



**THE EQUAL PROTECTION PROJECT**  
**A Project of the Legal Insurrection Foundation**  
**18 MAPLE AVE. #280**  
**BARRINGTON, RI 02806**  
[www.EqualProtect.org](http://www.EqualProtect.org)

June 18, 2026

**BY EMAIL** ([OCRComplaint@hhs.gov](mailto:OCRComplaint@hhs.gov))

Centralized Case Management Operations  
U.S. Department of Health and Human  
Services  
200 Independence Avenue, S.W.  
Room 509F HHH Bldg.  
Washington, D.C. 20201

**BY EMAIL**

Paula Stannard, Esq.  
Director, Office for Civil Rights  
U.S. Department of Health and Human  
Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

**Re: Civil Rights Complaint Against Thomas Jefferson University and its Sidney Kimmel Medical College, Regarding Discriminatory Scholarships**

Dear Director Stannard and HHS OCR Staff:

This is a federal civil rights complaint pursuant to the U.S. Health and Human Services' Office for Civil Rights ("OCR") discrimination complaint resolution procedures.<sup>1</sup> We write on behalf of the Equal Protection Project of the Legal Insurrection Foundation, a non-profit that, among other things, seeks to ensure equal protection under the law and opposes unlawful discrimination in any form.

We bring this civil rights complaint against Thomas Jefferson University ("TJU") and its Sidney Kimmel Medical College ("SKMC"), for the administration and promotion of five (5) scholarships which discriminate based on race, color, and/or national origin, in violation of Title VI of the Civil Rights Act of 1964 ("Title VI") and Section 1557 of the Affordable Care Act

---

<sup>1</sup> See 42 U.S.C. § 2000d-1; 45 C.F.R. §§ 80.7, 80.8, and 80.10.

(“Section 1557”).<sup>2</sup> Four of the challenged scholarships are administered through SKMC, TJU's medical school, and are designed to support the education and training of future health care professionals. The remaining scholarship is administered by TJU's Occupational Therapy department and discriminates based on similar criteria. Because TJU receives federal funds, including funding from Health and Human Services and the National Institutes of Health (“NIH”) it is subject to Title VI.<sup>3</sup> Because each of the challenged scholarships involve the education of health care professionals, such scholarships also are subject to the requirements of Section 1557. Moreover, these scholarships violate the Commonwealth of Pennsylvania's own nondiscrimination statutes<sup>4</sup> and TJU's own nondiscrimination policies.<sup>5</sup>

As the Supreme Court explained in *Students for Fair Admissions v. Harvard*, race-based decision-making in education is subject to the strictest judicial review. 600 U.S. 181 (2023). Title VI prohibits recipients of federal funding from treating individuals differently on the basis of race, color, or national origin. Programs that allocate educational opportunities, financial assistance, or other benefits based on racial or ethnic classifications, including classifications framed as “underrepresented in medicine” as proxies for race and ethnicity—raise serious concerns under Title VI. The challenged scholarships use either racial classifications or race-conscious eligibility and selection criteria to identify preferred beneficiaries and therefore warrant scrutiny under federal civil rights laws.

Equal access to medical education and training should be based on individual merit, qualifications, and potential to serve patients — not racial or ethnic group membership. Discriminatory practices undermine public trust in medicine, fairness, and the integrity of the healthcare workforce undermining HHS's nondiscrimination requirements and policy goals.

### **PROGRAMS AND SCHOLARSHIPS THAT VIOLATE TITLE VI AND THE AFFORDABLE CARE ACT SECTION 1557<sup>6</sup>**

TJU administers and promotes scholarships that either expressly allocate benefits based on race or use race-conscious classifications to identify preferred beneficiaries. The challenged scholarships provide educational opportunities and financial assistance using criteria that distinguish among applicants on the basis of race, color, or national origin.

#### **1. Jackson-Minton Scholarship**

The Jackson-Minton Scholarship was established by TJU to increase scholarship funding for African American male students. The scholarship's description states that its purpose is to

---

<sup>2</sup> 42 U.S.C. § 18116; 45 C.F.R. pt. 92 (2024).

<sup>3</sup> See [https://www.usaspending.gov/award/ASST\\_NON\\_R01EY021784\\_075](https://www.usaspending.gov/award/ASST_NON_R01EY021784_075) (<https://archive.is/wip/Lg2IX>) (Last accessed June 15, 2026.)

