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EDUCATION AND THE WORKFORCE
U.S. HOUSE OF REPRESENTATIVES
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August 01, 2024

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Ms. Claire Shipman, Co-Chair
The Trustees of Columbia University
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Dear President Shafik, Mr. Greenwald, and Ms. Shipman:

The Committee on Education and the Workforce (the Committee) is continuing to investigate Columbia University's response to the severe and pervasive antisemitism on its campus. Despite repeated requests, Columbia has failed to produce priority items requested by the Committee. These priority items, which are critical to the investigation, include communications by priority custodians of documents, including multiple members of Columbia's Board of Trustees; records of Board of Trustees meetings; and requested information on disciplinary cases. In many cases, these items were requested months ago. Columbia's continued failure to produce these priority items is unacceptable, and if this is not promptly rectified, the Committee is prepared to compel their production.

The Committee's Priority Requests

The Committee initiated its investigation of Columbia on February 12, 2024, with a letter

requesting documents and communications.¹ On March 29, the Committee sent Columbia a detailed list of priority items with April 9 and April 26 deadlines. These priority items included requests for documents and communications relating to antisemitism since October 7, 2023, including email, text messages, and electronic messages involving specified custodians; all Columbia Board of Trustees meeting minutes and summaries since October 7, 2023, including informal summaries and contemporaneous notes; and the “status and outcome/disciplinary actions taken to date for incidents/cases since 10/7/23 relating to antisemitism or the Israel-Gaza war.”²

On April 26, the Committee sent Columbia a list of updated priority requests³ relating to the unlawful Gaza Solidarity Encampment established on April 17 which severely disrupted Columbia’s learning environment and became a hotbed of antisemitic misconduct. These priority requests sought communications related to the encampment from a specified group of custodians, almost all of whom were previously identified in the Committee’s March 29 request. The April 26 request also asked for Board of Trustees minutes, notes, and summaries since the establishment of the encampment, as well as information on conduct and discipline related to the encampment.⁴ The Committee set a May 6 deadline for the document requests, while requesting information on disciplinary actions and negotiations more immediately.

Columbia began producing documents related to the encampment on May 6, but failed to produce text messages or electronic messages or contemporaneous or informal Board of Trustees notes and summaries. On June 12, the Committee requested that Columbia produce a set of priority items that Columbia had as yet failed to produce, setting June 26 as the deadline. These repeated requests included text messages, electronic messages, and emails from non-Columbia University systems from a set of eight administrators and a set of an estimated ten members of Columbia’s Board of Trustees; notes, summaries, and recordings of Board of Trustees meetings since April 17; and updated and more detailed information on disciplinary actions relating to the encampment.⁵

On July 9, Committee staff communicated to Columbia the Committee’s concern over the “unsatisfactory and limited nature of Columbia’s production, including Columbia’s ongoing failure to produce documents from long-requested custodians.”⁶ The Committee yet again

¹ Letter from Virginia Foxx, Chairwoman, H. Comm. On Educ. & the Workforce, to Minouche Shafik, President, Columbia Univ., et. al. (Feb. 12, 2024).

² E-mail from H. Comm. On Educ. & the Workforce to counsel for Columbia Univ. (Mar. 29, 2024) (on file with Committee).

³ The April 26 priority items mostly requested materials that would have already fallen under the Committee’s existing March 29 requests, but specifically identified materials related to the encampment and from the period since the establishment of the encampment as priorities.

⁴ E-mail from H. Comm. On Educ. & the Workforce to counsel for Columbia Univ. (Apr. 26, 2024) (on file with Committee).

⁵ The requests for text and electronic messages and for Board of Trustees notes, summaries, and recordings date back to March 26. The period since April 17 was identified as a priority on April 26. The request for disciplinary information related to the encampment dates back to April 19 and 26.

