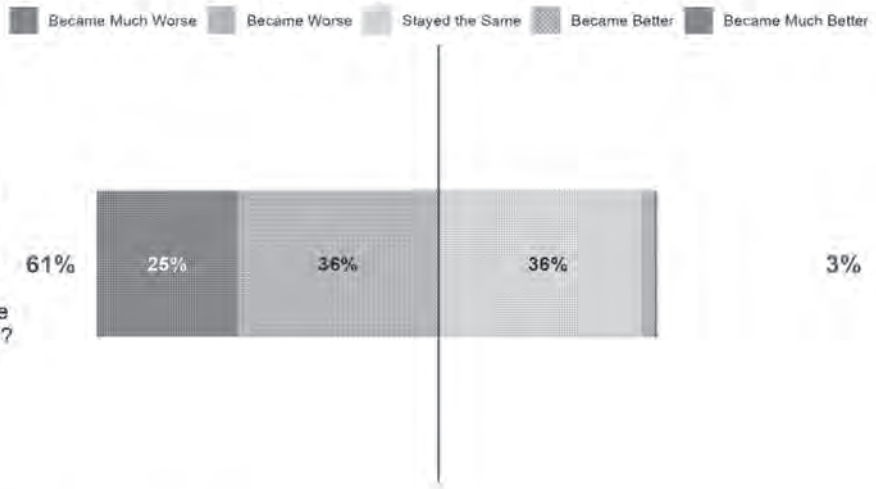
Figure A6f: Contributing Factors by Sexuality — Students Only



APPENDIX B: CHANGES OVER TIME

B1. Change in Experience Over Time (Overall)

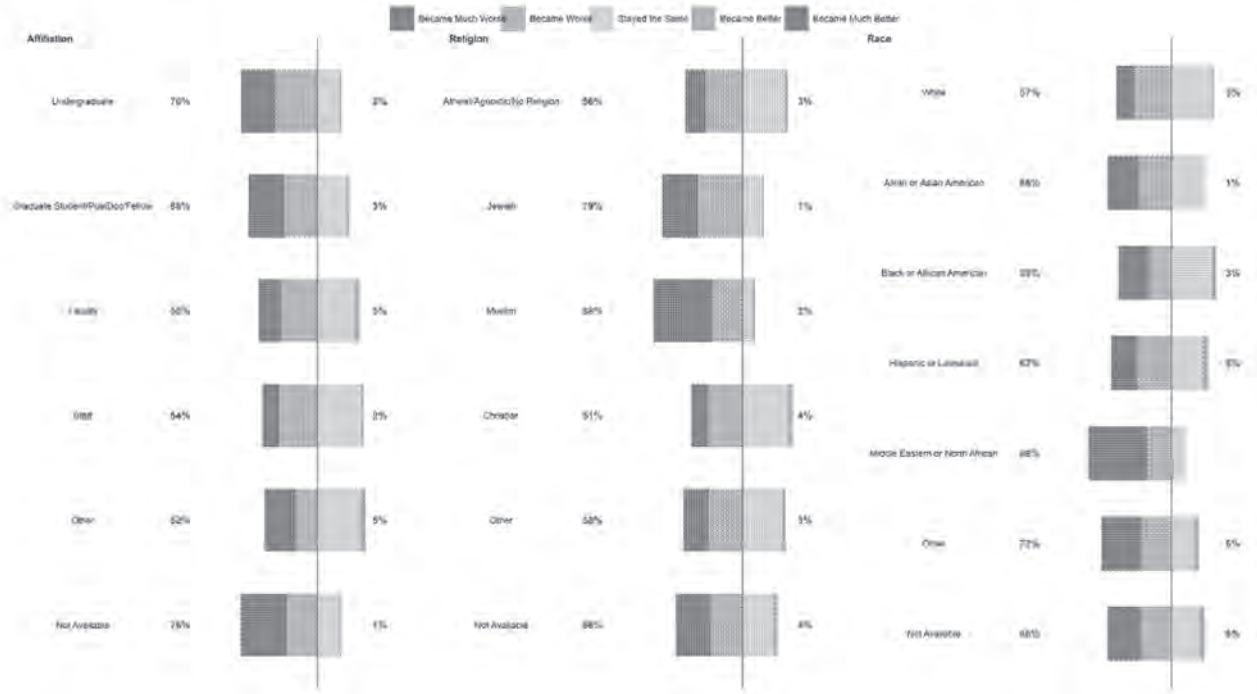
Figure B1: Change in Experience — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Those who reported not being on campus last year are omitted.
Percent Worse = Percent 'Worse' or 'Much worse'.
Percent Better = Percent 'Better' or 'Much better'.

B2. Change in Experience Over Time (By Affiliation, Religion, Race)

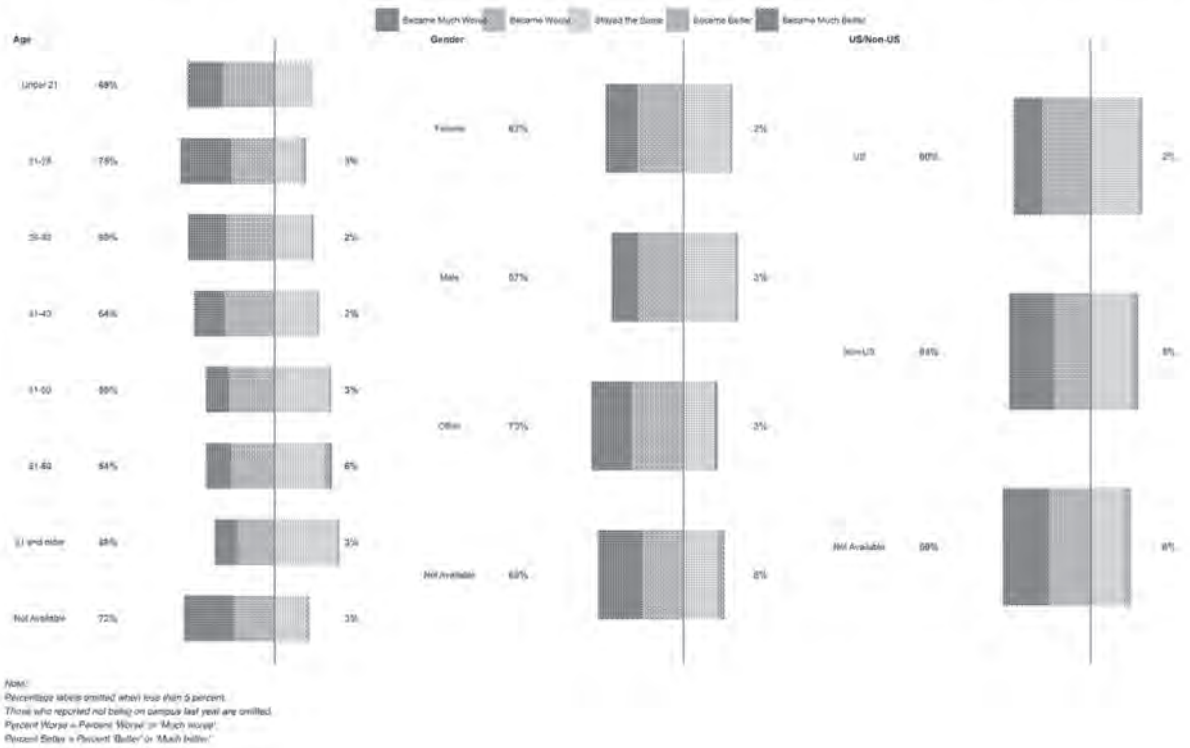
Figure B2: Change in Experience by Affiliation, Religion, Race — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Those who reported not being on campus last year are omitted.
Percent Worse = Percent 'Worse' or 'Much worse'.
Percent Better = Percent 'Better' or 'Much better'.

B3. Change in Experience Over Time (By Age, Gender, US/Non-US)

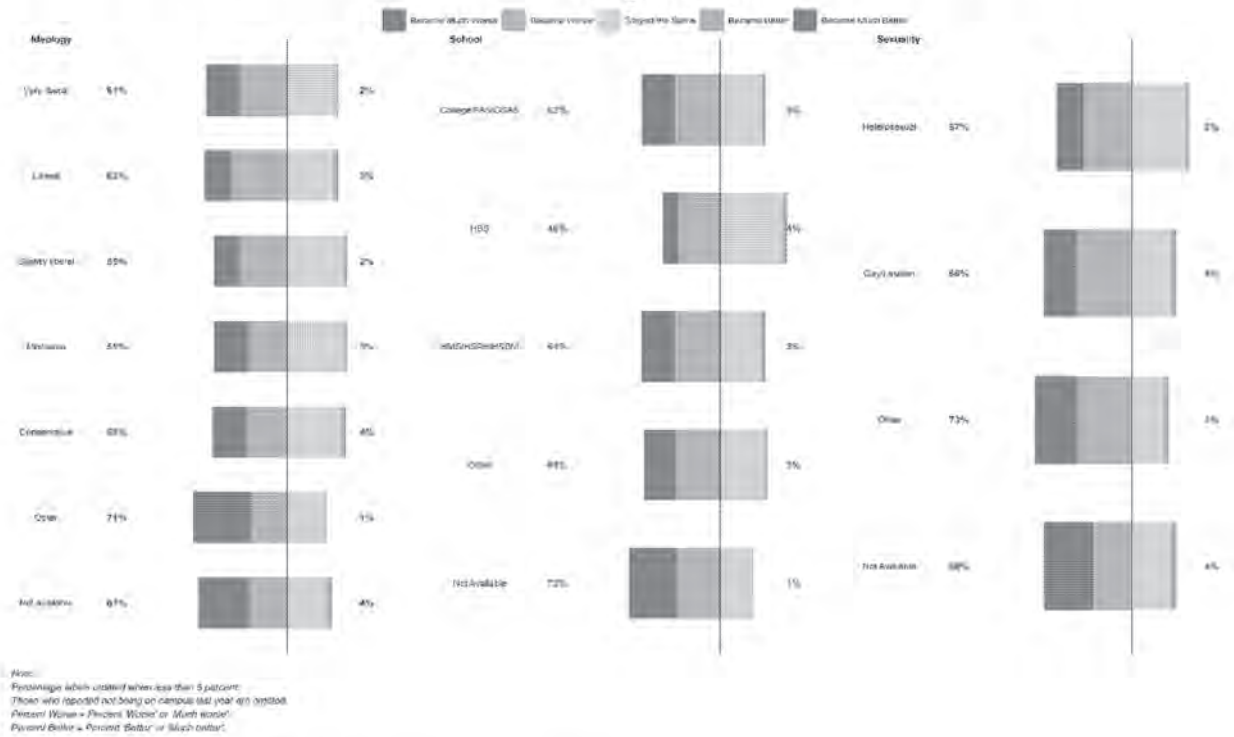
Figure B3: Change in Experience by Age, Gender, US/Non-US — All Respondents



Note:
Percentage labels omitted when less than 5 percent.
Those who reported not being on campus last year are omitted.
Percent Worse = Percent 'Worse' or 'Much worse'.
Percent Better = Percent 'Better' or 'Much better'.

B4. Change in Experience Over Time (By Ideology, School, Sexual Orientation)

Figure B4: Change in Experience by Ideology, School, Sexual Orientation — All Respondents



APPENDIX C — REGRESSION ANALYSIS

C1. Regressions — Safety and Belonging Freedom of Expression (By Affiliation)

Table C1a: Safety and Belonging by Affiliation — All Respondents

Dependent Variable	Belonging		Physical Safety		Mental Safety		Well-being Supported		Comfort Socializing	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Undergrad	-0.4369***	-0.2619*	-0.7499***	-0.6032***	-1.1280***	-0.9123***	-0.9140***	-0.6744***	-0.9311***	-0.7519***
	(0.1438)	(0.1391)	(0.1270)	(0.1211)	(0.1507)	(0.1446)	(0.1533)	(0.1493)	(0.1578)	(0.1541)
Grad/PostDoc/Fellow	-0.7200***	-0.4697***	-0.7169***	-0.5424***	-1.0903***	-0.8074***	-0.8837***	-0.5953***	-1.0124***	-0.7362***
	(0.1132)	(0.1106)	(0.0968)	(0.0927)	(0.1203)	(0.1116)	(0.1218)	(0.1160)	(0.1223)	(0.1196)
Staff	-0.0087	-0.0205	-0.2013***	-0.2145***	-0.2039**	-0.2081**	0.1900*	0.2142**	-0.3640***	-0.4128***
	(0.0929)	(0.0960)	(0.0707)	(0.0752)	(0.0933)	(0.0932)	(0.1011)	(0.1017)	(0.0996)	(0.1031)
Other	-0.5001**	-0.4341*	-0.5420***	-0.5128***	-0.7434***	-0.6515***	-0.4991*	-0.3889	-0.4918*	-0.4378*
	(0.2468)	(0.2309)	(0.2093)	(0.1917)	(0.2705)	(0.2351)	(0.2716)	(0.2501)	(0.2632)	(0.2356)
N	2280	2280	2269	2269	2266	2266	2280	2280	2245	2245
R-Squared	0.0401	0.1842	0.0470	0.1869	0.0682	0.2555	0.0699	0.2153	0.0399	0.1709
Mean Omitted	5.4412	5.4412	6.3361	6.3361	5.7875	5.7875	5.0513	5.0513	5.2342	5.2342
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Faculty. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide affiliation are included as a dummy but not shown in the table.

