



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INSPECTOR GENERAL

October 13, 2022

VIA EMAIL

Gene Hamilton
611 Pennsylvania Ave SE #231
Washington, DC 20003
foia@aflegal.org

RE: FOIA Request No. 22-02463-F

Dear Gene Hamilton:

This is an interim response from the Office of Inspector General (OIG) to your April 8, 2022, Freedom of Information Act (FOIA) request to the United States Department of Education (ED). You requested:

A. All records of all communications regarding, referring, or relating to antisemitism, Exec. Order No. 13,899, anti-Israel, and anti-Zionism from, directed to, or in the possession of any of the following custodians: All political appointees and all career employees with a grade equivalent of GS-14 or higher in the offices set forth in II. B.

B. All records of all communications regarding, referring, or relating to antisemitism, Exec. Order No. 13,899, anti-Israel, and anti-Zionism from, directed to, or in the possession of each of the following Department of Education components:

1. Office of the Secretary and Deputy Secretary
2. Office of Finance and Operations
3. Office of the Chief Information Officer
4. Office of Civil Rights
5. Office of Planning, Evaluation, and Policy Development
6. Office of the General Counsel
7. Office of Legislative and Congressional Affairs
8. Office of Communications and Outreach
9. Office of Inspector General
10. Office of the Under Secretary
11. Office of Postsecondary Education

C. All records, including calendar entries, emails, notes, and other documents regarding meetings, meeting agendas and communications the Department has had with the following groups/individuals: Palestine Legal, Students for Justice in Palestine, the Center for Constitutional Rights, Kenneth Stern (with respect to anti-Semitism), the Leadership Conference, FIRE, J Street, Jewish Voices for Peace, CAIR and any other individuals and entities whose mission, interest, and/or activities relate to anti-Israel, anti-Zionist, antisemitism, pro-Palestine/Palestinian issues, or postsecondary education.

D. All records regarding, referring, or related to Exec. Order No. 13,899.

E. All records of the Department regarding the issuance, status, or delay of the notice of proposed rulemaking (the “NPRM”) to amend the Department’s regulations implementing Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, in response to Exec. Order No. 13,899.

F. All records that include the names of individuals and/or groups who have participated in any phone conferences and/or meetings, virtual or in-person, regarding Exec. Order No. 13,899, the NPRM, and/or antisemitism and/or anti-Israel activities on college or university campuses.

G. All records that include the words “Jewish,” “Jew,” “antisemitism,” “anti-semitism,” “Executive Order 13899,” “EO 13899,” “E.O. 13899,” “Zionist,” “Zionism,” “anti-Zionist,” “anti-Zionism,” “anti-Israel,” and/or “Israel.”

H. All correspondence between any email address ending in “@who.eop.gov” and any person in the Department of Education regarding, referring, or relating to “Jewish,” “Jew,” “antisemitism,” “anti-semitism,” “Executive Order 13899,” “Zionist,” “Zionism,” “anti-Zionist,” “anti-Zionism,” “anti-Israel,” and/or “Israel.”

I. All records of and regarding any complaints, inquiries, dismissals, or resolution agreements (whether filed, pending, and/or resolved) that relate in any way to alleged or actual antisemitism, anti-Israel, or anti-Zionist activities, actions, or perceptions on college and/or university campuses.

On May 26, 2022, you agreed to narrow the scope of your initial request to all communications relating to Executive Order 13899, antisemitism, Israel, anti-Israel, anti-Zionism, and other specified key words, and communications with certain non-governmental groups from and to Sandra Bruce of the United States Department of Education (ED) Office of Inspector General (OIG).

This is an interim response from the OIG only.

We have enclosed 143 pages of records responsive to your request. Information has been redacted pursuant to Exemptions (b)(6), (b)(7)(C) of the FOIA. The information withheld under Exemptions (b)(6) and (b)(7)(C) includes individual names, addresses, telephone numbers, signatures, and other personally identifying information.

Consistent with the FOIA, the OIG confirms that, if it is providing responsive records, it has considered the foreseeable harm standard when reviewing those records and applying any FOIA exemptions. See 5 U.S.C. § 552(a)(8)(A).

We are continuing to process the remainder of your request for records related to your amended request. Once we have completed processing your entire request, you will receive a final response with notification of appeal rights.

Sincerely,

Antigone Potamianos
Counsel to the Inspector General

cc: FOIA Service Center

Enclosure: Responsive records