

In the name of God, the Most Compassionate, the Most Merciful.
All praise and thanks belong to God, the Lord of the Worlds.
May peace and prayers be upon Prophet Muhammad and his family.



Council on American-Islamic Relations
453 New Jersey Ave. S.E.
Washington, D.C. 20003
Tele 202-488-8787 Fax 202-488-0833
E-mail: info@cair.com URL www.cair.com

June 13, 2024

The Honorable James Comer
Chairman
U.S. House Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

RE: Your Unconstitutional, Islamophobic, Anti-Palestinian Letter Sent to American Muslims for Palestine

Dear Chairman Comer:

On behalf of the Council on American-Islamic Relations (CAIR), the nation's largest Muslim civil rights and advocacy organization, we write to raise several civil rights and bias concerns emerging from your recent attempts to smear and intimidate institutions advocating for an end to apartheid, occupation, and genocide. In particular, your May 29, 2024, letter to American Muslims for Palestine (AMP) Executive Director Dr. Osama Abuirshaid is constructed using several common Islamophobic tropes and unsubstantiated allegations.

CAIR's Research and Advocacy Department's routine research to assist in preparing this letter turned up the following quote from an article published on May 7, 2024, in the *Forward*, which describes itself as the "*most influential nationwide Jewish media outlet today*:"

[Rep. James Comer] has "*refused requests to condemn the antisemitic Great Replacement Theory and retweeted content from antisemitic QAnon accounts. In an interview on a right-wing radio show last month, Comer singled out three Democratic Jewish representatives — Raskin, Dan Goldman of New York and Jared Moskowitz of Florida — for being highly educated and wealthy. He also compared them to little dogs. Such smears have historically been used to target Jews and are considered a common form of coded antisemitism by the American Jewish Committee.*"¹

Taken together, your comfort with both Islamophobic, anti-Palestinian, and antisemitic rhetoric, and McCarthyistic investigation into American Muslim, Palestinian, and Jewish organizations raises serious concerns about your understanding and commitment to upholding the First

¹ Jacob Kornbluh. "Ahead of hearing on DC's response to campus protests, questions arise about GOP chair's role in enabling antisemitism." *Forward*, May 7, 2024. Accessed June 12, 2024. Link: <https://forward.com/fast-forward/610546/gop-james-comer-hearing-campus-antisemitism>

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Amendment protections of free exercise of religion, the free exercise of speech, the freedom of assembly, and freedom to petition the government, in addition to your ability to protecting minority faiths in the United States.

Your letter to AMP ignores recent and decades-long harassment and civil rights violations of Palestinian, Arab, Muslim, Jewish, and other students protesting in support of Palestinian human rights.

Since the onset of the latest round in decades of violence between Israelis and Palestinians, the U.S. has experienced a shocking wave of Islamophobia. CAIR received 8,061 complaints nationwide in 2023, marking the highest number of complaints CAIR has ever recorded in its 30-year history. Nearly half of all complaints received in 2023 were reported in the final three months of the year.

Behind these numbers are human tragedies. In October, six-year-old Palestinian-American boy Wadea Al-Fayoume was stabbed and murdered by his family's landlord in Chicago. According to his mother, who was also attacked, the landlord yelled "*You Muslims must die!*" before attempting to choke and stab her. In another incident of a child being targeted, a teacher threatened to beat and behead a seventh-grade Muslim student in Warner Robins, Georgia, in December. After the student asked about the teacher's Israeli flag, the teacher was overheard, in part, threatening to "*slit [the student's] god***n throat*" and "*cut her head off*" by several students and witnesses.

Harassment and civil rights violations of students protesting Israel's apartheid, occupation, and genocide have been widespread and well-documented, for example:

1. On May 1, outside pro-Israel agitator groups had reportedly come to the University of California, Los Angeles campus and violently attacked students at a pro-Palestine encampment.² These pro-Israel counter-protesters attempting to dismantle the encampment could reportedly be seen on video spraying chemicals at the encampment and, at times, "*descending on a single person*" where they could be seen "*punching, kicking, and attacking people with makeshift weapons.*"³ Even after police officers began to arrive more than two hours later, pro-Israel counter-protesters continued to attack the encampment, as law enforcement officers reportedly stood several hundred feet away without stepping in. Pro-Palestinian students were reportedly left to fend for themselves for three hours before law enforcement took any action.
2. In January 2024, the Muslim Legal Fund of America filed a civil rights complaint on behalf of students at Harvard University, who "*have been targeted with rampant harassment and racist attacks including doxxing, stalking, and assault simply for being*

² Alison, Ismail. "CAIR-LA and MSA West Condemn Militarized Police Response to UCLA Anti-Genocide Student Encampment." CAIR.com, May 3, 2024. Accessed June 6, 2024. Link:

https://www.cair.com/press_releases/cair-la-and-msa-west-condemn-militarized-police-response-to-ucla-anti-genocide-student-encampment/#:~:text=The%20Greater%20Los%20Angeles%20Area,the%20arrest%20of%20around%20200.