Table C1b: Freedom of Expression by Affiliation — All Respondents

Dependent Variable	Comfortable Expressing Opinions		Comfortable Expressing Religion/Ethnicity		Comfortable Expressing Political Beliefs		No Discrimination Expressing Views		No Professional Penalty Expressing Political Views	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Undergrad	-0.5365***	-0.4485***	-1.3310***	-1.0812***	-0.0639	-0.0497	-0.3943**	-0.3104**	-0.9695***	-0.7631***
	(0.1598)	(0.1565)	(0.1701)	(0.1637)	(0.1674)	(0.1609)	(0.1663)	(0.1575)	(0.1561)	(0.1594)
Grad/PostDoc/Fellow	-0.7510***	-0.5467***	-1.0918***	-0.8137***	-0.5789***	-0.4603***	-0.6854***	-0.5144***	-0.8293***	-0.6144***
	(0.1316)	(0.1253)	(0.1359)	(0.1300)	(0.1397)	(0.1306)	(0.1353)	(0.1284)	(0.1285)	(0.1268)
Staff	-0.0710	-0.2110*	0.1758	0.0542	-0.1865	-0.4136***	-0.0807	-0.2488**	0.0070	0.0126
	(0.1118)	(0.1083)	(0.1119)	(0.1094)	(0.1153)	(0.1140)	(0.1180)	(0.1133)	(0.1131)	(0.1128)
Other	0.1744	0.1801	-0.5343*	-0.4580*	-0.3635	-0.3816	0.3171	0.3139	-0.3393	-0.2509
	(0.2691)	(0.2500)	(0.2906)	(0.2522)	(0.2764)	(0.2336)	(0.2806)	(0.2416)	(0.2786)	(0.2619)
N	2281	2281	2250	2250	2235	2235	2265	2265	2260	2260
R-Squared	0.0400	0.2009	0.0911	0.2695	0.0302	0.2204	0.0368	0.2302	0.0511	0.1654
Mean Omitted	4.2520	4.2520	5.1164	5.1164	4.7726	4.7726	3.9917	3.9917	3.5514	3.5514
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Table C1c: Contributing Factors by Affiliation — All Respondents

Dependent Variable	Students Academic		Students Non-Academic		Students Online		Faculty		Admin/ Staff		On-Campus Media	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Undergrad	-0.0804	-0.0942*	0.0498	-0.0187	-0.5283***	-0.5750***	0.0580	0.0878	-0.3357***	-0.3048***	-0.1022*	-0.1129*
	(0.0494)	(0.0509)	(0.0541)	(0.0554)	(0.0511)	(0.0515)	(0.0521)	(0.0537)	(0.0587)	(0.0591)	(0.0566)	(0.0580)
Grad/PostDoc/Fellow	-0.2284***	-0.2207***	-0.1761***	-0.2025***	-0.2819***	-0.2829***	-0.1299***	-0.0835*	-0.2171***	-0.1634***	-0.1003**	-0.0729
	(0.0419)	(0.0426)	(0.0429)	(0.0428)	(0.0386)	(0.0386)	(0.0466)	(0.0471)	(0.0472)	(0.0476)	(0.0441)	(0.0447)
Staff	-0.3512***	-0.3734***	-0.1899***	-0.2494***	-0.1236***	-0.1651***	-0.1051***	-0.1244***	0.0691*	0.0636	-0.0153	-0.0473
	(0.0322)	(0.0344)	(0.0324)	(0.0342)	(0.0308)	(0.0322)	(0.0389)	(0.0408)	(0.0407)	(0.0422)	(0.0387)	(0.0399)
Other	-0.2574***	-0.2688***	-0.1947**	-0.2252***	-0.0867	-0.1148	-0.0582	-0.0629	-0.1728*	-0.1499	0.1743*	0.1573*
	(0.0801)	(0.0786)	(0.0829)	(0.0769)	(0.0757)	(0.0724)	(0.0903)	(0.0876)	(0.1004)	(0.0950)	(0.0892)	(0.0828)
N	2333	2333	2342	2342	2324	2324	2377	2377	2344	2344	2358	2358
R-Squared	0.0565	0.0922	0.0244	0.0751	0.0671	0.1074	0.0101	0.0544	0.0382	0.1019	0.0065	0.0548
Mean Omitted	0.5618	0.5618	0.4300	0.4300	0.2485	0.2485	0.3670	0.3670	0.2610	0.2610	-0.1888	-0.1888
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is faculty. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide affiliation are included as a dummy but not shown in the table. If respondent said the factor was both positive and negative, they are included multiple times.

Table C1d: Contributing Factors by Affiliation — All Respondents

Dependent Variable	Policies		External Actors		Affiliates		Off-Campus Media		Global Events		Other Factors	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Undergrad	-0.2872***	-0.2154***	-0.1152**	-0.1015**	-0.1298***	-0.1337***	0.0232	0.0439	0.0196	0.0438	-0.0625	-0.0413
	(0.0543)	(0.0557)	(0.0450)	(0.0465)	(0.0482)	(0.0503)	(0.0442)	(0.0460)	(0.0441)	(0.0458)	(0.0440)	(0.1001)
Grad/PostDoc/Fellow	-0.1861***	-0.1110**	-0.0318	-0.0251	-0.0831**	-0.0776*	0.0627*	0.0805**	0.0217	0.0386	0.1077	0.1341
	(0.0454)	(0.0458)	(0.0378)	(0.0386)	(0.0387)	(0.0397)	(0.0379)	(0.0390)	(0.0353)	(0.0361)	(0.0933)	(0.0981)
Staff	0.0981**	0.1209***	-0.0150	-0.0005	-0.0813**	-0.0859**	0.0252	0.0505	0.0049	0.0213	0.1563**	0.1122
	(0.0417)	(0.0426)	(0.0333)	(0.0340)	(0.0326)	(0.0343)	(0.0323)	(0.0340)	(0.0304)	(0.0317)	(0.0710)	(0.0690)
Other	-0.0543	-0.0198	-0.0073	0.0084	0.0382	0.0443	0.0400	0.0552	-0.0439	-0.0291	0.6875**	0.6989**
	(0.1005)	(0.0942)	(0.0754)	(0.0722)	(0.0880)	(0.0849)	(0.0775)	(0.0745)	(0.0667)	(0.0652)	(0.3488)	(0.3509)
N	2350	2350	2322	2322	2331	2331	2334	2334	2340	2340	282	282
R-Squared	0.0381	0.1194	0.0031	0.0469	0.0058	0.0293	0.0013	0.0369	0.0005	0.0457	0.0486	0.1593
Omitted Mean	-0.2500	-0.2500	-0.5515	-0.5515	-0.1811	-0.1811	-0.6283	-0.6283	-0.6767	-0.6767	-0.9375	-0.9375
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is faculty. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide affiliation are included as a dummy but not shown in the table. If respondent said the factor was both positive and negative, they are included multiple times.

C2. Regressions — Safety and Belonging And Freedom of Expression (By Religion)

Table C2a: Safety and Belonging by Religion — All Respondents

Dependent Variable	Belonging		Physical Safety		Mental Safety		Well-being Supported		Comfort Socializing	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Atheist	-0.1476*	-0.0966	0.0221	0.0108	-0.0036	0.0526	-0.2350***	-0.1182	-0.2911***	-0.1579*
	(0.0802)	(0.0772)	(0.0627)	(0.0624)	(0.0818)	(0.0766)	(0.0856)	(0.0805)	(0.0919)	(0.0894)
Muslim	-1.6975***	-0.8268***	-1.8109***	-1.1759***	-2.2487***	-1.2513***	-1.9842***	-1.0307***	-1.7750***	-0.8675***
	(0.2310)	(0.2466)	(0.2256)	(0.2335)	(0.2359)	(0.2426)	(0.2222)	(0.2383)	(0.2248)	(0.2353)
Jewish	-0.5541***	-0.5498***	-0.6023***	-0.6196***	-0.8153***	-0.7542***	-0.7961***	-0.7246***	-0.7537***	-0.7607***
	(0.1006)	(0.0977)	(0.0882)	(0.0864)	(0.1083)	(0.1001)	(0.1060)	(0.1009)	(0.1121)	(0.1105)
Other	-0.2925**	-0.1663	-0.2182**	-0.1378	-0.3901***	-0.2281**	-0.2765**	-0.1327	-0.3039**	-0.0650
	(0.1149)	(0.1134)	(0.0953)	(0.0960)	(0.1221)	(0.1158)	(0.1258)	(0.1218)	(0.1264)	(0.1192)
N	2280	2280	2269	2269	2266	2266	2280	2280	2245	2245
R-Squared	0.0675	0.1838	0.0929	0.1837	0.0964	0.2541	0.0717	0.2134	0.0478	0.1682
Mean Omitted	5.5719	5.5719	6.3141	6.3141	5.7177	5.7177	5.3125	5.3125	5.2241	5.2241
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Christians. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide religion are included as a dummy but not shown in the table.

Table C2b: Freedom of Expression by Religion — All Respondents

Dependent Variable	Opinions		Comfortable Expressing Religion/Ethnicity		Political Beliefs		No Discrimination Expressing Views		No Professional Penalty Expressing Political Views	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Atheist	0.1865*	0.0570	0.2901***	0.2956***	0.3572***	0.1606*	0.3479***	0.1540	-0.1233	-0.0760
	(0.0963)	(0.0914)	(0.0982)	(0.0913)	(0.0962)	(0.0942)	(0.1002)	(0.0958)	(0.0992)	(0.0979)
Muslim	-1.6329***	-0.7384***	-2.3412***	-1.0327***	-1.7821***	-1.1033***	-1.7386***	-0.9105***	-1.7779***	-0.9981***
	(0.2053)	(0.2237)	(0.2192)	(0.2411)	(0.2260)	(0.2515)	(0.1670)	(0.1910)	(0.1516)	(0.1763)
Jewish	-0.6752***	-0.7320***	-0.8597***	-0.8515***	-1.1244***	-1.1536***	-0.6827***	-0.7823***	-0.3425***	-0.3194***
	(0.1140)	(0.1062)	(0.1223)	(0.1128)	(0.1201)	(0.1157)	(0.1161)	(0.1071)	(0.1136)	(0.1122)
Other	-0.2734**	-0.1580	-0.1854	-0.0586	-0.2627**	-0.1809	-0.4187***	-0.3101**	-0.2258*	-0.1049
	(0.1297)	(0.1251)	(0.1403)	(0.1315)	(0.1335)	(0.1330)	(0.1281)	(0.1245)	(0.1326)	(0.1279)
N	2281	2281	2250	2250	2235	2235	2265	2265	2260	2260
R-Squared	0.0653	0.1994	0.1018	0.2678	0.1084	0.2185	0.0877	0.2289	0.0520	0.1641
Mean Omitted	4.2640	4.2640	5.1164	5.1164	4.8410	4.8410	4.0051	4.0051	3.5990	3.5990
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Christians. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide religion are included as a dummy but not shown in the table.

Table C2c: Contributing Factors by Religion — All Respondents

Dependent Variable	Students Academic		Students Non-Academic		Students Online		Faculty		Admin/ Staff		On-Campus Media	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Atheist	0.0290	-0.0038	0.0485	0.0132	-0.0203	-0.0258	-0.0129	-0.0215	-0.0883**	-0.0623*	-0.0036	-0.0168
	(0.0284)	(0.0287)	(0.0303)	(0.0315)	(0.0296)	(0.0297)	(0.0329)	(0.0344)	(0.0364)	(0.0369)	(0.0342)	(0.0354)
Muslim	-0.0930	-0.0876	-0.0003	-0.0199	-0.2119***	-0.0852	-0.3604***	-0.2582***	-0.5225***	-0.2985***	-0.3370***	-0.2004**
	(0.0720)	(0.0786)	(0.0721)	(0.0801)	(0.0678)	(0.0733)	(0.0815)	(0.0872)	(0.0787)	(0.0872)	(0.0734)	(0.0807)
Jewish	-0.0823**	-0.1226***	-0.1913***	-0.2079***	-0.1919***	-0.1861***	-0.1245***	-0.1351***	-0.2138***	-0.1946***	-0.2233***	-0.2254***
	(0.0359)	(0.0353)	(0.0390)	(0.0400)	(0.0376)	(0.0364)	(0.0406)	(0.0416)	(0.0427)	(0.0433)	(0.0403)	(0.0418)
Other	-0.0076	0.0249	0.0059	0.0161	0.0556	0.0426	-0.0573	-0.0197	-0.1139**	-0.0925*	-0.0014	0.0201
	(0.0359)	(0.0354)	(0.0404)	(0.0412)	(0.0381)	(0.0377)	(0.0442)	(0.0453)	(0.0497)	(0.0498)	(0.0475)	(0.0481)
N	2333	2333	2342	2342	2324	2324	2377	2377	2344	2344	2358	2358
R-Squared	0.0063	0.0902	0.0180	0.0711	0.0202	0.1045	0.0155	0.0538	0.0314	0.1009	0.0219	0.0541
Mean Omitted	0.3787	0.3787	0.3618	0.3618	0.1495	0.1495	0.3712	0.3712	0.3493	0.3493	-0.1400	-0.1400
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Christians. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide religion are included as a dummy but not shown in the table. If respondent said the factor was both positive and negative, they are included multiple times.