⁶ E-mail from H. Comm. On Educ. & the Workforce to counsel for Columbia Univ. (Jul. 9, 2024) (on file with Committee).

renewed its requests for “[a]ll notes, summaries, or recordings of meetings (whether formal or informal), of the Board of Trustees or any component thereof since 4/17/24,” “all communications since 4/17/24 responsive to the Committee’s 3/29 and 4/26 requests, including emails, text messages, or other electronic messages,” and “an up-to-date list of all student disciplinary/conduct cases relating to alleged antisemitic incidents since October 7, 2023, and/or related to the Gaza Solidarity Encampment” with a deadline of July 19.⁷

Columbia’s Failure to Satisfy the Committee’s Priority Requests

Columbia’s July 19 production was unsatisfactory. Columbia appears to have produced text messages from only two of eight administrators and two of the approximately ten trustees identified as priority custodians by the Committee on June 12. This production did not cover the period since April 17, which the Committee had specifically identified as a priority. To this day, Columbia also has refused to clarify which priority custodians have had their responsive materials collected to date. Consequently, the Committee is unaware of the extent to which responsive materials from these custodians have been collected and/or processed. Columbia has also failed to produce notes, summaries, or recordings of Board of Trustees meetings despite the Committee’s repeated requests. Additionally, rather than produce these documents identified by the Committee as priorities, Columbia filled much of its production with documents of limited value, with 1,780 pages consisting of lists of signatories to a publicly available petition, for example.

Further, Columbia has explicitly refused to produce a list of disciplinary cases as requested by the Committee.⁸ Columbia instead produced 64 pages of recent university disciplinary communications to students regarding their cases, which fail to indicate either the actions Columbia has taken or the current status of alleged perpetrators, leaving unclear whether they are currently suspended or not. A list of cases also would allow the Committee to understand how the University has responded over time when students have committed multiple conduct violations.

The documents and communications requested by the Committee are necessary to understand Columbia’s response to antisemitism and inform the Committee’s consideration of potential legislation concerning antisemitism at postsecondary institutions. It is particularly essential that the Committee obtain this information from Columbia given that President Shafik acknowledged the existence of “a hostile environment in violation of Title VI, especially around our gates, that is unsafe for everyone—including our neighbors.”⁹

⁷ *Id.*

⁸ Letter from Counsel for Columbia Univ., to Virginia Foxx, Chairwoman, H. Comm. On Educ. & the Workforce (Jul. 19, 2024) (on file with Committee).

⁹ Statement, Minouche Shafik, President, Columbia Univ., Statement from Columbia University President Minouche Shafik (Apr. 29, 2024), available at: <https://president.columbia.edu/news/statement-columbia-university-president-minouche-shafik-4-29>

Please produce the following previously-requested items **no later than 12:00 PM ET on August 8, 2024**:

1. All documents and communications since October 7, 2023, referring and relating to antisemitism; targeting of Jews, Israelis, Israel, Zionists, or Zionism; and/or the Gaza Solidarity Encampment and related activities, involving the following individuals: Minouche Shafik, David Greenwald, Claire Shipman, Angela Olinto, Cas Holloway, Susan Glancy, Dennis Mitchell, Josef Sorett, Jelani Cobb, David Greenberg, Gerald Lewis, Gerry Rosberg, Jeanine D'Armiento, Claudia Marin Andrade, and/or all Columbia Board of Trustees executive committee (or equivalent) members and antisemitism subcommittee/task force (or equivalent) members.¹⁰
2. All calendars from the period April 17 to May 2, 2024, for the following individuals: Minouche Shafik, Angela Olinto, Cas Holloway, and Susan Glancy. Include all calendar items relating to the Gaza Solidarity Encampment and related activities, antisemitism, and/or the Israeli-Palestinian conflict, including all attachments;
3. All Board of Trustees meeting minutes, notes, summaries, and recordings since April 17, 2024, whether formal or informal. For clarity, as previously conveyed, organized Trustee engagements that would not be considered formal meetings, such as Trustee calls, would fall under this request;
4. All Board of Trustees meeting minutes, notes, summaries, and recordings since October 7, 2023, referring or relating to antisemitism and/or Israel, whether formal or informal. For clarity, as previously conveyed, organized Trustee engagements that would not be considered formal meetings, such as Trustee calls, would fall under this request;
5. A list of all student disciplinary/conduct cases relating to alleged antisemitic incidents since October 7, 2023, or conduct related to the Gaza Solidarity Encampment, showing: the date; a brief description of the incident; undergraduate/graduate status and school of the alleged perpetrator; entity responsible for reviewing the case (including whether the incident is going through Dean's Discipline or the University Judicial Board/University Senate process(es)); case status; actions taken by Columbia (including any modification of proposed or imposed discipline); and the standing of the alleged perpetrator (good standing, suspended, expelled, etc). Specify which incidents are related to the encampment and the occupation of Hamilton Hall;
6. A list of all faculty and staff disciplinary/conduct cases relating to alleged antisemitic incidents at Columbia since October 7, 2023, with information on the individual, a brief description of the incident, the entity/entities responsible for reviewing and investigating