³ Bedi, Neil, Bora Erden, Marco Hernandez, Ishaan Jhaveri, Arijeta Lajka, Natalie Reneau, Helmuth Rosales, and Aric Toler. "How Counterprotesters at U.C.L.A. Provoked Violence, Unchecked for Hours." The New York Times, May 6, 2024. Link: <https://www.nytimes.com/interactive/2024/05/03/us/ucla-protests-encampment-violence.html>.

*Palestinian, Muslim, and supporters of Palestinian rights.*⁴ The students report having objects thrown at them and poured on them for wearing the keffiyeh. Students have also reported being spat at, stalked, and chased. The increase in verbal and physical attacks has caused students to feel unsafe on campus and they report that they are “*living in fear of being attacked while walking to class.*”

3. In January 2024, students at Columbia University were reportedly sprayed with a hazardous, foul-smelling chemical agent by two individuals while at a protest in support of Palestine. At least 10 students reportedly sought medical care. Dozens of students reported symptoms such as burning eyes, nausea, headaches, abdominal and chest pain, and vomiting.⁵ A university spokesman reportedly made an initial statement seemingly blaming students for the attack, claiming that their protest was “*unsanctioned and violated university policies and procedures.*”⁶

Like the historic student protests against segregation, the Vietnam War, and South African apartheid, the recent sit-ins, and other protests launched by college students across America have been overwhelmingly peaceful, respectful, and diverse--often led by Palestinian, Arab, Muslim, and Jewish students engaged in the long American tradition of peaceful civil disobedience. The Armed Conflict Location & Event Data Project (ACLED) reported in early May that, “between 7 October and 3 May, the overwhelming majority of student demonstrations — 97% — have remained peaceful.”⁷

Countering real antisemitism is important, but it is also critically important for you to reject pressure from the Israeli government and its supporters to suppress American Palestinian, Arab, Muslim, Jewish, and others' First Amendment protected free speech and advocacy for Palestinian human rights based on false allegations of antisemitism.

Your letter to AMP also indulges in common Islamophobic stereotypes and cites groups that treat American Palestinian, Arab, Muslim, Jewish, and others protesting in support of Palestinian human rights as political enemies. Your targeting of these classes of people for McCarthyistic-styled congressional investigations is sadly reminiscent of the rightfully disbanded House Committee on Un-American Activities.

⁴ “MLFA Files Federal Civil Rights Complaint With Department of Education on Behalf of Harvard Palestinian and Muslim Students – MLFA,” n.d. Link: <https://mlfa.org/mlfa-files-federal-civil-rights-complaint-with-department-of-education-on-behalf-of-harvard-palestinian-and-muslim-students/>.

⁵ Thakker, Prem, and Prem Thakker. “Columbia Scolds Students for ‘Unsanctioned’ Gaza Rally Where They Were Attacked With Chemicals.” The Intercept, January 23, 2024. Link: <https://theintercept.com/2024/01/22/columbia-university-palestine-protest-skunk/>.

⁶ Mendell, Chris. “New Al Jazeera Documentary on Alleged Chemical Spraying Reports Two Columbia Students ‘Infiltrated’ Protest.” Columbia Daily Spectator, April 12, 2024. Link: <https://www.columbiaspectator.com/news/2024/04/12/new-al-jazeera-documentary-on-alleged-chemical-spraying-reports-two-columbia-students-infiltrated-protest/#:~:text=Two%20Columbia%20students%20and%20former,Jazeera%20documentary%20published%20on%20Friday.>

⁷ Ho, Bianca, and Kieran Doyle. “US Student Pro-Palestine Demonstrations Remain Overwhelmingly Peaceful | ACLED Brief.” ACLED, May 10, 2024. Link: <https://acleddata.com/2024/05/10/us-student-pro-palestine-demonstrations-remain-overwhelmingly-peaceful-acled-brief/>.

