



March 18, 2026

Peter Kilpatrick  
Office of the President  
Catholic University of America  
620 Michigan Avenue NE  
Washington, DC 20064

*Sent via U.S. Mail and Electronic Mail (office-of-the-president@cua.edu)*

Dear President Kilpatrick:

FIRE, a nonpartisan nonprofit that defends free speech,<sup>1</sup> is concerned by Catholic University's recent denial of student group Students Supporting Israel's requests to host two events, including an event on antisemitism, because the events would not present "speakers representing both sides" of the issue. This action contravenes CUA's stated commitment to free expression on campus. We urge CUA to approve SSI's event requests and publicly assure students the university will not compel speech as a condition for approval of student-hosted events.

On January 19, SSI president Felipe Avila requested approval to host two events on campus. The first would have featured U.S. Congressman Randy Fine "address[ing] the documented rise of antisemitism across the United States, with a specific focus on the complex climate currently facing institutions of higher education."<sup>2</sup> The second event would have featured Israeli Defense Forces Col. (Res.) Dr. Dany Tirza speaking about Israel's security fence.<sup>3</sup> SSI invited Tirza, the primary architect of the fence, to "give students a behind-the-scenes look at one of the most famous and debated infrastructure projects in the world[,] ... explain why the fence was built ..., how the route was determined, and the difficult choices involved in balancing national security with the daily lives of the people in the region."<sup>4</sup> On February 25, CUA denied both requests on the basis of its Presentation Policy's "balanced presentation" requirement, but in each case

---

<sup>1</sup> For more than 25 years, FIRE has defended free expression and other individual rights at America's universities. You can learn more about our mission and activities at [fire.org](http://fire.org).

<sup>2</sup> Felipe Avila, *Student Organization Speaker and Special Guest Request Form for Congressman Randy Fine*, THE NEST (Jan. 19, 2026, 7:50 PM) (on file with author). The recitation here reflects our understanding of the pertinent facts. We appreciate that you may have additional information and invite you to share it with us.

<sup>3</sup> Felipe Avila, *Student Organization Speaker and Special Guest Request Form for Col. (Res.) Dr. Dany Tirza*, THE NEST (Jan. 19, 2026, 7:30 PM) (on file with author).

<sup>4</sup> *Id.*

invited SSI to “restructure the event and resubmit a request to have speakers representing both sides of this issue.”<sup>5</sup>

While CUA is a private university and therefore not bound by the First Amendment, it is legally and morally bound to adhere to the institutional commitments it has voluntarily made to protect students’ freedom of speech.<sup>6</sup> CUA’s policies repeatedly affirm that it “values and defends the right of free speech and the freedom of members of the University community to express themselves on University property,”<sup>7</sup> and is “committed to the free and open discussion of ideas and opinions both as part of its academic mission and through the political process.”<sup>8</sup>

The Supreme Court’s interpretation of the First Amendment’s guarantee of freedom of speech provides a useful baseline for understanding what students can reasonably expect from an institution that promises that freedom to its students. The Court has clearly and consistently held that freedom of speech is not limited to the right to speak, but necessarily extends to the right *not* to speak.<sup>9</sup> That’s why the state may not force a newspaper to print a political candidate’s response to a negative editorial<sup>10</sup> or require a parade organizer to include marchers imparting a message the organizer does not wish to send.<sup>11</sup>

These principles apply to student organizations’ right to host expressive events, including speakers that present a one-sided or biased perspective. SSI’s choice of speakers to host—and to exclude—is protected expression under CUA’s rules. Forcing student organizations “to host or accommodate another’s speaker’s message,” even in the service of providing a greater range of views, inevitably “alters the expressive content” of the event.<sup>12</sup> Having made these free speech commitments, it is no more appropriate for CUA to require Students *Supporting* Israel to host speakers who *oppose* Israel than it would be for the federal or state government to force

---

<sup>5</sup> *Id.* (“Consistent with our Presentations Policy we can consider approval for this topic and speaker as long as there is balanced presentation.”); Avila, *supra* note 2; *see also Presentations Policy*, CATHOLIC UNIV. OF AM. (reviewed Apr. 17, 2023), <https://policies.catholic.edu/students/studentlife/organizations/presentations.html> [https://perma.cc/7BHS-63VQ].

<sup>6</sup> *Chenari v. George Washington Univ.*, 847 F.3d 740, 744 (D.C. Cir. 2017) (“Under District of Columbia law, which governs here, ‘the relationship between a university and its students is contractual in nature.’”); *Doe v. George Washington Univ.*, 305 F.Supp.3d 126, (D.D.C. 2018) (holding that the contractual relationship between university and student is governed by the university’s code and policy).

<sup>7</sup> *Demonstrations Policy*, Policy Statement, CATHOLIC UNIV. OF AM. (reviewed Jul. 14, 2019), <https://policies.catholic.edu/safety/demonstrations.html> [https://perma.cc/5JUB-UH7E].

<sup>8</sup> *Political Activities Policy*, Policy Statement, CATHOLIC UNIV. OF AM. (rev. Oct. 5, 2022), <https://policies.catholic.edu/governance/politicalactivities.html> [https://perma.cc/4HZZ-7LBQ].

