

Congress of the United States  
House of Representatives  
Washington, DC 20515-3313

Peter Hans  
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Chapel Hill, NC 27514  
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President Hans,

I write to express my concern over repeated antisemitic activity at the University of North Carolina at Chapel Hill (UNC).

Kylie Broderick, a graduate student, is scheduled to teach a course titled “The Conflict over Israel/Palestine.” Ms. Broderick has a troubling history of public antisemitic statements. In her public tweets she has lamented how hard it is for her to pretend that there are two sides to the Israeli-Palestinian conflict in the classroom, noting that “there is only 1 legitimate side – the oppressed – versus imperialist propaganda. I don’t ever want to encourage them to believe there is reason to take on good faith the oppressive ideologies of American and Western imperialism, Zionists, & autocrats.”<sup>1</sup> Among other things, she has also falsely and unapologetically accused Israel of ethnic cleansing and denied Israel’s right to exist.<sup>2</sup>

Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs and activities on the basis of race, color, or national origin.<sup>3</sup> While Title VI does not include religion, discrimination against Jews may give rise to a violation if it is based on race or national origin. Under Executive Order 13899 (Combating Anti-Semitism), when evaluating potential Title VI claims, the government uses the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism.<sup>4</sup> Per the IHRA definition, it is antisemitic to, among other things,

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<sup>1</sup> Kylie Broderick (She/Her/s) (@kylie\_broderick), Twitter (Dec. 8, 2020, 8:59 AM), archived at <https://voice4israel.com/wp-content/uploads/2021/07/Broderick-only-1-legitimate-side.png>. The original tweet is no longer available as Ms. Broderick has locked her Twitter account from public view.

<sup>2</sup> Kylie Broderick (She/Her/s) (@kylie\_broderick), Twitter (May 14, 2021, 3:38 PM), archived at <https://voice4israel.com/wp-content/uploads/2021/07/Broderick-imperial-death-cult.png>.

<sup>3</sup> 42 U.S.C §§ 2000d-2000d-7.

<sup>4</sup> Executive Order 13899 (Combating Anti-Semitism) § 2, 84 Fed. Reg. 68779 (Dec. 11, 2019) (quoting INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE, WORKING DEFINITION OF ANTISEMITISM (May 26, 2016), <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>); see also OFFICE OF CIVIL RIGHTS, U.S. DEP’T OF EDUCATION, QUESTIONS AND ANSWERS ON EXECUTIVE ORDER 13899 (COMBATING ANTI-SEMITISM) AND OCR’S ENFORCEMENT OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (2021), available at <https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-anti-semitism-20210119.pdf>.

deny the Jewish people their right to self-determination, engage in blood libels, or apply a double standard by requiring of the Jewish state a behavior not expected or demanded of any other democratic nation. Under the IHRA definition, the above-referenced statements are antisemitic—exactly the kind of statements that do not further academic freedom and that create a pervasively hostile environment for vulnerable students.<sup>5</sup>

In 2019, UNC hosted a conference that featured antisemitic speakers, and ultimately settled with the Department of Education after a Title VI complaint. In the resolution agreement, the school agreed to “take all steps reasonably designed to ensure that students enrolled in the University are not subjected to a hostile environment.”<sup>6</sup> As you may know, it is a violation of Title VI for UNC administrators to encourage, tolerate, fail to adequately address, or ignore prohibited discrimination. UNC has an obligation to provide a balanced educational atmosphere, free from harassment and antisemitism. I urge you to take all steps necessary to comply with federal law and deny opportunities for antisemitism to spread on your campus.

Sincerely,



Ted Budd  
Member of Congress

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<sup>5</sup> See Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, 59 Fed. Reg. 11,448, 11,449 (Mar. 10, 1994); see also AM. CIVIL LIBERTIES UNION, SPEECH ON CAMPUS, <https://www.aclu.org/other/speech-campus> (last visited Aug. 17, 2021) (“To be clear, the First Amendment does not protect behavior on campus that crosses the line into targeted harassment or threats, or that creates a pervasively hostile environment for vulnerable students.”).

<sup>6</sup> Letter from the U.S. Dep’t of Education Office of Civil Rights to Kevin M. Guskiewicz, Interim Chancellor of the University of North Carolina at Chapel Hill (Nov. 6, 2019), available at <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/11192215-a.pdf>. The enclosed resolution agreement referred to in the letter is available here: <https://eoc.unc.edu/wp-content/uploads/sites/201/2019/11/Resolution-Agreement-OCR-Complaint.pdf>.