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CHAIRMAN

February 24, 2020

The Honorable Betsy DeVos  
Secretary of Education  
Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202

Re: *Title VI Fund Usage/CMES/University of Arizona*

Dear Secretary DeVos:

Arizona is home to several universities and colleges that have established amazing reputations for excellence. The University of Arizona (U of A) is a crown jewel of higher education not just for Arizona, but globally. Its programs, research and graduates are highly respected and sought after. Like Arizona itself, our universities are expected to be non-discriminatory and tolerant. On this point I am compelled to write about the use of Title VI money under Title VI of the Higher Education Act at the University of Arizona's Center for Middle Eastern Studies (CMES).

As detailed below, Title VI funds appear to be used to support biased, anti-American, and pro- Boycott, Divestment, and Sanctions (BDS) faculty and research at the CMES; all which is contrary to the mission of Title VI, which was founded to strengthen America's national security interests. I am asking that your office inquire to the CMES and its administrators at the U of A and determine if their programs, statements and faculty are in compliance with the non-discriminatory purpose of these federal funds or whether the money is being misappropriated.

While it is the university's right under the First Amendment to engage in any kind of scholarship, it is not free to engage in anti-Semitic activities or discrimination, especially using federal grants in ways that do not comply with the stated intent of the grant program. Specifically, programs that are in violation of federal laws and undermine our country's interests at home and abroad should not be offered at a publicly funded university. Federal tax dollars, intended to strengthen our national security, cannot be used to undermine the values our national security enterprises seek to uphold.

In prior months, the Department of Education has learned that another Title VI funded center, the Duke University/University of North Carolina Middle East Studies Consortium, has used federal funds for unauthorized purposes<sup>1</sup>. Based on information provided to me, I believe a similar inquiry should be made into the U of A CMES. It is quite possible the fund usage is in compliance with federal law, but there are factors made known now that question that conclusion.

Two issues about the U of A CMES are of concern: the influence of foreign funding (via Qatar) on its outreach programs, and its vigorous advocacy for the BDS movement against Israel. The BDS movement is a well-known hate organization that is now officially deemed ineligible for federal funding support and has no place in publicly funded universities.

Last December, President Trump issued an executive order on this point designed to cut off aid to universities, such as U of A, that tolerate racism and anti-Semitism. The President said, "This is our message to universities: If you want to accept the tremendous amount of federal dollars that you get every year, you must reject anti-Semitism." The Executive Order (EO) seeks to extend the scope of the Civil Rights Act that prohibits discrimination on the basis of race, color, and national origin. It would now include anti-Semitic hate so as to add "the definition from the International Holocaust Remembrance Alliance of anti-Semitism into an executive order, and clarify that Title VI of the 1964 Civil Rights Act applies to anti-Semitic acts." Under this EO there are troubling aspects involved with the U of A CMES, particularly its aggressive pursuit of the racist BDS policies. Without action by U of A to terminate these efforts by CMES, U of A is at risk for losing all federal funding under this EO. I do not want that to happen; instead, I am asking that U of A take steps immediately to comply with the Executive Order and to work collaboratively with your office, via a consent order if need be.

I am further informed that there are CMES professors at U of A who, in spite of their association with a Title VI-funded center, openly support the hate group BDS that advocates for the extinction of Israel as a Jewish state. For example, we are told that Maha Nassar, an assistant professor, wrote a defense of the anti-Semitic "Students for Justice in Palestine" in the anti-Semitic publication *Mondoweiss*. In the article, she asserts that "conflating anti-Zionism with anti-Semitism is a well-worn tactic of pro-Israel advocacy groups." She also argues that "SJP boycott and divestment campaigns are launched with an eye towards dismantling structural oppression everywhere, not attacking a single group of people" – an obvious misrepresentation of SJP's established record as the most radical anti-Israel student group operating today.<sup>2</sup> Additionally, in the *Forward* Nassar defended Temple University professor Marc Lamon Hill's call for "a free Palestine from the river to the sea." Despite the phrase's common usage as a call for the obliteration of Israel as a Jewish state – including by Hamas – Nassar insisted it is "part of a larger call to see a secular democratic state established in all of historic Palestine."<sup>3</sup> Indeed, referring to Israel as "Palestine" is itself anti-Semitic hate speech as it assumes the annihilation of the millions of Jews that lawfully live there and ignores the historic record that this is the ancient historic land of the Jews.

Nassar is joined in her pro-BDS stance by her U of A colleague Linda Darling, who teaches Middle Eastern history and who signed a 2014 petition calling on Middle East studies scholars and librarians to boycott Israeli academic institutions.<sup>4</sup> Using federal money to promote blatantly anti-Jewish programs that promote violence and hatred of an ethnic and religious group is illegal under Title VI and our great university should not jeopardize its research, social standing and reputation any longer by promoting those who assert genocidal and racist agendas.

The other area that warrants review is based on a September 2019 Clarion project report based on Department of Education data. Since 2012, the University of Arizona has received over \$1.65 million from Qatar, and nearly \$5.3 million from Saudi Arabia.<sup>5</sup> Further, the University of Arizona collaborates with the QFI. The Qatar Foundation (parent organization of QFI) is one of the sponsors of Arizona's wireless lab.<sup>6</sup> A recent Senate hearing,<sup>7</sup> as well as investigations by the Department of Education in December 2019,<sup>8</sup> raised concerns about foreign state influence in university funding which has gone un-scrutinized. In light of these findings I am asking the U of A to confer with your office to ensure it is in full compliance with U.S. law and is not commingling federal tax dollars with foreign state programs.

Federal funds, earmarked for specific purposes, should not be used to support such ideologically driven programs that promote racism, hatred and genocide. It is incumbent upon the Department of Education to ensure that federal laws and regulations are adhered to and that taxpayer dollars are not misused to endanger America's national security, the security of our allies, or to encourage biased, politicized scholarship.

I therefore urge the Department to review how the University of Arizona's CMES allocates its Title VI funding in order to discern whether or it is violating the spirit and/or the letter of the law.

I end this letter as I started: The University of Arizona is a premier world-class university. I am proud to support it and I have voted for extensive funding for its worthwhile programs that have added greatly to the nation and the world. Its agriculture, mining, space, biosphere, law, medicine, philosophy and yes, even its sports, have contributed to the betterment of all. It should not belittle itself and jeopardize its standing (and funding) by allowing, promoting, hosting and tolerating hate programs, genocidal advocates and blatant anti-Semites in violation of Title VI and the Presidential Executive Order.

Please let me know if you have any questions and, as always, please comply with all rules, regulations and guidelines when responding to my request.

Sincerely Yours,

A handwritten signature in blue ink that reads "Paul A. Gosar, MS". The signature is stylized and written in a cursive-like font.

Congressman Paul A. Gosar (AZ-04)

Cc: University of Arizona President Dr. Robert Robbins  
Arizona Board of Regents Chair Larry Penley  
Steve Voller, Government Relations for U of A