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Table C2d: Contributing Factors by Religion — All Respondents

Dependent Variable	Policies		External Actors		Affiliates		Off-Campus Media		Global Events		Other Factors	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Atheist	-0.0779**	-0.0135	-0.0714**	-0.0404	-0.0358	-0.0233	-0.0293	-0.0131	-0.0570**	-0.0389	-0.1308*	-0.1325
	(0.0367)	(0.0369)	(0.0293)	(0.0304)	(0.0303)	(0.0320)	(0.0293)	(0.0304)	(0.0269)	(0.0276)	(0.0773)	(0.0822)
Muslim	-0.5472***	-0.3494***	-0.2696***	-0.2899***	-0.2067***	-0.1992**	-0.2125***	-0.2221***	-0.2364***	-0.2433***	-0.2519***	-0.0933
	(0.0602)	(0.0733)	(0.0492)	(0.0579)	(0.0707)	(0.0798)	(0.0564)	(0.0611)	(0.0488)	(0.0552)	(0.0613)	(0.0861)
Jewish	-0.1731***	-0.1439***	-0.1801***	-0.1662***	-0.1537***	-0.1497***	-0.1395***	-0.1359***	-0.2087***	-0.2053***	-0.1051	-0.1201
	(0.0431)	(0.0441)	(0.0327)	(0.0337)	(0.0359)	(0.0373)	(0.0331)	(0.0348)	(0.0292)	(0.0311)	(0.0922)	(0.1011)
Other	-0.0395	0.0045	-0.0595	-0.0346	-0.0165	0.0040	-0.0514	-0.0309	-0.0966***	-0.0680*	0.0221	0.0174
	(0.0502)	(0.0489)	(0.0380)	(0.0382)	(0.0407)	(0.0421)	(0.0390)	(0.0394)	(0.0349)	(0.0353)	(0.1037)	(0.1142)
N	2350	2350	2322	2322	2331	2331	2334	2334	2340	2340	282	282
R-Squared	0.0302	0.1165	0.0188	0.0467	0.0110	0.0293	0.0123	0.0369	0.0234	0.0455	0.0196	0.1570
Mean Omitted	-0.1324	-0.1324	-0.5174	-0.5174	-0.2039	-0.2039	-0.5517	-0.5517	-0.6036	-0.6036	-0.7105	-0.7105
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Christians. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide religion are included as a dummy but not shown in the table. If respondent said the factor was both positive and negative, they are included multiple times.

C3. Regressions — Safety and Belonging And Freedom of Expression (By Race)

Table C3a: Safety and Belonging by Race — All Respondents

Dependent Variable	Belonging		Physical Safety		Mental Safety		Well-being Supported		Comfort Socializing	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Asian	-0.3845***	-0.1055	-0.3849***	-0.0865	-0.5439***	-0.1499	-0.6645***	-0.2290*	-0.7516***	-0.4552***
	(0.1271)	(0.1254)	(0.1062)	(0.1018)	(0.1339)	(0.1282)	(0.1398)	(0.1358)	(0.1325)	(0.1348)
Black	-0.6767***	-0.6309***	-0.3615**	-0.2441	-0.8736***	-0.6781***	-0.7377***	-0.5782***	-0.4050*	-0.3787*
	(0.2200)	(0.2143)	(0.1823)	(0.1666)	(0.2340)	(0.2171)	(0.2282)	(0.2142)	(0.2189)	(0.2153)
Hispanic	-0.3000*	-0.2297	-0.1541	-0.0899	-0.3902**	-0.2630	-0.3002*	-0.1795	-0.3790*	-0.2909
	(0.1701)	(0.1620)	(0.1480)	(0.1381)	(0.1832)	(0.1673)	(0.1809)	(0.1670)	(0.1952)	(0.1816)
MENA	-1.6959***	-1.1092***	-1.4183***	-0.7554***	-2.0344***	-1.2152***	-1.7506***	-0.9769***	-1.4714***	-0.8422***
	(0.1854)	(0.1964)	(0.1819)	(0.1840)	(0.1995)	(0.2033)	(0.1803)	(0.1898)	(0.1905)	(0.1931)
Other	-0.6653***	-0.3465**	-0.4943***	-0.2344*	-1.3270***	-0.9418***	-0.9406***	-0.5668***	-1.1034***	-0.8505***
	(0.1621)	(0.1544)	(0.1493)	(0.1376)	(0.1916)	(0.1807)	(0.1739)	(0.1665)	(0.1830)	(0.1745)
N	2280	2280	2269	2269	2266	2266	2280	2280	2245	2245
R-Squared	0.0807	0.1740	0.0701	0.1822	0.1112	0.2482	0.0768	0.2123	0.0662	0.1658
Mean Omitted	5.5000	5.5000	6.2087	6.2087	5.6484	5.6484	5.0992	5.0992	5.0327	5.0327
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is White. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide race are included as a dummy but not shown in the table.

Table C3b: Freedom of Expression by Race — All Respondents

Dependent Variable	Opinions		Comfortable Expressing Religion/Ethnicity		Political Beliefs		No Discrimination Expressing Views		No Professional Penalty Expressing Political Views	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Asian	-0.4655***	-0.2434*	-0.9356***	-0.4753***	-0.0505	-0.0400	-0.4664***	-0.2414*	-0.6518***	-0.2589*
	(0.1414)	(0.1457)	(0.1482)	(0.1435)	(0.1416)	(0.1422)	(0.1428)	(0.1424)	(0.1475)	(0.1489)
Black	-0.2727	-0.2863	-1.0160***	-0.7614***	-0.4077*	-0.5537**	-0.3119	-0.3037	-0.8200***	-0.6095***
	(0.2279)	(0.2292)	(0.2409)	(0.2374)	(0.2248)	(0.2202)	(0.2289)	(0.2257)	(0.2213)	(0.2223)
Hispanic	-0.4393**	-0.3518*	-0.6400***	-0.4687***	0.0106	-0.0253	-0.2502	-0.1556	-0.2609	-0.1161
	(0.1898)	(0.1801)	(0.1954)	(0.1815)	(0.1968)	(0.1839)	(0.1924)	(0.1798)	(0.2003)	(0.1945)
MENA	-1.8183***	-1.2244***	-2.3441***	-1.4262***	-1.8407***	-1.2543***	-1.7541***	-1.0962***	-1.4046***	-0.8008***
	(0.1616)	(0.1757)	(0.1799)	(0.1913)	(0.1783)	(0.1877)	(0.1575)	(0.1722)	(0.1617)	(0.1800)
Other	-1.1848***	-0.7820***	-1.2735***	-0.7973***	-1.4176***	-0.9659***	-1.3507***	-0.8892***	-0.6807***	-0.4010**
	(0.1782)	(0.1716)	(0.1972)	(0.1830)	(0.1879)	(0.1868)	(0.1756)	(0.1661)	(0.1661)	(0.1599)
N	2281	2281	2250	2250	2235	2235	2265	2265	2260	2260
R-Squared	0.1080	0.1951	0.1244	0.2606	0.1072	0.2166	0.1096	0.2244	0.0717	0.1632
Mean Omitted	4.3679	4.3679	5.2200	5.2200	4.8604	4.8604	4.1509	4.1509	3.5538	3.5538
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is White. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide race are included as a dummy but not shown in the table.

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Table C3c: Contributing Factors by Race — All Respondents

Dependent Variable	Students Academic		Students Non-Academic		Students Online		Faculty		Admin/ Staff		On-Campus Media	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Asian	0.0869**	0.0399	0.1641***	0.1085**	-0.0308	0.0654	-0.0473	-0.0470	-0.1725***	-0.0389	-0.0198	0.0101
	(0.0425)	(0.0442)	(0.0452)	(0.0474)	(0.0425)	(0.0436)	(0.0474)	(0.0504)	(0.0537)	(0.0558)	(0.0508)	(0.0529)
Black	0.0498	-0.0030	0.1832**	0.1053	-0.0057	0.0513	-0.0254	-0.0705	-0.1177	-0.0496	0.0740	0.0546
	(0.0668)	(0.0649)	(0.0742)	(0.0733)	(0.0752)	(0.0732)	(0.0784)	(0.0787)	(0.0853)	(0.0852)	(0.0754)	(0.0775)
Hispanic	-0.0187	-0.0318	0.0071	-0.0156	0.0226	0.0639	-0.0364	-0.0573	-0.1540**	-0.1191*	0.0179	0.0161
	(0.0569)	(0.0565)	(0.0599)	(0.0592)	(0.0544)	(0.0533)	(0.0646)	(0.0644)	(0.0730)	(0.0699)	(0.0637)	(0.0645)
MENA	-0.1412**	-0.1190*	-0.0946	-0.0649	-0.1913***	-0.0491	-0.3080***	-0.2071***	-0.3981***	-0.1999***	-0.3440***	-0.2163***
	(0.0602)	(0.0646)	(0.0647)	(0.0675)	(0.0583)	(0.0610)	(0.0676)	(0.0706)	(0.0690)	(0.0746)	(0.0585)	(0.0636)
Other	-0.1798***	-0.1561***	-0.2060***	-0.1395**	-0.2131***	-0.1758***	-0.2193***	-0.1498**	-0.2155***	-0.1266**	-0.1797***	-0.1084*
	(0.0539)	(0.0536)	(0.0545)	(0.0543)	(0.0551)	(0.0550)	(0.0628)	(0.0632)	(0.0654)	(0.0645)	(0.0563)	(0.0563)
N	2333	2333	2342	2342	2324	2324	2377	2377	2344	2344	2358	2358
R-Squared	0.0117	0.0892	0.0184	0.0731	0.0129	0.1053	0.0196	0.0500	0.0294	0.0999	0.0190	0.0516
Mean Omitted	0.3656	0.3656	0.3187	0.3187	0.1036	0.1036	0.3561	0.3561	0.2772	0.2772	-0.1751	-0.1751
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is White. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide race are included as a dummy but not shown in the table. If respondent said the factor was both positive and negative, they are included multiple times.

Table C3d: Contributing Factors by Race — All Respondents

Dependent Variable	Policies		External Actors		Affiliates		Off-Campus Media		Global Events		Other Factors	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Asian	-0.1886***	-0.0501	0.0135	0.0243	0.0338	0.0383	0.0245	0.0252	0.0009	-0.0039	-0.2115***	-0.2506**
	(0.0530)	(0.0532)	(0.0418)	(0.0439)	(0.0451)	(0.0466)	(0.0422)	(0.0448)	(0.0394)	(0.0414)	(0.0473)	(0.1069)
Black	-0.1987***	-0.1329*	0.0399	0.0425	-0.0273	-0.0306	-0.0316	-0.0544	-0.0322	-0.0636	-0.2285***	-0.1890**
	(0.0755)	(0.0757)	(0.0729)	(0.0724)	(0.0721)	(0.0722)	(0.0643)	(0.0643)	(0.0632)	(0.0610)	(0.0507)	(0.0866)
Hispanic	-0.0953	-0.0760	0.0899	0.0764	0.0234	0.0113	0.0815	0.0501	0.0765	0.0513	0.1694	0.1146
	(0.0680)	(0.0664)	(0.0602)	(0.0582)	(0.0624)	(0.0631)	(0.0587)	(0.0586)	(0.0554)	(0.0548)	(0.1896)	(0.1880)
MENA	-0.3344***	-0.1221*	-0.0940*	-0.0179	-0.0904	-0.0292	-0.0891*	-0.0255	-0.0919*	-0.0254	-0.2264***	-0.1262
	(0.0604)	(0.0676)	(0.0502)	(0.0574)	(0.0603)	(0.0670)	(0.0516)	(0.0563)	(0.0493)	(0.0552)	(0.0488)	(0.0789)
Other	-0.1444**	-0.0596	0.0789	0.1149**	-0.0290	-0.0038	0.0727	0.1032**	-0.0350	0.0031	-0.0212	-0.0136
	(0.0638)	(0.0642)	(0.0516)	(0.0522)	(0.0570)	(0.0576)	(0.0506)	(0.0509)	(0.0454)	(0.0449)	(0.1309)	(0.1516)
N	2350	2350	2322	2322	2331	2331	2334	2334	2340	2340	282	282
R-Squared	0.0217	0.1177	0.0040	0.0466	0.0032	0.0288	0.0035	0.0368	0.0030	0.0455	0.0273	0.1579
Mean Omitted	-0.2218	-0.2218	-0.5917	-0.5917	-0.2358	-0.2358	-0.6029	-0.6029	-0.6671	-0.6671	-0.7946	-0.7946
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is White. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide race are included as a dummy but not shown in the table. If respondent said the factor was both positive and negative, they are included multiple times.