An organization or individual is deploying Islamophobia if it does any of the following or if it funds, partners with, or presents individuals or groups that:

1. Allege that Islam and Muslims are inherently or uniquely violent or that Islam is the antithesis of civilization.
2. Allege that Islam is an existential threat to the U.S. and/or the “West” and that Muslims, or their representative institutions, are part of a plot to overthrow the “West” or America.
3. Support unequal treatment under the law for Islam or Muslims.
4. Allege that violent groups which falsely and perversely claim a religious cover possess the correct understanding of Islam.

In your letter, you advance the longstanding trope that American Muslims are a fifth column who support nefarious groups while ignoring that under the Presidents Bush, Obama, and Trump administrations, every American Muslim organization in the country was wrongly subjected to extensive federal law enforcement investigations. Much of your letter also relies on a lawsuit that was only filed on May 1, 2024. Any objective observer of U.S. courts knows that the initial lawsuit is the opinion of those who filed it and not yet the result of the defendant getting a day in court. These allegations are just simply untested allegations, yet in your letter, you seem to attempt to mislead your audience into believing that they are proven facts.

You also cite the Anti-Defamation League (ADL), which has a decades-long history of aggressively intimidating Arabs, Muslims, and others who speak out in favor of Palestinian human rights, most recently targeting “*the anti-Zionist group Jewish Voice for Peace Action's affiliated political action committee (JVP-PAC).*”⁸

Interviews with eight former ADL employees found that ADL Chief Executive Officer Jonathan Greenblatt has repeatedly chosen to support crackdowns on criticism of Israel over protecting civil liberties, putting him in conflict with his own civil rights office.⁹ In a recent attempt to target critics of the Israeli government in October, the ADL, in collaboration with the Brandeis Center, released a letter to the presidents of nearly 200 colleges and universities calling on them to investigate pro-Palestinian student groups for “*providing material support to Hamas.*”¹⁰ The American Civil Liberties Union (ACLU) quickly blasted the move, arguing that the accusations

⁸ Staff, Mee. “US: ADL Files Federal Complaint Against pro-Palestinian Jewish Group.” Middle East Eye, June 3, 2024. Link: <https://www.middleeasteye.net/news/adl-files-us-federal-elections-complaint-against-pro-palestinian-jewish-group>.

⁹ “How the ADL’s Israel Advocacy Undermines Its Civil Rights Work,” Jewish Currents, October 13, 2021, Link: <https://jewishcurrents.org/how-the-adls-israel-advocacy-undermines-its-civil-rights-work>.

¹⁰ Anthony Romero et al., “Open Letter to Colleges and University Leaders: Reject Efforts to Restrict Constitutionally Protected Speech on Campuses,” American Civil Liberties Union, November 1, 2023. Link: <https://www.aclu.org/documents/open-letter-to-colleges-and-university-leaders-reject-efforts-to-restrict-constitutionally-protected-speech-on-campuses>.

were made “*without citing any evidence*” and that “*calls to investigate, disband, or penalize student groups on the basis of their exercise of free speech rights*” should be rejected.¹¹

The ADL’s call not only threatened students’ free speech but also relied on an anti-Muslim and anti-Palestinian trope that supporters of Palestinian human rights are by nature violent and would therefore fund violent activities abroad. Relying on the ADL implies that you endorse their unconstitutional calls for investigations of groups based on students exercising their free speech rights. It also implies that you may be undertaking your investigations to smear critics of Israel’s unjust and ongoing policies of apartheid, occupation, and genocide.

When people go unheard they protest. President Biden and many elected officials have ignored public opinion and continued to provide U.S. arms to Israel as it continues to use those weapons to kill Palestinian civilians. We urge you to abandon tactics set forth by former U.S. Senator Joseph McCarthy and in programs such as the FBI’s Counter Intelligence Programs (COINTELPRO) and NSA’s Project MINARET, and instead work to protect the rights of all Americans who seek to express their political opinions and uphold American values of opposing apartheid, occupation, and genocide.

Sincerely,



Robert S. McCaw
Government Affairs Department Director
Council on American-Islamic Relations

cc: The Honorable Jamie B. Raskin, Ranking Member
Committee on Oversight and Accountability

Members and Staff of the U.S. House Committee on Oversight and Accountability and
U.S. House Committee on Education and Workforce

¹¹ Romero et al., “Open Letter to Colleges and University Leaders.” November 1, 2023. Link: <https://www.aclu.org/documents/open-letter-to-colleges-and-university-leaders-reject-efforts-to-restrict-constitutionally-protected-speech-on-campuses>.