¹⁰ The Committee's understanding is that the officers of Columbia's Board of Trustees are Co-Chairs David Greenwald and Claire Shipman and Vice Chairs Abigail Black Elbaum, Mark Gallogly, and Wanda M. Holland Greene, and that the Board's antisemitism task force/working group includes David Greenwald, Shoshana Shendelman, Adam Pritzker, Victor Mendelson, Jeh Johnson, and Shirley Wang. It is unclear if the Board has an executive committee separate from the officers.

the case, case status, actions taken by Columbia (including any modification of proposed or imposed discipline), and the standing of the alleged perpetrator (good standing, suspended, terminated, etc);

7. All documents and communications referring or relating to alleged antisemitic incidents and/or conduct violations relating to the Israeli-Palestinian conflict, including:
 - a. All documents referring and relating to student disciplinary/conduct cases relating to alleged antisemitic incidents since October 7, 2023, including the complete case files; and
 - b. All documents referring and relating to faculty and staff disciplinary/conduct cases relating to alleged antisemitic incidents since October 7, 2023, including the complete case files.

Columbia has failed to comply with the Committee’s requests in a timely manner. The Committee is providing Columbia an additional week to fulfill them. If these requests are not satisfied by the above deadline, the Committee is prepared to issue subpoenas. Congress’ oversight powers are derived from the U.S. Constitution and have been repeatedly affirmed by the United States Supreme Court.¹¹ Under House Rule X, the Committee has legislative and oversight jurisdiction over “education or labor generally.”¹²

Sincerely,



Virginia Foxx
Chairwoman
Committee on Education and the Workforce

CC:

Abigail Black Elbaum, Vice Chair, The Trustees of Columbia University
Mark Gallogly, Vice Chair, The Trustees of Columbia University
Wanda M. Holland Greene, Vice Chair, The Trustees of Columbia University
Andrew F. Barth, Member, The Trustees of Columbia University
Dean Dakolias, Member, The Trustees of Columbia University

¹¹ See generally U.S. CONST. art. I, § 8, cl. 8; *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927) (holding that “the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function”); *Eastland v. U.S. Servicemen’s Fund*, 421 U.S. 491, 504 (1975) (holding that “the power to investigate is inherent in the power to make laws”); *Barenblatt v. United States*, 360 U.S. 109, 111 (1959) (holding that “the scope of power of inquiry ... is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.”).

¹² *Rules of the House of Representatives: One Hundred Eighteenth Congress*, U.S. HOUSE OF REP. 7 (Jan. 10, 2023), <https://rules.house.gov/sites/republicans.rules118.house.gov/files/documents/Rules%20and%20Resources/118-House-Rules-Clerk.pdf>.

Dr. Minouche Shafik, Mr. David Greenwald, and Ms. Claire Shipman

August 1, 2024

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Duchesne Drew, Member, The Trustees of Columbia University

Keith Goggin, Member, The Trustees of Columbia University

The Hon. Joseph A. Greenaway, Jr., Member, The Trustees of Columbia University

Kikka Hanazawa, Member, The Trustees of Columbia University

The Hon. Jeh Johnson, Member, The Trustees of Columbia University

Li Lu, Member, The Trustees of Columbia University

Victor Mendelson, Member, The Trustees of Columbia University

Adam Pritzker, Member, The Trustees of Columbia University

Jonathan Rosand, Member, The Trustees of Columbia University

Shoshana Shendelman, Member, The Trustees of Columbia University

Kathy Surace-Smith, Member, The Trustees of Columbia University

Fermi Wang, Member, The Trustees of Columbia University

Shirley Wang, Member, The Trustees of Columbia University