C4. Regressions — Safety and Belonging And Freedom of Expression (By Religion and Race)

Table C4a: Safety and Belonging by Race and Religion — All Respondents

Dependent Variable	Belonging		Physical Safety		Mental Safety		Well-being Supported		Comfort Socializing	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Atheist	-0.1632**	-0.0819	0.0191	0.0213	-0.0170	0.0678	-0.2399***	-0.1079	-0.2862***	-0.1441
	(0.0779)	(0.0779)	(0.0619)	(0.0627)	(0.0786)	(0.0768)	(0.0837)	(0.0806)	(0.0903)	(0.0895)
Muslim	-1.0864***	-0.9896***	-1.3532***	-1.2726***	-1.5359***	-1.3968***	-1.2980***	-1.1284***	-1.1524***	-0.9957***
	(0.2464)	(0.2446)	(0.2388)	(0.2320)	(0.2506)	(0.2423)	(0.2409)	(0.2370)	(0.2438)	(0.2321)
Jewish	-0.4905***	-0.5272***	-0.5536***	-0.6049***	-0.7026***	-0.7325***	-0.7336***	-0.7098***	-0.6729***	-0.7414***
	(0.0995)	(0.0984)	(0.0875)	(0.0865)	(0.1040)	(0.1007)	(0.1048)	(0.1012)	(0.1111)	(0.1102)
Other	-0.2528**	-0.1694	-0.1841*	-0.1385	-0.3161***	-0.2296**	-0.2064*	-0.1329	-0.2137*	-0.0651
	(0.1107)	(0.1136)	(0.0949)	(0.0965)	(0.1187)	(0.1161)	(0.1231)	(0.1215)	(0.1241)	(0.1207)
Asian	-0.2582**	-0.1218	-0.2566**	-0.1158	-0.3953***	-0.1763	-0.5508***	-0.2575*	-0.6678***	-0.4917***
	(0.1283)	(0.1251)	(0.1016)	(0.1017)	(0.1311)	(0.1273)	(0.1429)	(0.1351)	(0.1356)	(0.1350)
Black	-0.6625***	-0.6213***	-0.3170*	-0.2263	-0.8340***	-0.6621***	-0.7562***	-0.5618***	-0.4444**	-0.3586*
	(0.2212)	(0.2142)	(0.1759)	(0.1679)	(0.2312)	(0.2181)	(0.2299)	(0.2148)	(0.2228)	(0.2135)
Hispanic	-0.3452**	-0.2107	-0.2163	-0.0568	-0.4634**	-0.2336	-0.3723**	-0.1465	-0.4438**	-0.2516
	(0.1660)	(0.1613)	(0.1431)	(0.1380)	(0.1805)	(0.1673)	(0.1789)	(0.1667)	(0.1915)	(0.1813)
MENA	-1.3427***	-1.1148***	-0.9581***	-0.7656***	-1.5122***	-1.2244***	-1.3274***	-0.9872***	-1.1248***	-0.8547***
	(0.1963)	(0.1963)	(0.1861)	(0.1830)	(0.2056)	(0.2029)	(0.1900)	(0.1897)	(0.2019)	(0.1923)
Other	-0.5676***	-0.3451**	-0.3686**	-0.2286	-1.1607***	-0.9372***	-0.8013***	-0.5619***	-0.9800***	-0.8447***
	(0.1587)	(0.1546)	(0.1436)	(0.1391)	(0.1873)	(0.1823)	(0.1694)	(0.1677)	(0.1802)	(0.1758)
N	2280	2280	2269	2269	2266	2266	2280	2280	2245	2245
R-Squared	0.1077	0.1731	0.1185	0.1782	0.1561	0.2461	0.1123	0.2100	0.0889	0.1622
Mean Omitted	5.4317	5.4317	6.1873	6.1873	5.5929	5.5929	5.0638	5.0638	4.9926	4.9926
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is White or Christian. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide religion or race are included as a dummy but not shown in the table.

Table C4b: Freedom of Expression by Race and Religion — All Respondents

Dependent Variable	Opinions		Comfortable Expressing Religion/Ethnicity		Political Beliefs		No Discrimination Expressing Views		No Professional Penalty Expressing Political Views	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Atheist	0.1750*	0.0716	0.2757***	0.3162***	0.3338***	0.1730*	0.3368***	0.1687*	-0.1380	-0.0657
	(0.0928)	(0.0917)	(0.0938)	(0.0920)	(0.0937)	(0.0947)	(0.0973)	(0.0962)	(0.0972)	(0.0979)
Muslim	-0.9531***	-0.8805***	-1.3877***	-1.2107***	-1.2252***	-1.2236***	-1.1272***	-1.0548***	-1.2124***	-1.0826***
	(0.2165)	(0.2209)	(0.2435)	(0.2411)	(0.2463)	(0.2500)	(0.1871)	(0.1879)	(0.1795)	(0.1774)
Jewish	-0.5482***	-0.7110***	-0.7946***	-0.8238***	-0.9613***	-1.1353***	-0.5385***	-0.7612***	-0.3008***	-0.3059***
	(0.1111)	(0.1068)	(0.1189)	(0.1139)	(0.1192)	(0.1163)	(0.1126)	(0.1073)	(0.1127)	(0.1122)
Other	-0.1846	-0.1585	-0.0764	-0.0573	-0.2097	-0.1817	-0.3319***	-0.3112**	-0.1584	-0.1035
	(0.1255)	(0.1258)	(0.1357)	(0.1322)	(0.1297)	(0.1336)	(0.1252)	(0.1254)	(0.1307)	(0.1283)
Asian	-0.4064***	-0.2726*	-0.8508***	-0.5074***	-0.0297	-0.0720	-0.3597**	-0.2696*	-0.4922***	-0.2842*
	(0.1443)	(0.1452)	(0.1479)	(0.1430)	(0.1380)	(0.1418)	(0.1425)	(0.1421)	(0.1510)	(0.1485)
Black	-0.2529	-0.2696	-0.9796***	-0.7430***	-0.4100*	-0.5360**	-0.2439	-0.2873	-0.7689***	-0.5957***
	(0.2263)	(0.2295)	(0.2384)	(0.2398)	(0.2207)	(0.2216)	(0.2281)	(0.2257)	(0.2231)	(0.2217)
Hispanic	-0.5012***	-0.3184*	-0.7339***	-0.4315**	-0.0997	0.0103	-0.3124*	-0.1244	-0.2927	-0.0875
	(0.1859)	(0.1813)	(0.1904)	(0.1811)	(0.1871)	(0.1846)	(0.1861)	(0.1801)	(0.1985)	(0.1949)
MENA	-1.4670***	-1.2348***	-1.8118***	-1.4373***	-1.3532***	-1.2658***	-1.3209***	-1.1061***	-1.0307***	-0.8100***
	(0.1728)	(0.1754)	(0.1940)	(0.1908)	(0.1850)	(0.1878)	(0.1689)	(0.1717)	(0.1766)	(0.1795)
Other	-1.0373***	-0.7773***	-1.0612***	-0.7907***	-1.1621***	-0.9611***	-1.1761***	-0.8845***	-0.6295***	-0.3966**
	(0.1767)	(0.1729)	(0.1914)	(0.1846)	(0.1884)	(0.1879)	(0.1712)	(0.1671)	(0.1671)	(0.1609)
N	2281	2281	2250	2250	2235	2235	2265	2265	2260	2260
R-Squared	0.1302	0.1930	0.1712	0.2581	0.1642	0.2142	0.1453	0.2225	0.0872	0.1616
Mean Omitted	4.2770	4.2770	5.1113	5.1113	4.7871	4.7871	4.0594	4.0594	3.4945	3.4945
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is White or Christian. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). Those that refused to provide religion or race are included as a dummy but not shown in the table.

C5. Regressions — Change in Experience (By Affiliation, Religion, Race)

Table C5: Change in Experience by Affiliation, Religion, Race — All Respondents

Dependent Variable	Change in Experience since Last Year					
	(1)	(2)	(3)	(4)	(5)	(6)
Undergrad	-0.2210***	-0.1685***				
	(0.0657)	(0.0645)				
Grad/PostDoc/Fellow	-0.1977***	-0.1179**				
	(0.0539)	(0.0534)				
Staff	0.1278***	0.1010**				
	(0.0446)	(0.0457)				
Other	-0.0391	-0.0246				
	(0.1123)	(0.1017)				
Atheist			-0.0317	0.0078		
			(0.0407)	(0.0411)		
Muslim			-0.7086***	-0.4145***		
			(0.0821)	(0.0910)		
Jewish			-0.3970***	-0.3681***		
			(0.0453)	(0.0456)		
Other			-0.0814	-0.0277		
			(0.0541)	(0.0537)		
Asian					-0.1661***	-0.0692
					(0.0613)	(0.0612)
Black					-0.0903	-0.1011
					(0.1077)	(0.1020)
Hispanic					-0.1447*	-0.1243*
					(0.0772)	(0.0748)
MENA					-0.6236***	-0.4022***
					(0.0749)	(0.0794)
Other					-0.3738***	-0.2606***
					(0.0722)	(0.0698)
N	2074	2074	2074	2074	2074	2074
R-Squared	0.0369	0.1416	0.0610	0.1411	0.0543	0.1395
Mean Omitted	-0.8994	-0.8994	-0.7556	-0.7556	-0.8161	-0.8161
Controls?	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Christian in the first two columns, White in columns 3 and 4, and Faculty in columns 5 and 6. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: race, sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US). If respondent said they experienced both negative and positive changes, they are included multiple times.

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APPENDIX D: REPRESENTATIVENESS OF SAMPLE

Table D: Representativeness — All Respondents

Summary Statistics	Count (Pulse)	Percent (Pulse)	Count (TF)	Percent (TF)
	20595	100.00	2295	100.00
Affiliation				
Students	9405	45.67	608	26.49
Faculty	2084	10.12	489	21.31
Staff	9106	44.21	898	39.13
Religion				
Agnostic/Atheist/No Religious Affiliation	8036	39.13	875	38.13
Christian	5464	26.61	592	25.80
Jewish	1398	6.81	447	19.48
Muslim	369	1.80	89	3.88
Other	3088	15.04	282	12.29
Not Available	2180	10.62	258	11.24
Race				
White	12068	58.60	1508	65.71
Asian	2867	13.92	230	10.02
Black	1188	5.80	83	3.62
Hispanic	1162	5.64	124	5.40
MENA	288	1.40	125	5.45
Other	1770	8.59	139	6.06
Prefer not to answer	1252	6.10	314	13.68

Note: Some categories do not sum to 100% since some respondents provided multiple responses to the same question.

APPENDIX E: HETEROGENEITY BY RACE AND RELIGION

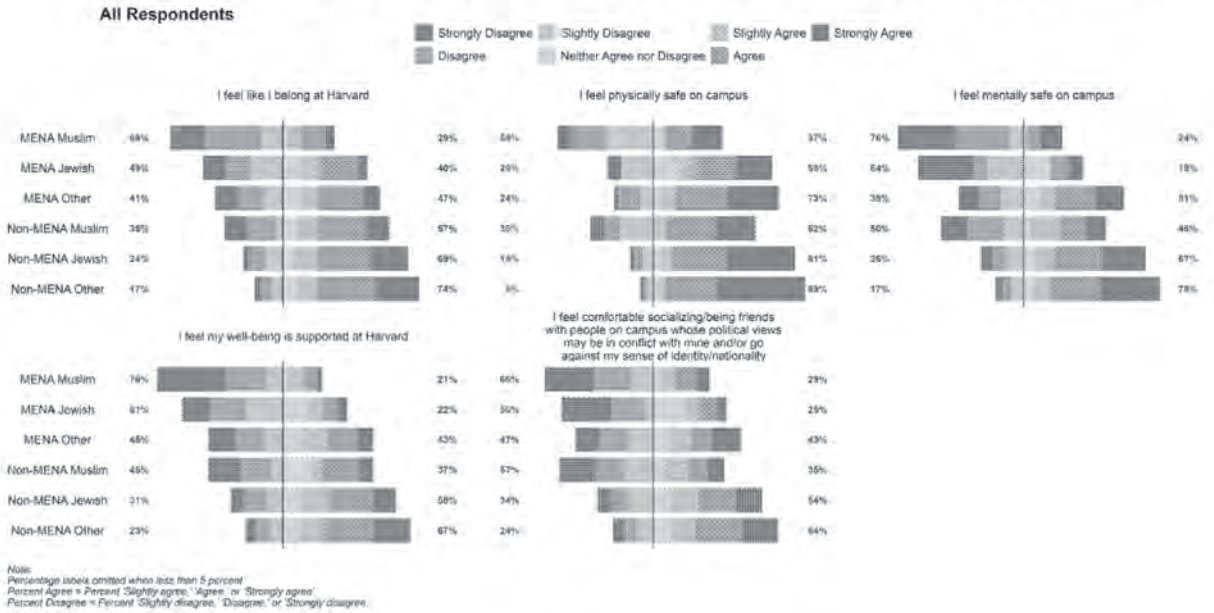
Table E1: Religion And Race of Respondents

Religion/ Race	White	Asian or Asian American	Black or African American	Hispanic or Latina/o/x	Middle-Eastern or North African	Other	Not Available	Total
Atheist/ Agnostic/ No Religious Affiliation	663	102	24	53	32	41	52	875
Jewish	340	10	4	15	36	61	35	447
Muslim	8	34	8	2	38	2	8	89
Christian	448	37	38	54	16	29	39	592
Other	178	47	12	19	11	25	26	282
Not Available	55	20	6	6	10	8	171	258
Total	1508	230	83	124	125	139	314	

Note: Categories do not sum to 2295 since some respondents reported multiple religions/races.

