

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.



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June 4, 2025

The Honorable Tim Walberg
Chairman
House Committee on Education and the Workforce
2176 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bobby Scott
Ranking Member
House Committee on Education and the Workforce
2176 Rayburn House Office Building
Washington, D.C. 20515

RE: CAIR Urges Congress to Stop Efforts to Eliminate the Office for Civil Rights Amid Rising Hate

Dear Chairman Walberg, Ranking Member Scott, and Members of the Committee:

On behalf of the Council on American-Islamic Relations (CAIR), the nation's largest Muslim civil rights and advocacy organization, we write in advance of today's U.S. House Committee on Education and the Workforce hearing, titled "*Examining the Policies and Priorities of the Department of Education*," featuring U.S. Secretary of Education Linda McMahon, to express our deep concern over recent actions by the Trump administration to eliminate the Department's Office for Civil Rights (OCR) and to criminalize student speech in support of Palestinian human rights.

Eliminating the OCR would have a devastating and disproportionate impact on Muslim, Arab, Palestinian, and Jewish students, and this issue must be addressed during today's hearing. It would dismantle one of the few remaining federal mechanisms for protecting students from bigotry, censorship, and institutional repression, particularly at a time when Islamophobia is surging, anti-Arab and anti-Palestinian racism is increasingly normalized, and legitimate dissent is being mischaracterized as antisemitism.

In [CAIR's 2024 Civil Rights Report](#), we received **8,658 civil rights complaints nationwide**, the *highest number ever recorded* in our organization's 30-year history. This marks a **7.4% increase** from the 8,061 complaints documented in 2023. Notably, employment discrimination accounted for 15.4% of the total, making it the highest-reported category for the first time and signaling growing institutional bias against Muslim professionals and students alike.

Last year, CAIR released a landmark report titled "[Hostile: How Universities Target Anti-Genocide Protesters While Enabling Anti-Palestinian Racism and Islamophobia.](#)" The report documented widespread institutional repression of student protesters and the failure of university administrations to protect their civil rights. To date, we have officially designated [22 U.S. campuses as "hostile environments"](#) for Palestinian rights advocates due to repeated violations of students' rights, biased administrative policies, and tolerance for anti-Muslim and anti-Arab rhetoric.

The Trump administration's efforts to criminalize peaceful advocacy for Palestinian human rights and to vilify Muslim and Arab students have further escalated these concerns. In its January 30 fact sheet, [President Donald J. Trump Takes Forceful and Unprecedented Steps to Combat Anti-Semitism](#) the White House threatened to deport international students who attended what it labeled "pro-jihadist" protests. This rhetoric is Islamophobic and dangerously misuses the term *jihad*, a concept in Islamic tradition that refers to a moral and spiritual struggle for justice. The administration is using this mischaracterization to justify surveillance, deportation, and collective punishment of American students. These demonstrations were nonviolent expressions of opposition to Israel's genocide in Gaza and support for Palestinian human rights. Mislabeled them does not remove the constitutional protections these students are guaranteed under the First Amendment.

Furthermore, the Trump administration's attempt to insinuate that Americans, including students and foreign nationals, who attend anti-genocide protests are providing "material support" to terrorism is not only legally baseless, but it is a direct assault on constitutionally protected speech. Peacefully calling attention to U.S. complicity in Israel's war crimes against Palestinians is a form of protected political expression. These protests, no matter how politically inconvenient for those in power, do not and will never meet the legal threshold for material support. Congress has a responsibility to ensure that the rights of all students, including international students who have been arrested or detained for engaging in such advocacy, are safeguarded against overreach and politically motivated retaliation.

Since 2019, the Trump administration has pushed a framework conflating criticism of Israel with antisemitism, beginning with [Executive Order on Combating Anti-Semitism \(EO13899\)](#). That

order encourages federal agencies, particularly the Department of Education, to adopt the highly politicized and anti-free speech IHRA definition of antisemitism. The IHRA definition includes vague examples that equate criticism of Israeli government actions with hate speech, opening the door to civil rights investigations targeting constitutionally protected protest and academic discourse.

CAIR is deeply concerned that the Trump administration is now further embracing the agenda of the misleadingly titled Antisemitism Awareness Act, which also seeks to codify the IHRA definition and restrict criticism of Israel on college campuses. Although the bill was recently tabled in the Senate HELP Committee amid bipartisan constitutional free speech concerns, President Trump is now unilaterally enacting its core provisions through executive action. This effort bypasses congressional oversight and empowers federal agencies to investigate, punish, and even deport students and faculty engaged in lawful, nonviolent advocacy for Palestinian human rights.

On January 29, President Trump issued a follow-up directive titled “*Additional Measures to Combat Anti-Semitism*,” ordering federal agencies to target universities where pro-Palestinian protests occur using civil, criminal, and immigration enforcement. It explicitly calls for the surveillance and potential deportation of foreign students and staff engaged in such activism. Secretary of State Marco Rubio has also echoed this crackdown, announcing visa restrictions and arrests under the guise of national security.

On March 8, Secretary Rubio initiated removal proceedings against Mahmoud Khalil, a green card holder and former Columbia University activist, under Section 237(a)(4)(C)(i) of the INA, a vague, Cold War-era provision allowing deportation based on alleged foreign policy concerns. Since being detained, Khalil has missed the birth of his first child. A federal judge recently ruled that the government’s use of this provision is likely unconstitutional due to its vagueness. Despite this, Khalil remains in custody as the court weighs additional allegations.

Other students targeted and arrested by the Trump administration - under the same law - Badar Khan Suri, Mohsen Mahdawi, and Rümeyza Öztürk - have now been released on bail pending legal review. CAIR strongly condemns this unconstitutional abuse of immigration law to silence and punish individuals engaged in lawful, nonviolent advocacy for Palestinian human rights. These cases reflect a dangerous escalation in efforts to criminalize dissent and chill First Amendment-protected speech under the guise of national security.

Accordingly, CAIR respectfully urges the House Committee on Education and the Workforce to:

1. **Enact legislation to protect and fully fund the Office for Civil Rights (OCR)**, ensuring it remains empowered to defend students from discrimination, censorship, and retaliation.
2. **Defend the civil rights of all students**, including Muslim, Arab, Palestinian, and Jewish students, by ensuring OCR is empowered to investigate and address incidents of Islamophobia, antisemitism, anti-Arab racism, and campus censorship.
3. **Condemn the politicized misuse of antisemitism** allegations to silence constitutionally protected, pro-Palestinian speech and peaceful anti-genocide advocacy.
4. **Hold oversight hearings** to investigate the alarming rise in campus repression, including the suspension, arrest, and blacklisting of students peacefully protesting the genocide in Gaza.

We urge the Committee to carefully consider the reports, findings, and policy recommendations outlined above. These issues reflect a dangerous trend of using federal authority to suppress constitutionally protected student advocacy, particularly in support of Palestinian human rights. Preserving and strengthening the Office for Civil Rights is essential to ensuring equity, protecting dissent, and upholding the civil liberties that define our educational institutions and our democracy.

If you have any questions or would like to discuss this matter further, please contact me at rmccaw@cair.com.

Sincerely,

A handwritten signature in cursive script that reads "Robert S. McCaw".

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