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May 1, 2024

Christine Stoneman, Section Chief
U.S. Department of Justice, Civil Rights Division
Federal Coordination and Compliance Section
950 Pennsylvania Avenue, NW, 4CON, 7th Floor
Washington, DC 20530
Via email to FCS.CRT@usdoj.gov

Re: Title VI Complaint Against Northwestern University

Dear Ms. Stoneman:

We represent Young America's Foundation, which is a nationwide student membership organization that seeks to educate students, provide educational and social opportunities, and promote traditional conservative values. YAF has an active chapter on the campus of Northwestern University.

On behalf of YAF, its local chapter and members, please consider this letter a formal complaint under Title VI of the Civil Rights Act of 1964.

On April 29, 2024, University officials entered into an agreement with anti-Israel demonstrators occupying a space on campus called Deering Meadow. The officials involved—President Michael Schill, Provost Kathleen Hagerty, and Vice President Susan Davis—informed the campus community and the public as follows: “We have reached an agreement with a group of students and faculty who represent the majority of the protestors on Deering Meadow to bring the demonstration into compliance with University rules and policies.”¹

The agreement includes multiple promises by University officials to discriminate against students and faculty based on race and national origin.² Under the agreement, the University promised to provide the “full cost of attendance for five Palestinian undergraduates to attend Northwestern for the duration of their undergraduate careers.” Based on the University's current costs of attendance, this is a promise to provide nearly \$1.9 million in scholarships to Palestinian students.

¹ The press release is available here: <https://www.northwestern.edu/leadership-notes/2024/april-29-agreement-on-deering-meadow.html>. An archived version of the press release is available here: <https://archive.ph/y4TYs>.

² A PDF of the entire agreement is available here: <https://www.northwestern.edu/leadership-notes/2024/agreement-on-deering-meadow.pdf>.

The agreement also provides “funding two faculty per year for two years,” with the provision that these faculty will be “Palestinian faculty.” Finally, the University promises to “provide immediate temporary space for MENA/Muslim students.” MENA is an acronym for “Middle Eastern and North African” individuals. Below is a screenshot capturing these promises:

3. Inclusivity

- The University will support visiting Palestinian faculty and students at risk (funding two faculty per year for two years; and providing full cost of attendance for five Palestinian undergraduates to attend Northwestern for the duration of their undergraduate careers). The University commits to fundraise to sustain this program beyond this current commitment.
- The University will provide immediate temporary space for MENA/Muslim students.

As a recipient of federal funds, the University is subject to Title VI of the Civil Rights Act of 1964, which prohibits all discrimination “on the grounds of race, color, or national origin.” By providing nearly \$1.9 million in scholarships, two faculty positions, and “immediate temporary space” based on an individual’s status as Palestinian or MENA, the University is intentionally discriminating against non-Palestinian or non-MENA individuals on the grounds of race and national origin. As the United States Supreme Court recently held in a case applying Title VI, race and national origin may never operate as a “negative” or a “stereotype.” *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 218 (2023). Discrimination in favor of Palestinians or MENA individuals is, in turn, discrimination against individuals not within those categories. As with college admissions, scholarship funds, faculty jobs, and student-organization space are all “zero-sum.” *Id.* The University cannot grant a benefit to one group without discriminating “against those racial groups that were not the beneficiaries of the race-based preference.” *Id.* at 212. And discrimination violates Title VI.

We ask that you open a formal investigation based on this complaint and find that the University’s plan to offer scholarships, jobs, and space to individuals based on national origin violates Title VI.

Sincerely,



Daniel P. Lennington
Deputy Counsel