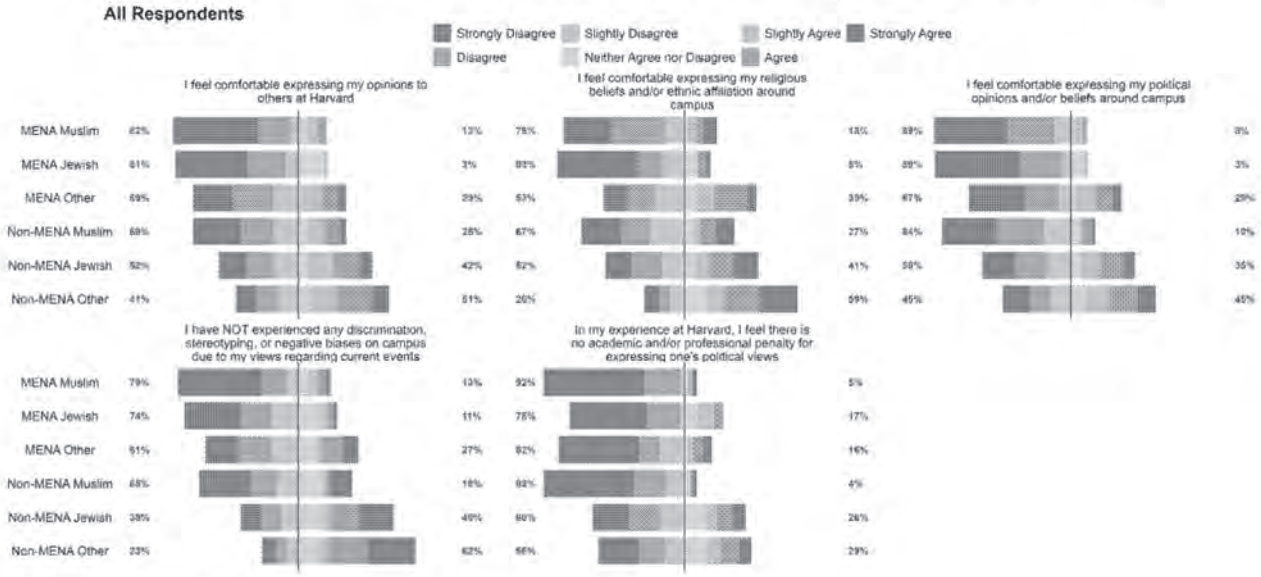
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Figure E1: Safety and Belonging by Race and Religion — All Respondents



Note:
Percentage labels omitted when less than 5 percent
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

Figure E2: Freedom of Expression by Race and Religion — All Respondents



Note:
Percentage labels omitted when less than 5 percent
Percent Agree = Percent 'Slightly agree,' 'Agree,' or 'Strongly agree'
Percent Disagree = Percent 'Slightly disagree,' 'Disagree,' or 'Strongly disagree'

Table E2: Safety and Belonging by Race and Religion — All Respondents

Dependent Variable	Belonging		Physical Safety		Mental Safety		Well-being Supported		Comfort Socializing	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
MENA Muslim	-2.2203***	-1.9605***	-2.1933***	-1.9496***	-2.7163***	-2.3450***	-2.4809***	-2.0360***	-1.8027***	-1.4314***
	(0.3183)	(0.2924)	(0.3327)	(0.3114)	(0.3504)	(0.3188)	(0.2962)	(0.2867)	(0.3359)	(0.3254)
MENA Jewish	-1.4970***	-1.4403***	-1.3073***	-1.2657***	-2.4224***	-2.3230***	-1.7309***	-1.5164***	-1.7968***	-1.7101***
	(0.3224)	(0.3336)	(0.3077)	(0.3130)	(0.3327)	(0.3396)	(0.2908)	(0.3090)	(0.3293)	(0.3294)
MENA Other	-1.2276***	-1.1157***	-0.8858***	-0.7728***	-1.1724***	-1.0157***	-1.1182***	-0.9194***	-0.9275***	-0.6926***
	(0.2850)	(0.2744)	(0.2608)	(0.2508)	(0.2925)	(0.2799)	(0.2826)	(0.2651)	(0.2940)	(0.2605)
Non-MENA Muslim	-0.9825***	-0.9270***	-1.3641***	-1.2709***	-1.6661***	-1.5500***	-1.2180***	-1.0377***	-1.4006***	-1.2357***
	(0.2957)	(0.3053)	(0.2885)	(0.2851)	(0.2933)	(0.2956)	(0.2872)	(0.2892)	(0.2829)	(0.2659)
Non-MENA Jewish	-0.2497***	-0.4258***	-0.4147***	-0.5583***	-0.4901***	-0.6860***	-0.4553***	-0.6073***	-0.4359***	-0.6476***
	(0.0956)	(0.0925)	(0.0870)	(0.0832)	(0.1040)	(0.0985)	(0.1030)	(0.0971)	(0.1049)	(0.1038)
N	2280	2280	2269	2269	2266	2266	2280	2280	2245	2245
R-Squared	0.0518	0.1593	0.0729	0.1682	0.0853	0.2215	0.0578	0.1951	0.0467	0.1451
Mean Omitted	5.3225	5.3225	6.1379	6.1379	5.5030	5.5030	4.9782	4.9782	4.9054	4.9054
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Non-Middle-Eastern Non-Muslim or non-Jewish. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US).

Table E3: Freedom of Expression by Race and Religion — All Respondents

Dependent Variable	Opinions		Comfortable Expressing Religion/Ethnicity		Political Beliefs		No Discrimination Expressing Views		No Professional Penalty Expressing Political Views	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
MENA Muslim	-2.0941***	-1.7647***	-2.8425***	-2.2321***	-2.1620***	-2.0328***	-1.9735***	-1.6409***	-1.6899***	-1.3557***
	(0.2545)	(0.2430)	(0.2803)	(0.2991)	(0.3052)	(0.3062)	(0.2100)	(0.2239)	(0.2079)	(0.2031)
MENA Jewish	-2.1190***	-2.1712***	-2.5124***	-2.2815***	-2.6547***	-2.8200***	-2.1708***	-2.2831***	-1.0715***	-0.9988***
	(0.2081)	(0.2089)	(0.2739)	(0.2796)	(0.2715)	(0.2571)	(0.1845)	(0.1913)	(0.2779)	(0.2888)
MENA Other	-1.1076***	-0.9897***	-1.6738***	-1.4746***	-1.0877***	-1.1174***	-1.0189***	-0.9487***	-1.0078***	-0.9516***
	(0.2735)	(0.2634)	(0.2857)	(0.2653)	(0.2753)	(0.2705)	(0.2919)	(0.2788)	(0.2643)	(0.2604)
Non-MENA Muslim	-1.2268***	-1.1265***	-2.0000***	-1.7341***	-1.5304***	-1.5833***	-1.5688***	-1.4821***	-1.5347***	-1.4315***
	(0.2647)	(0.2902)	(0.2892)	(0.2907)	(0.2965)	(0.3119)	(0.2143)	(0.2204)	(0.1844)	(0.1926)
Non-MENA Jewish	-0.4595***	-0.7036***	-0.6802***	-0.8619***	-0.9475***	-1.1628***	-0.4769***	-0.7601***	-0.0645	-0.2230**
	(0.1088)	(0.1028)	(0.1158)	(0.1095)	(0.1157)	(0.1114)	(0.1105)	(0.1024)	(0.1078)	(0.1071)
N	2281	2281	2250	2250	2235	2235	2265	2265	2260	2260
R-Squared	0.0497	0.1745	0.0883	0.2292	0.0797	0.1906	0.0509	0.2012	0.0329	0.1519
Mean Omitted	4.1456	4.1456	5.0251	5.0251	4.7926	4.7926	3.9198	3.9198	3.3212	3.3212
Controls?	N	Y	N	Y	N	Y	N	Y	N	Y

Notes: * 0.10 ** 0.05 *** 0.01. Omitted category is Non-Middle-Eastern Non-Muslim or non-Jewish. Results are shown both with and without controls. Controls are dummies for all values of our demographic categories: sexuality, affiliation, gender, political ideology, nationality (dummy US/Non-US).

Table E4: Religion and Affiliation of Respondents

Religion/Affiliation	Student	Fellow/Post-Doc	Faculty	Staff	Other	Not Available	Total
Atheist/ Agnostic/No Religious affiliation	245 (28%)	51 (6%)	167 (19%)	370 (42%)	22 (3%)	20 (2%)	875
Jewish	130 (29%)	23 (5%)	138 (31%)	127 (28%)	17 (4%)	12 (3%)	447
Muslim	49 (55%)	7 (8%)	11 (12%)	18 (20%)	2 (2%)	2 (2%)	89
Christian	151 (26%)	28 (5%)	112 (19%)	269 (45%)	20 (3%)	12 (2%)	592
Other	49 (17%)	13 (5%)	49 (17%)	150 (53%)	10 (4%)	11 (4%)	282
Not Available	44 (17%)	11 (4%)	53 (21%)	79 (31%)	5 (2%)	66 (26%)	258

Table E5: Religion and Affiliation of Respondents (MENA Only)

Religion/Affiliation	Student	Fellow/Post-Doc	Faculty	Staff	Other	Not Available	Total
Atheist/ Agnostic/No Religious affiliation	16 (50%)	2 (6%)	4 (13%)	10 (31%)	0 (0%)	0 (0%)	32
Jewish	20 (56%)	4 (11%)	7 (19%)	4 (11%)	1 (3%)	0 (0%)	36
Muslim	25 (66%)	4 (11%)	4 (11%)	4 (11%)	1 (3%)	0 (0%)	38
Christian	5 (31%)	2 (13%)	0 (0%)	8 (50%)	1 (6%)	0 (0%)	16
Other	4 (36%)	0 (0%)	2 (18%)	5 (45%)	0 (0%)	0 (0%)	11
Not Available	4 (40%)	1 (10%)	2 (20%)	2 (20%)	0 (0%)	1 (10%)	10

APPENDIX F: PRE-ANALYSIS PLAN AND SURVEY INSTRUMENT

Phase I Community Survey: Pre-Analysis Plan

The goal of this pre-analysis plan is to specify, before any data collection or analysis, the approach that will be taken in analyzing the results of this survey. The survey will be distributed and administered online beginning in May 2024. The survey is open to all members of the Harvard community, including undergraduate and graduate students, faculty members, staff, and Harvard affiliates more broadly. It is only open to these members and their anonymity will be preserved. The survey exercise represents Phase I of longer term data gathering and analysis exercise. This phase will focus on getting the views of those members of the community who are currently more engaged and responsive to sharing their views. The subsequent phase will endeavor to also reach out to a wider Harvard-wide audience.

BACKGROUND

This survey is the first phase of a data collection effort aiming to provide a sense of the experiences and views of the Harvard community members, especially those most affected by and engaged in the events of the past several months. Note that this survey is not intended as a public opinion survey, but rather aims to offer insights into (i) how the community is feeling, particularly regarding their sense of belonging amidst recent events spanning the past several months, including those that may have led to antisemitic, anti-Israeli and anti-Arab, anti-Muslim, and anti-Palestinian biases and related concerns; (ii) what factors may be especially relevant in generating these experiences and biases; and (iii) what recommendations the community members may have in helping lessen some of the adverse experiences and biases faced. The survey, while focused on those who are more inclined to respond currently, will provide a systematic analysis of these issues and will also subsequently help inform the design and questions of a more representative survey that we hope to launch in the fall with the Harvard-wide community.

SURVEY ADMINISTRATION

Instrument

The survey includes four distinct sections:

1. Experiences of belonging, safety, and engagement at Harvard
2. Positive and negative factors influencing experiences
3. Recommendations to address concerns

4. Demographics

Each of these sections will include close-ended/multiple choice questions and open-ended questions that allow participants to elaborate on their experiences and suggestions.

Sample

The survey will be posted on a Harvard website and disseminated to Harvard affiliates through various means such as targeted emails, and word of mouth reminders. To take the survey, participants will be required to login using their HarvardKey credentials. This verification allows us to avoid duplication of survey responses by the same person and to avoid the inclusion of individuals outside of Harvard.

Note that since completing the survey is not mandatory, as well as the fact that the survey will be publicized to community members in varying ways, the sample might not be proportionally representative of the overall Harvard population; instead, it might represent the views of those individuals in the Harvard community who are more inclined and willing to share their opinions.

Confidentiality

Responses to the survey are confidential and anonymous. As soon as participants submit their survey responses, their personal credentials will be immediately separated from their answers and deleted. Survey administrators and research team members will not have access to respondents' identifying information. The research team will also mask/redact any potentially identifying information from text submitted in response to the open-ended items. Accordingly, respondents will never be identified in published results.

Incentives

We are not offering any gifts or monetary incentives to finish the survey at this time. Affiliates will be asked to take the survey voluntarily to shed light on their experiences and feedback.

Timeline for Administration and Communication Plan

The survey will be launched in May by placing them on the websites of both task-forces. Links will be shared with community members using various formal and informal fora.