<sup>9</sup> *Wooley v. Maynard*, 430 U.S. 705, 714 (1977) (“[T]he right of freedom of thought ... includes both the right to speak freely and right to refrain from speaking at all.”); *Hurley v. Irish-Am. Gay, Lesbian & Bisexual Grp. of Bos.*, 515 U.S. 557, 573 (1995) (“‘Since *all* speech inherently involves choices of what to say and what to leave unsaid,’ one important manifestation of the principle of free speech is that one who chooses to speak may also decide ‘what not to say.’” (internal citations omitted)).

<sup>10</sup> *Miami Herald Pub. Co. v. Tornillo*, 418 U.S. 241, 258 (1974).

<sup>11</sup> *Hurley*, 515 U.S. at 566.

<sup>12</sup> *Rumsfeld v. Found. for Acad. & Inst. Rts., Inc.*, 547 U.S. 47, 63 (2006).

CUA to couple its institutional pro-Catholic messages with anti-Catholic viewpoints. CUA may, in accordance with its commitment to free expression, encourage and foster speech that includes a broader range of views on a topic if it wishes to do so. But it may not require student organizations to present competing viewpoints as a condition for hosting events on campus.<sup>13</sup> Nor does allowing student organizations the use of university facilities and resources on an equal basis transform an individual organization’s speech into the university’s speech.<sup>14</sup>

Finally, the text of the Presentations Policy does not appear to impose a blanket “balanced presentation” requirement on all student organization-hosted events. Rather, the policy asserts CUA’s authority to reject speakers who advocate views counter to the “clear and unambiguous official teaching” of the Roman Catholic Church, but allows that CUA may permit such speakers if their “counter values” are presented in the context of a broader discussion that includes multiple viewpoints.<sup>15</sup> Unless CUA means to assert that a speaker presenting a rise in antisemitism as a troubling trend is somehow expressing a view counter to the Church’s “clear and unambiguous official teaching,” it is unclear how this provision offers any basis for CUA’s rejection of SSI’s events, and no such explanation of this conflict was given to SSI. Moreover, the documented history of CUA allowing student organizations to host events focused on one view of a hotly contested political or social issue, just a few examples of which may be found in the footnote below, suggests that CUA may be selectively and pretextually applying the “balanced presentation” requirement to improperly censor SSI’s events.<sup>16</sup>

---

<sup>13</sup> *Id.*

<sup>14</sup> *Child Evangelism Fellowship of N.J. Inc. v. Stafford Twp. Sch. Dist.*, 386 F.3d 514, 524 (3d Cir. 2004) (“School- or government-sponsored speech occurs when a public school or other government entity aims ‘to convey its own message.’”) (quoting *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U.S. 819, 833 (2004)); see also *Rosenberger*, 515 U.S. at 834 (“A holding that the University may not discriminate based on the viewpoint of private persons whose speech it facilitates does not restrict the University’s own speech, which is controlled by different principles.”); *Widmar v. Vincent*, 454 U.S. 263, 274 (1981) (religious group’s use of public university facilities did not impute the group’s religious views to the university).

<sup>15</sup> *Presentations Policy*, *supra* note 5 at Policy for Presentations and Balanced Programs (CUA “may refuse permission to prospective speakers who in its judgment promote or advocate such counter values. This also means that balanced programs explaining positions on both sides of a controversial societal, political, moral and/or ecclesiastical issues [sic] may be staged in the pursuit of a more complete educational experience and a greater understanding of the issues. Hence, in such matters, even in those in which Roman Catholic Church has expressed clear and unambiguous official teaching, programs involving knowledgeable spokespersons representing opposing viewpoints may be considered to be appropriate within the University setting. Conversely, programs designed to promote action rather than understanding, while not necessarily inappropriate in themselves, are not clearly ‘educational’ in a strict sense. The University refuses to allow advocacy programs judged by the administration to be inconsistent with the University’s underlying value base and in so doing exercises its freedom as a private, value-based institution.”).

<sup>16</sup> Event Notice, *Dems Speaker Night: Amanda Riddle*, THE NEST (Feb. 10, 2026, 8:00 PM) (on file with author); Event Notice, *Dems Speaker Night: Payton Ziegler*, THE NEST (Nov. 18, 2025, 7:30 PM) (on file with author); Event Notice, *College Republicans Kick-Off Interest Meeting: ft. Special Guest American Moment CEO Nick Solheim*, THE NEST (Sept. 8, 2025, 7:00 PM) (on file with author); Flyer, *What is Genocide? Dr. Martin Shaw, Sociologist of Global Politics, War and Genocide Speaker*, THE OLIVE BRANCH (Oct. 29, 2024, 1:00 PM) (affixed with “Approved by Catholic University of America” stamp) (on file with author); Event Notice, *Dr. Monica Miller: Author, Activist, Theologian*, THE NEST (Oct. 17, 2023, 8:00 PM) (discussing pro-life activism) (on file with author); Event Notice, *College Democrats: A Conversation with Representative Maxwell Frost*, THE NEST

We request a substantive response to this letter no later than April 1, confirming CUA will approve SSI's event requests and publicly assure students that the administration will allow all student organizations to host events and speakers on topics of their choosing.

Sincerely,



Jessie Appleby  
Program Counsel, Campus Rights Advocacy

Cc: Matthew C. Dolan, General Counsel