REPORTING OF RESULTS AND ANALYSIS

Analysis

The survey collects both open-ended and multiple-choice questions that will be analyzed and published in ways that both complement each other but also acknowledge differences due to elicitation methods.

1. Multiple choice/close-ended questions: we will tabulate and report the number and percentage of each answer selected on these questions. The idea will be to provide a sense of the average and variation in the responses.

2. Open-ended questions: to protect confidentiality, we will not fully share all open-ended answers and comments received. Instead, we will synthesize the answers to these questions and select parts of comments (while minimizing any risk of jeopardizing anonymity) to highlight in public communications. If specific feedback or recommendations are repeatedly highlighted by different respondents in open-ended fields, we will highlight this in our synthesis. While the open-ended questions are typically associated with specific close-ended questions, we acknowledge that respondents may cover multiple themes in one long text response and may not always make the distinction of keeping their open-responses separate and specific to the close-ended question they are adjacent to or even the given open-ended question prompt. Therefore, in our analysis we will compile all the open-ended responses together so they can be appropriately analyzed based on their content and not just location, and as appropriate, use their placement in the survey to interpret the context if not clear from the response itself.

Points of Disaggregation

We will report the variable tabulations separately for the different sub-groups and demographics. In doing so, we will make sure not to combine any groups in a way that may reveal respondents' identity. Sub-groups we are considering include:

- Harvard affiliation
- Harvard School
- Age
- National identity
- Race/ethnicity identity
- Religious views
- Gender
- Sexual orientation
- Political views

Representativeness and Weighting Strategy

Since this survey is not administered through a University-wide dissemination, it is not intended to provide a representative view. Instead, it is meant to share the views of those individuals who are currently more engaged and willing to share their opinions. That said, we will share the response numbers (overall and by various sub-groups) to be able to give a sense of coverage across various groups. Moreover, we hope that by comparing these sub-groups to those in the subsequent Harvard-wide Pulse survey in the Fall semester, we will be able to determine whether a weighting scheme (if any) is appropriate to best present the results. We will not weigh the results unless we have evidence it is needed and will note instances of where it is used in reports.

Deliverables

The main deliverable of the report will be a public key findings report with infographics for the wider Harvard and public community. The report will include descriptive statistics and detailed analysis with inferential statistics. The analysis will also be utilized to inform the design and administration of the Harvard-wide 2024 Pulse Survey anticipated to be launched in the Fall of 2024.

Proposed Timeline for Survey Analysis

We anticipate the survey will run for the month of May 2024 till June 2024. Analysis will be carried out over the summer with a plan to have an interim findings report by mid-summer and a final analysis by end summer 2024.

APPENDIX: SURVEY INSTRUMENT

PTF Survey 2024

This survey is being conducted by the two Presidential Task Forces set up in response to concerns regarding anti-Arab, anti-Muslim, and Antisemitic biases faced by members of the Harvard community. The survey solicits views on our community members' well-being, experiences, and recommendations. It complements the listening sessions conducted over the past few months. The data gathered will document (i) how the community is feeling regarding their sense of belonging, safety, and ability to engage positively; (ii) what factors may be especially relevant in generating community experiences; and (iii) specific

recommendations for improvement. The last survey section gives you the option to self-identify along several attributes to enable a more informative analysis that preserves anonymity. We anticipate the fixed response part of the survey taking 5-10 minutes. We allow for and especially encourage open-ended responses as they provide valuable nuance and specificity. Survey responses will be kept anonymous and participation in the survey is voluntary. The data collected will be analyzed according to a pre-specified analysis plan publicly available here. To take the survey in Spanish, Portuguese, Mandarin, or Haitian Creole, please visit this link.

I. Experience

Thank you for beginning the survey! Your responses on each page are saved when you click the right arrow on the bottom. This allows you to re-login at a later time to complete the survey. However, no further changes will be possible once you submit the survey. Upon submission, response data is de-linked from your login credentials to ensure anonymity.

For the following statements, please rate how strongly you agree or disagree.

	Strongly disagree	Disagree	Slightly disagree	Neither agree nor disagree	Slightly agree	Agree	Strongly agree	Prefer not to answer
I feel like I belong at Harvard	○	○	○	○	○	○	○	○
I feel physically safe on campus	○	○	○	○	○	○	○	○
I feel mentally safe on campus	○	○	○	○	○	○	○	○
I feel my well-being is supported at Harvard	○	○	○	○	○	○	○	○
I feel comfortable expressing my opinions to others at Harvard	○	○	○	○	○	○	○	○
I have NOT experienced any discrimination, stereotyping, or negative biases on campus due to my views regarding current events	○	○	○	○	○	○	○	○
I feel comfortable expressing my religious beliefs and/or ethnic affiliation around campus	○	○	○	○	○	○	○	○

I feel comfortable expressing my political opinions and/or beliefs around campus	○	○	○	○	○	○	○	○
I feel comfortable socializing/being friends with people on campus whose political views may be in conflict with mine and/or go against my sense of identity/nationality	○	○	○	○	○	○	○	○
In my experience at Harvard, I feel there is no academic and/or professional penalty for expressing one's political views	○	○	○	○	○	○	○	○

Please describe in more detail below recent and/or salient experience(s) — positive and/or negative — that can shed further light and/or nuance on your responses above:

_____

_____

_____

_____

_____

Compared to this time last year, how has your sense of safety, belonging, and/or ability to interact positively with the community on the Harvard campus changed? Please elaborate using the open text-box and select multiple choices if you experienced both positive and negative changes.

☐ Became much worse this year. Please specify how / why: _____

☐ Became worse this year. Please specify how / why: _____

☐ Remained more or less the same this year. Please specify how / why: _____

☐ Became better this year. Please specify how / why: _____

☐ Became much better this year. Please specify how / why: _____

☐ Check if you were not on campus last year

II. Factors (positive and negative)

For each of the factors below, indicate whether they have contributed substantially positively and/or negatively to your sense of safety, belonging, and/or ability to interact with the community on campus. Note that the same factor could affect you positively or negatively. If a factor is not salient please select "Not substantial /No Opinion". Please also provide details on each substantial factor using the text boxes that appear at the end of the page based on your selections.

	Substantially positive	Substantially negative	Not substantial / no opinion
(1) In-person interactions with Harvard students in academic settings (e.g. classroom, lab, etc.)	○	○	○
(2) In-person interactions with Harvard students in non-academic settings (e.g. extracurricular activity, event, or social gathering)	○	○	○
(3) Online interactions with Harvard students	○	○	○
(4) In-person or online interactions with Harvard faculty	○	○	○
(5) In-person or online interactions with Harvard administration/staff	○	○	○
(6) On campus media coverage (print/social)	○	○	○
(7) Harvard University and School policies	○	○	○
(8) External actors' presence/influence on campus life and climate	○	○	○
(9) In-person or online interactions with individuals not affiliated with Harvard	○	○	○
(10) Off campus media coverage (print/social)	○	○	○
(11) Global situation/events	○	○	○

We now list each of the factors that you selected as affecting you substantially positively or negatively. Please provide details/specific examples on how you were affected for each by responding separately to the specific open text boxes below:

Positive: (1) In-person interactions with Harvard students in academic settings (e.g. classroom, lab, etc.)

_____

Negative: (1) In-person interactions with Harvard students in academic settings (e.g. classroom, lab, etc.)

_____

Positive: (2) In-person interactions with Harvard students in non-academic settings (e.g. extracurricular activity, event, or social gathering)

Negative: (2) In-person interactions with Harvard students in non-academic settings (e.g. extracurricular activity, event, or social gathering)

Positive: (3) Online interactions with Harvard students

Negative: (3) Online interactions with Harvard students

Positive: (4) In-person or online interactions with Harvard faculty

Negative: (4) In-person or online interactions with Harvard faculty

Positive: (5) In-person or online interactions with Harvard administration/staff

Negative: (5) In-person or online interactions with Harvard administration/staff

Positive: (6) On campus media coverage (print/social)

Negative: (6) On campus media coverage (print/social)

Positive: (7) Harvard University and School policies

Negative: (7) Harvard University and School policies

Positive: (8) External actors' presence/influence on campus life and climate

Negative: (8) External actors' presence/influence on campus life and climate

Positive: (9) In-person or online interactions with individuals not affiliated with Harvard

Negative: (9) In-person or online interactions with individuals not affiliated with Harvard

Positive: (10) Off campus media coverage (print/social)

Negative: (10) Off campus media coverage (print/social)

Positive: (11) Global situation/events

Negative: (11) Global situation/events

Positive: (12) Other Factor

Negative: (12) Other Factor

III: Recommendations

Please list up to five specific recommendations to help address some of the concerns that you have raised.

Recommendation 1:

Recommendation 2:

Recommendation 3:

Recommendation 4:

Recommendation 5:

Please share anything else that you feel is important to highlight regarding our campus community and current climate.

IV. Demographics

Please share how you self-identify along the attributes below. Doing so will allow the analysis to be separately tabulated by these identities and provide a more informative examination. Under a given category you can also choose "Other" and specify an identity that is not included in the list. You can also select multiple identities in each category. Be assured that we will not combine these categories in ways that could risk revealing a specific respondent. That said, for each category you can choose "Prefer not to answer" if you prefer not to disclose a specific identity.

Which of the following best describes your current primary affiliation with Harvard?

- ☐ Undergraduate Student
- ☐ Graduate or Professional Student
- ☐ Staff
- ☐ Tenured or Tenure-Track Faculty
- ☐ Non-Ladder Faculty
- ☐ Fellow / Researcher
- ☐ Postdoctoral Fellow
- ☐ Other _____
- ☐ Prefer not to answer

Which Harvard Schools or Units are you affiliated with? (select all that apply)

- ☐ Harvard Business School (HBS)
- ☐ Harvard College
- ☐ Harvard Divinity School (HDS)
- ☐ Harvard Division of Continuing Education (including the Extension School)
- ☐ Harvard Faculty of Arts and Sciences (FAS)
- ☐ Harvard Kennedy School (HKS)
- ☐ Harvard Kenneth C. Griffin Graduate School of Arts and Sciences (GSAS)
- ☐ Harvard Graduate School of Design (GSD)
- ☐ Harvard Graduate School of Education (HGSE)
- ☐ Harvard John A. Paulson School of Engineering and Applied Sciences (SEAS)
- ☐ Harvard Law School (HLS)
- ☐ Harvard Medical School (HMS)
- ☐ Harvard Radcliffe Institute for Advanced Study
- ☐ Harvard School of Dental Medicine (HSDM)
- ☐ Harvard T.H. Chan School of Public Health (HSPH)
- ☐ Central Administration
- ☐ Other _____
- ☐ Prefer not to answer

Which age group best describes you?

- ☐ Under 21
- ☐ 21-25
- ☐ 26-30
- ☐ 31-40
- ☐ 41-50
- ☐ 51-60
- ☐ 61 and older
- ☐ Prefer not to answer

Which nationality identity best describes you? If you have multiple nationalities, please press command/control and select all that apply.

[drop-down list of countries with Prefer not to Answer option included]

Which racial/ethnic identity best describes you? (select all that apply)

☐ American Indian or Alaska Native
☐ Asian or Asian American
☐ Black or African American
☐ Hispanic or Latina/o/x
☐ Middle Eastern or North African
☐ Native Hawaiian or Pacific Islander
☐ White
☐ Prefer to self-identify _____
☐ Prefer not to answer

Which best describes your religious identity? Please select all that apply and specify the branch, sect, or denomination you follow in the corresponding box below, if applicable.

☐ Buddhism. Please specify branch, sect, or denomination if applicable: _____
☐ Christianity. Please specify branch, sect, or denomination if applicable: _____
☐ Hinduism. Please specify branch, sect, or denomination if applicable: _____
☐ Islam. Please specify branch, sect, or denomination if applicable: _____
☐ Judaism. Please specify branch, sect, or denomination if applicable: _____
☐ Taoism. Please specify branch, sect, or denomination if applicable: _____
☐ Folk religions. Please specify branch, sect, or denomination if applicable: _____
☐ Shinto. Please specify branch, sect, or denomination if applicable: _____
☐ Sikhism. Please specify branch, sect, or denomination if applicable: _____
☐ Bahá'í Faith. Please specify branch, sect, or denomination if applicable: _____
☐ Jainism. Please specify branch, sect, or denomination if applicable: _____
☐ Spiritual
☐ Agnostic
☐ No religion
☐ Atheist
☐ Prefer to self-identify _____
☐ Prefer not to answer

Which best describes your gender identity? (select all that apply)

☐ Gender nonconforming
☐ Genderqueer
☐ Man
☐ Nonbinary
☐ Questioning

☐ Transgender
☐ Woman
☐ Prefer to self-identify _____
☐ Prefer not to answer

Which best describes your sexual orientation? (select all that apply)
☐ Bisexual
☐ Gay
☐ Lesbian
☐ Heterosexual
☐ Queer
☐ Pansexual
☐ Asexual
☐ Prefer to self-identify _____
☐ Prefer not to answer

Which of the following best describes your political views?
☐ Very conservative
☐ Conservative
☐ Slightly conservative
☐ Moderate, middle of the road
☐ Slightly liberal
☐ Liberal
☐ Very liberal
☐ Apolitical
☐ Prefer to self-identify _____
☐ Prefer not to answer

End of survey check
You have reached the end of the survey. If you are ready to submit your final responses, please proceed by clicking the "Submit" button on the right below. Note that once you submit the survey, you will not be able to retake it or to edit your submitted responses.

SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

MAY 12 2025

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

Dear Dr. Garber:

The Department of Defense (DoD) is hereby providing notice that funding for the projects in the enclosed spreadsheet will be terminated pursuant to 2 C.F.R. § 200.340(a)(4). At the time the Notices of Award were issued, 2 C.F.R. § 200.340(a) permitted termination "by the Federal awarding agency or pass-through entity, to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities."

These awards to Harvard University no longer effectuate agency priorities of the DoD. DoD is responsible for ensuring that its limited resources are appropriately allocated, and DoD priorities include ensuring that grant dollars should only support institutions that comply with principles and laws of nondiscrimination.

In context of these policies and priorities, we understand that Harvard continues to engage in race discrimination, including in its admissions process, and in other areas of student life, such as access to the Law Review at Harvard Law School. We are also aware of recent events at Harvard University involving antisemitic action that suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students. Harvard's ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students has ground day-to-day campus operations to a halt, deprived Jewish students of learning and research opportunities to which they are entitled, and brought shame upon the University and our nation as a whole. Indeed, as the Harvard Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias concluded, actions at Harvard during the 2023-2024 academic year resulted in widespread abuse of Jewish and Israeli students by an institution "that mainstreamed and normalized what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias." Supporting research in such an environment is plainly inconsistent with DoD's priorities.

Costs resulting from financial obligations incurred after termination are not allowable.[1] Nothing in this notice excuses either DoD or you from complying with the closeout obligations imposed by 2 C.F.R. § 200.344. DoD will provide any information required by the Federal Funding Accountability and Transparency Act or the Office of Management and Budget's regulations to *USAspending.gov*.[2]

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[1] *See* 2 C.F.R. § 200.343.
[2] 2 C.F.R. § 200.341(c).

Administrative Appeal (if applicable)

If applicable, you may object and provide information and documentation challenging these terminations.

You must submit a request for such review to the Office of the Secretary of Defense no later than 30 days after this letter is received, except that if you show good cause why an extension of time should be granted, the DoD may grant an extension of time.

The request for review must include a copy of this decision, must identify the issue(s) in dispute, and must contain a full statement of your position with respect to such issue(s) and the pertinent facts and reasons in support of your position. In addition to the required written statement, you shall provide copies of any documents supporting your claim.

Sincerely,

Enclosure:
As stated

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF PLANNING, EVALUATION AND
POLICY DEVELOPMENT

5/12/2025
Eve Blau
President and Fellows of Harvard College
Department of Urban Planning and Design
Graduate School of Design
48 Quincy Street
Cambridge, MA 02138

RE: Grant Award Termination

Dear Eve Blau:

This letter provides notice that the United States Department of Education is terminating your federal award, P015A220033. *See* 2 C.F.R. § 200.340-43.

It is a priority of the Department of Education to eliminate discrimination in all forms of education throughout the United States. The Department has undertaken a review of grants and determined that the grant specified above provides funding for programs that reflect the prior Administration's priorities and policy preferences and conflict with those of the current Administration, in that the programs: conflict with the Department's policy of prioritizing merit, fairness, and excellence in education; undermine the well-being of the students these programs are intended to help; and constitute an inappropriate use of federal funds.

As relevant to the Department of Education's policies, the Department understands that Harvard continues to engage in race discrimination including in its admissions process, and in other areas of student life, such as access to the Law Review at Harvard Law School.

The Department is also aware of recent events at Harvard University involving antisemitic action that suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students. Harvard's ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students has ground day-to-day campus operations to a halt, deprived Jewish students of learning and research opportunities to which they are entitled, and brought shame upon the University and our nation as a whole. Indeed, as the Harvard Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias concluded, actions at Harvard during the 2023-2024 academic year resulted in widespread abuse of Jewish and Israeli students by an institution "that mainstreamed and normalized what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias." It is the policy of the Department not to support institutions that take such actions.

Therefore, pursuant to, among other authorities, 2 C.F.R. § 200.339-43, and the termination provisions in your grant award, the Department hereby terminates grant No. P015A220033 in its entirety effective 5/12/2025. 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 or 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:

Hayley Sanon
Acting Assistant Secretary for Elementary and Secondary Education
Office of Elementary and Secondary Education
U.S. Department of Education
OESEGrants@ed.gov
400 Maryland Ave. SW

Your appeal should set forth your basis for disagreeing with the Department's decision to terminate your grant and include any relevant supporting documentation. *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, we also remind you of your responsibility to retain all Federal award records for three years from the date of submission of your final financial report. *See* 2 C.F.R. § 200.334.

Respectfully,



Murray Bessette
Office of Planning, Evaluation, and Policy Development
400 Maryland Ave. SW
Washington, DC 20202

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

May 12, 2025

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

Dr. Garber:

This letter is to notify you that the United States Department of Housing and Urban Development (HUD) plans to terminate the Research Partnership cooperative agreement (RP-24-MA-002), pursuant to its authority under 2 C.F.R. § 200.340(a)(4).

As reflected in cooperative agreement RP-24-MA-002, "The award may be terminated in whole or in part before the end of the performance period." As noted in 2 C.F.R. § 200.339 "When the Federal agency or pass-through entity determines that noncompliance cannot be remedied by imposing specific conditions, the Federal agency or pass-through entity may "suspend or terminate the Federal award in part or in its entirety". Additionally, 2 C.F.R. § 200.340(a)(4) provides that a Federal award may be terminated if "an award no longer effectuates the program goals or agency priorities".

HUD has determined that this award no longer effectuates agency priorities. Harvard should initiate closeout activities as described in section 10 of the award terms and conditions and 2 C.F.R. 200.344, complete all remaining drawdowns for allowable, incurred expenses. As outlined in section 48(a) of the terms and conditions, costs resulting from financial obligations incurred after termination are not allowable. You may seek reimbursement for allowable costs incurred before the effective date of termination that do not pertain to the cancelation. Nothing in this notice excuses either HUD or you from complying with the closeout obligations imposed by 2 C.F.R. § 200.344. If you have any questions regarding this notice or require assistance with the closeout process, please contact your Grant Officer, Leatha.M.Blanks@hud.gov.

Sincerely,

Matthew Ammon
Performing the Delegable Duties of the Deputy Secretary
U.S. Department of Housing and Urban Development

[1] See: https://www.harvard.edu/wp-content/uploads/2025/04/FINAL-Harvard-ASAIB-Report-4.29.25.pdf

National Aeronautics and
Space Administration

NASA Shared Services Center
Stennis Space Center, MS 39529-6000

May 9, 2025

Reply to
Attn of: **NSSC Procurement: Grants Activities Branch**

TO: President and Fellows of Harvard College

FROM: NASA Shared Service Center (NSSC), Grants Activities Branch

SUBJECT: Notice of Termination

NASA continuously reviews its grants to ensure efficiency, alignment with the policies of the Administration, and identification of opportunities to reduce overall Federal spending. *NASA Grant and Cooperative Agreement Term and Condition, 1.9 Termination and Enforcement (2)(b) or Appendix D6, Termination and Enforcement* which are incorporated in your awards, provides that an award can be suspended or terminated in part or in its entirety, to the extent authorized by law, if an award no longer effectuates the program goals or agency priorities. As a result of this subsequent review, NASA determined that the awards identified below are not mission essential or needed for retention to support mission activities, and therefore, no longer effectuates the program goals or agency priorities. Accordingly, your grants/cooperative agreements listed below will be terminated effective May 9, 2025. With the exception to the closeout activities described below, no further activities shall be conducted as of today, May 9, 2025.

Grants and Cooperative Agreements with titles

80NSSC19K0326	Dynamics and Chemistry of Summer Stratosphere
80NSSC21K1443	Improved understanding of oxygenated volatile organic compounds (OVOCs) in polluted and remote atmospheres using KORUS-AQ and Atom data: implications for interpreting satellite observations of formaldehyde and glyoxal
80NSSC23K1430	Rodent Research Standard Housing Mission: Multidisciplinary Approach to Understanding Spaceflight Responses
80NSSC21M0002	Cosmic Storytelling with NASA Data: Tools for Exploring Data Science
80NSSC24M0193	NASA Open Innovation Research

In accordance with 2 CFR § 200.344, Closeout, recipients must complete required award closeout actions, including submitting all reports (financial, performance, and other reports required by the Federal award), liquidating financial obligations, and refunding unobligated funds no later than 120 calendar days after the conclusion of the period of performance. Therefore, all drawdowns shall be completed in the U.S. Department of Health and Human

Services Program Support Center, Payment Management System for allowable costs incurred during the period of performance and allowable termination and closeout costs (see § 200.472, Termination and standard closeout costs) no later than 120 calendar days from the adjusted period of performance end date. All final reports shall be submitted in accordance with the reporting requirements set forth in the terms and conditions of your award. A description of required final reports can be found in *NASA Grant and Cooperative Agreement Manual* (GCAM), Appendix C – Post-award Reporting and Certification Requirements.

If you disagree with NASA's decision to terminate, you may appeal this decision in writing to the NASA Administrative Grant Officer, Racheal Down, racheal.a.down@nasa.gov, within 30 days of receipt of this notice. GCAM section 35.1, Appealing a Suspended or Terminated Award, subsections 4 and 5, outlines the requirements of an appeal and the status of the termination until all available remedies are exhausted.

With regards,

Racheal Down

Digitally signed by Racheal Down
Date: 2025.05.09 10:24:14 -05'00'

Racheal Down
Administrative Grant Officer
NASA Shared Services Center (NSSC)



National Institutes of Health
Office of Extramural Research

May 6, 2025

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

Dr. Garber:

NIH is hereby providing notice that funding for the projects in the attached spreadsheet will be terminated pursuant to the National Institutes of Health ("NIH") Grants Policy Statement (GPS),[1] and 2 C.F.R. § 200.340(a)(4).

As reflected in the Notices of Award for the most recent budget period of these projects, the NIH Grants Policy Statement is incorporated as a term and condition of award. The GPS "includes the terms and conditions of NIH grants and cooperative agreements and is incorporated by reference in all NIH grant and cooperative agreement awards."[2] According to the GPS, "NIH may … terminate the grant in whole or in part as outlined in 2 CFR Part 200.340."[3] At the time the Notices of Award were issued for the most recent budget period, 2 C.F.R. § 200.340(a)(4) permitted termination "[b]y the Federal awarding agency or pass-through entity, to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities."

These awards no longer effectuate agency priorities. NIH is obligated to carefully steward grant awards to ensure taxpayer dollars are used in ways that benefit the American people and improve their quality of life. Your project does not satisfy these criteria.

NIH is responsible for ensuring that its limited resources are appropriately allocated. NIH policy is that grant dollars should support institutions that foster safe, equal, and healthy working and learning conditions conducive to high-quality research and free inquiry.[4] NIH policy is also that grant dollars should only support institutions that comply with principles and laws of nondiscrimination.

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[1] https://grants.nih.gov/grants/policy/nihgps/nihgps.pdf.
[2] NIH GPS, Section 3.
[3] *Id.* at Section 8.5.2.
[4] NIH GPS, Section 4.

As relevant to NIH's policies, NIH understands that Harvard continues to engage in race discrimination including in its admissions process, and in other areas of student life, such as access to the Law Review at Harvard Law School.

NIH is also aware of recent events at Harvard University involving antisemitic action that suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students. Harvard's ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students has ground day-to-day campus operations to a halt, deprived Jewish students of learning and research opportunities to which they are entitled, and brought shame upon the University and our nation as a whole. Indeed, as the Harvard Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias concluded, actions at Harvard during the 2023-2024 academic year resulted in widespread abuse of Jewish and Israeli students by an institution "that mainstreamed and normalized what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias."

Supporting research in such an environment is plainly inconsistent with NIH's priorities and *raison d'etre* of funding and championing the very best American research and educational institutions.

Although "NIH generally will suspend (rather than immediately terminate) a grant and allow the recipient an opportunity to take appropriate corrective action before NIH makes a termination decision,"[5] no corrective action is possible here. That is because, upon being made aware of systematic institutional failures to address deeply rooted antisemitism and racial discrimination, the University has refused to take appropriate action. NIH perceives these categorical rejections to manifest the University's unwillingness to take corrective action or implement necessary reforms. Therefore, no modification of the projects could align the projects with agency priorities.

Costs resulting from financial obligations incurred after termination are not allowable.[6] Nothing in this notice excuses either NIH or you from complying with the closeout obligations imposed by 2 C.F.R. §§ 200.344. NIH will provide any information required by the Federal Funding Accountability and Transparency Act or the Office of Management and Budget's regulations to *USAspending.gov*.[7]

[5] NIH GPS, Section 8.5.2.
[6] *See* 2 C.F.R. § 200.343.
[7] 2 C.F.R. § 200.341(c).

Administrative Appeal

You may object and provide information and documentation challenging these terminations.

You must submit a request for such review to Director Bhattacharya no later than 30 days after this letter is received, except that if you show good cause why an extension of time should be granted, Dr. Bhattacharya may grant an extension of time.

The request for review must include a copy of this decision, must identify the issue(s) in dispute, and must contain a full statement of your position with respect to such issue(s) and the pertinent facts and reasons in support of your position. In addition to the required written statement, you shall provide copies of any documents supporting your claim.

Sincerely,

Michelle G. Bulls
Director, Office of Policy for Extramural Research Administration
Office of Extramural Research/Office of the Director

U.S. National Science Foundation
Division of Grants and Agreements
2415 Eisenhower Avenue
Alexandria, Virginia 22314

May 12, 2025

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

Ref: Notice of Termination

Dr. Garber:

The U.S. National Science Foundation (NSF) has undertaken a review of its award portfolio. The agency has determined that termination of certain awards is necessary because they are not in alignment with current NSF priorities and/or programmatic goals. NSF understands that Harvard continues to engage in race discrimination including in its admissions process, and in other areas of student life, as well as failing to promote a research environment free of antisemitism and bias.

Effective immediately, the attached awards are terminated.

NSF is issuing this termination to protect the interests of the government pursuant to NSF Grant General Conditions (GC-1) term and condition entitled 'Termination and Enforcement,' on the basis that they no longer effectuate the program goals or agency priorities. This is the final agency decision and not subject to appeal.

Costs incurred as a result of this termination may be reimbursed, provided such costs would otherwise be allowable under the terms of the award and the governing cost principles. In accordance with your award terms and conditions, you have 30 days from the termination date to furnish an itemized accounting of allowable costs incurred prior to the termination date.

Sincerely,

[redacted]

Jamie H. French, Division Director
Office of Budget Finance and Award Management (BFA)
Division of Grants and Agreements (DGA)

USDA United States Department of Agriculture Forest Service Washington Office 1400 Independence Avenue, SW Washington, D.C. 20250

File Code: 1580
Date: May 9, 2025

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

Dr. Garber:

The Forest Service is hereby providing notice that funding for the projects in the attached spreadsheet will be terminated.

These awards no longer effectuate agency priorities. The Forest Service is responsible for ensuring that its limited resources are appropriately allocated. Our policy is that Federal assistance should support institutions that foster safe, equal, and healthy working and learning conditions conducive to high-quality research.

We are aware of recent events at Harvard University involving antisemitic action that suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students. Harvard's ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students has ground day-to-day campus operations to a halt, deprived Jewish students of learning and research opportunities to which they are entitled, and brought shame upon the University and our nation as a whole. Indeed, as the Harvard Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias concluded, actions at Harvard during the 2023-2024 academic year resulted in widespread abuse of Jewish and Israeli students by an institution "that mainstreamed and normalized what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias."

Supporting research in such an environment is plainly inconsistent with Forest Service priorities and *raison d'etre* of funding and championing the very best American research and educational institutions.

Upon being made aware of systematic institutional failures to address deeply rooted antisemitism and racial discrimination, the University has refused to take appropriate action. We perceive these categorical rejections to manifest the University's unwillingness to take corrective action or implement necessary reforms. Therefore, no modification of the projects could align the projects with agency priorities.

Administrative Appeal.

You may object and provide information and documentation challenging these

terminations.

You must submit a request for such review to my attention at the address above no later than 30 days after this letter is received, except that if you show good cause why an extension of time should be granted, you may be granted an extension of time. The request for review must include a copy of this decision, must identify the issue(s) in dispute, and must contain a full statement of your position with respect to such issue(s) and the pertinent facts and reasons in support of your position. In addition to the required written statement, you shall provide copies of any documents supporting your claim.

Sincerely,

Andria Weeks
Associate Deputy Chief, Business Operations

Department of Energy
Office of Science
Washington, DC 20585

May 12, 2025

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

Dr. Garber:

The Department of Energy (DOE) is hereby providing notice that funding for the projects in the attached spreadsheet is hereby terminated. This termination is pursuant to 2 C.F.R. § 200.340(a)(4), which permits termination "by the Federal agency or pass-through entity pursuant to the terms and conditions of the Federal award, including, to the extent authorized by law, if an award no longer effectuates the program goals or agency priorities."

DOE understands that Harvard University (Harvard) continues to engage in race discrimination, including in its admission process, and in other areas of student life, such as access to the Law Review at Harvard Law School. We are also aware of recent events at Harvard involving antisemitic action that suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students. Harvard's ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students has ground day-to-day campus operations to a halt, deprived Jewish students of learning and research opportunities to which they are entitled, and brought shame upon the University and our nation as a whole. Indeed, as the Harvard Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias concluded, actions at Harvard during the 2023-2024 academic year resulted in widespread abuse of Jewish and Israeli students by an institution "that mainstreamed and normalized what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias."

DOE maintains a firm policy of not supporting entities, individuals or actions that engage in discrimination or which promote and condone, by action or acquiescence, antisemitism. Despite being aware of deeply rooted racial discrimination and antisemitism at Harvard, Harvard has refused to take immediate, definitive and appropriate remedial action. Therefore, based on the available information, DOE has concluded that no modification of the Harvard projects could align the projects with agency priorities and any continued funding of the projects is inconsistent with DOE's stewardship of American taxpayer funds and would be inconsistent with the DOE's overall mission and goals.

Supporting research in such an environment is plainly inconsistent with DOE's priorities and *raison d'etre* of funding and championing the very best American research and educational institutions. The actions of Harvard in failing to definitely eliminate racial discrimination and antisemitism on its campus demonstrate that Harvard's conduct does not

align with DOE's policy against racial discrimination, and antisemitism, in all of its permutations.

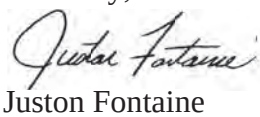
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Administrative Appeal
You may object and provide information and documentation challenging these terminations.

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The request for review must include a copy of this decision, must identify the issue(s) in dispute, and must contain a full statement of your position with respect to such issue(s) and the pertinent facts and reasons in support of your position. In addition to the required written statement, you shall provide copies of any documents supporting your claim.

Sincerely,



Juston Fontaine
Office of Science
U.S. Department of Energy

Award Number	Research Project Title
DE-SC0005247	Opto-Chemo-Mechanical Energy Transduction in Biomimetic Ensembles of Reconfigurable Microparticles of Liquid Crystal Elastomers
DE-SC0012260	Emergent Quasiparticles in Graphene Heterostructure
DE-SC0007870	Research in Theoretical High Energy Physics
DE-SC0007881	Particle Physics and Cosmology Research
DE-SC0019030	Quantum Simulation of Correlated Quantum Matter
DE-SC0022887	Analyses of Cumulus Mixing Using ASR Aircraft Observations and LES Simulations
DE-SC0020170	Understanding Flow Cell Porous Electrodes as Active Materials for Electrochemical Transformations
DE-SC0021145	Converting Metal Organic Liquids into Microporous Glasses via Non-Equilibrium Syntheses
DE-SC0022199	Machine Learning for Accelerated Understanding of Dynamic Catalysis
DE-FG02-02ER63445	Microbial Ecology, Proteogenomics and Computational Optima
DE-SC0017619	Mixed-Metal Oxide Energy Conversion Catalysts for Integration with Photoabsorbers
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DE-SC0025489	Quantum Acoustics Unravels the Planckian Metals
DE-SC0024087	An Ultracold Playground for Controlled Atom-Molecule Chemistry
DE-SC0024092	Cross-Scale Methane Dynamics at Terrestrial-Aquatic Interfaces in Temperate Forests
DE-SC0025671	The Universe as a Lab for Dark Matter Physics
DE-SC0022883	Ultrafast Control of Spin Fluctuations in Light-driven Quantum Materials

Department of Energy
Washington, DC 20585

May 12, 2025

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

Dr. Garber:

The Department of Energy (DOE) is hereby providing notice that funding for the projects in the attached spreadsheet is hereby terminated. This termination is pursuant to 2 C.F.R. § 200.340(a)(4), which permits termination "by the Federal agency or pass-through entity pursuant to the terms and conditions of the Federal award, including, to the extent authorized by law, if an award no longer effectuates the program goals or agency priorities."

DOE understands that Harvard University (Harvard) continues to engage in race discrimination, including in its admission process, and in other areas of student life, such as access to the Law Review at Harvard Law School. We are also aware of recent events at Harvard involving antisemitic action that suggest the institution has a disturbing lack of concern for the safety and wellbeing of Jewish students. Harvard's ongoing inaction in the face of repeated and severe harassment and targeting of Jewish students has ground day-to-day campus operations to a halt, deprived Jewish students of learning and research opportunities to which they are entitled, and brought shame upon the University and our nation as a whole. Indeed, as the Harvard Presidential Task Force on Combating Antisemitism and Anti-Israeli Bias concluded, actions at Harvard during the 2023-2024 academic year resulted in widespread abuse of Jewish and Israeli students by an institution "that mainstreamed and normalized what many Jewish and Israeli students experience as antisemitism and anti-Israeli bias."

DOE maintains a firm policy of not supporting entities, individuals or actions that engage in discrimination or which promote and condone, by action or acquiescence, antisemitism. Despite being aware of deeply rooted racial discrimination and antisemitism at Harvard, Harvard has refused to take immediate, definitive and appropriate remedial action. Therefore, based on the available information, DOE has concluded that no modification of the Harvard projects could align the projects with agency priorities and any continued funding of the projects is inconsistent with DOE's stewardship of American taxpayer funds and would be inconsistent with the DOE's overall mission and goals.

Supporting research in such an environment is plainly inconsistent with DOE's priorities and *raison d'etre* of funding and championing the very best American research and educational institutions. The actions of Harvard in failing to definitely eliminate racial discrimination and antisemitism on its campus demonstrate that Harvard's conduct does not align with DOE's policy against racial discrimination, and antisemitism, in all of its permutations.

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Sincerely,

Shane Kosinski

Shane Kosinski
Deputy Director for Operations
Advanced Research Projects Agency-Energy (ARPA-E)
U.S. Department of Energy

Award Number	Project Title
DE-AR0001705	Developing advanced NMR techniques to predict and monitor CO2 storage and mineralization for enhanced mining exploration and operation

From: Fontaine, Juston
To: alan_garber@harvard.edu
Subject: U.S. Department of Energy - Termination of Financial Assistance Awards
Date: Monday, May 12, 2025 12:42:26 PM
Attachments: DOE Termination Letter to Harvard.pdf

Dr. Garber:

Please see the attached correspondence pertaining to the termination of funding for specific projects from the Department of Energy. Separate communication will also be provided by the cognizant contracting officer to the University's point of contact for the subject awards.

Juston Fontaine
Office of Science
U.S. Department of Energy

Department of Energy
Office of Science
Washington, DC 20585

May 12, 2025

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

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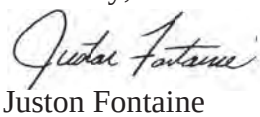
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Sincerely,



Juston Fontaine
Office of Science
U.S. Department of Energy

Award Number	Research Project Title
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DE-SC0025671	The Universe as a Lab for Dark Matter Physics
DE-SC0022883	Ultrafast Control of Spin Fluctuations in Light-driven Quantum Materials

From: Kosinski, Shane
To: alan_garber@harvard.edu
Subject: U.S. Department of Energy - Termination of Financial Assistance Award DE-AR0001705
Date: Monday, May 12, 2025 9:35:00 AM
Attachments: DOE Termination Letter to Harvard University_DE-AR0001705.pdf
image001.png
image002.png
image003.png
image004.png
image005.png
image006.png

Dr. Garber:

Please see the attached correspondence pertaining to the termination of funding for specific project, DE-AR0001705, from the Department of Energy. Separate communication will also be provided by the cognizant contracting officer to the University's point of contact for the subject awards.

Regards,

Shane Kosinski

Shane Kosinski
Deputy Director for Operations, ARPA-E
202-287-1010
shane.kosinski@hq.doe.gov



Department of Energy
Washington, DC 20585

May 12, 2025

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

Dr. Garber:

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Sincerely,

Shane Kosinski

Shane Kosinski
Deputy Director for Operations
Advanced Research Projects Agency-Energy (ARPA-E)
U.S. Department of Energy

Award Number	Project Title
DE-AR0001705	Developing advanced NMR techniques to predict and monitor CO2 storage and mineralization for enhanced mining exploration and operation

From: Beyer, Brandon
To: yqsong@g.harvard.edu; awardsmgmt3@harvard.edu
Subject: Termination Letter - DE-AR0001705
Date: Monday, May 12, 2025 11:02:00 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
DOE Termination Letter to Harvard University_DE-AR0001705.pdf

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Ms. Chui and Dr. Song,

The Department of Energy (DOE) is hereby providing notice that funding for DE-AR0001705 is hereby terminated. This termination is pursuant to 2 C.F.R. § 200.340(a)(4), which permits termination "by the Federal agency or pass-through entity pursuant to the terms and conditions of the Federal award, including, to the extent authorized by law, if an award no longer effectuates the program goals or agency priorities." See formal attached letter for more details.

Sincerely,

Brandon P. Beyer
Contracting Officer/Team Lead
Advanced Research Projects Agency - Energy
brandon.beyer@hq.doe.gov

Department of Energy
Washington, DC 20585

May 12, 2025

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

Dr. Garber:

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