<sup>4</sup> See Pennsylvania Human Relations Act (PHRA) 43 Pa. Cons. Stat. Ann. §§ 951-963.

<sup>5</sup> <https://www.jefferson.edu/life-at-jefferson/handbooks/equal-opportunity-statement.html> (<https://archive.is/gTkVq>) (Last accesses June 16, 2026.)

<sup>6</sup> Discriminatory criteria highlighted. All links were active as of the time of this filing.

improve diversity by increasing access to scholarship dollars for African American males, whom TJU identifies as underrepresented in medicine. By expressly identifying African American males as the intended beneficiaries of the scholarship, the program appears to award financial benefits on the basis of race.

Link: <https://giving.jefferson.edu/giving-guide/give/jackson-minton-scholarship.html>

Archived Link: <https://archive.is/wip/AJmJD>

Discriminatory Requirement: “Jefferson is committed to improving the diversity of our student body, faculty, and staff, and we recognize that **increasing access to scholarship dollars for African American males**, who are underrepresented in medicine, is the single most effective means of accomplishing our goal. **In this spirit, we established the Jackson-Minton Scholarship Fund...**”

The screenshot shows the top portion of a website page. At the top left is the Jefferson University logo with the text "Jefferson" and "HOME OF SIDNEY KIMMEL MEDICAL COLLEGE". To its right is the word "Philanthropy". On the right side of the header, there are links for "Contact", a search icon, and a "Donate" button with a heart icon. Below the header is a navigation menu with "Where to Give", "Make a Gift", and "Support the Jackson-Minton Scholarship". The main content area has a blue background with the text "Support the Jackson-Minton Scholarship" in large white font. Below this is a section titled "Make a Gift" in blue font. The text in this section reads: "Jefferson is committed to improving the diversity of our student body, faculty, and staff, and we recognize that increasing access to scholarship dollars for African American males, who are underrepresented in medicine, is the single most effective means of accomplishing our goal. In this spirit, we established the Jackson-Minton Scholarship Fund in 2016 in collaboration with the Alpha Boulé of Sigma Pi Phi Fraternity. We are proud to call the Sigma Pi Phi founders, Drs. Algernon Brashear Jackson and Henry McKee Minton, Jefferson alumni." At the bottom of the section, it says "Support the Jackson-Minton scholarship program at Sidney Kimmel Medical College at Thomas Jefferson University."

## **2. Dominique “Rem’mie” Fells Scholarship**

The Dominique “Rem’mie” Fells Scholarship was established to provide financial assistance to students at TJU. The scholarship is administered through the Occupational Therapy program. According to the scholarship’s fundraising materials, scholarship funds are reserved for BIPOC students enrolled in TJU academic programs. The scholarship therefore conditions eligibility for educational benefits on the basis of race, color, or national origin.

Link: <https://fundraising.idonate.com/thomas-jefferson-university/Fells/campaign?fundraising=e4749fc4-df7b-40a0-b410-dec8385cd246>;  
<https://www.jefferson.edu/alumni/get-involved/alumni-groups/ot-alumni-network.html>

Archived Link: [archive.is/wip/A7uuA](https://archive.is/wip/A7uuA); <https://archive.is/wip/dsUtc>

**Discriminatory Requirement:** “This means that your support moving forward will create a lasting legacy for Rem’mie at Jefferson, **providing scholarships solely for transgender/gender nonconforming BIPOC students** in any TJU academic program.”

## OT Scholarship Support Opportunities

The Janice P. Burke, PhD Scholarship Fund



The Dominique “Rem’mie” Fells Scholarship



Today, we are seeking your support for a scholarship to honor Dominique “Rem’mie” Fells’ legacy and to support a pathway to higher education for learners who hold similarly aligned identities.

This scholarship will act as Jefferson’s first scholarship solely for transgender/gender nonconforming BIPOC students in any TJU academic program.

While one scholarship will not create the change needed at this level, it will act as a first step in the right direction. In the words of Ms. Terri Edmonds, this scholarship will serve as “a space to fulfill another student’s personal goals to obtain the education and career they deserve.” Rem’mie touched the lives of many and her life matters.

We thank you for your support.

### **3. Visiting Medical Student Diversity Scholarship**

The Visiting Medical Student Diversity Scholarship is offered through SKMC’s Department of Emergency Medicine. Although the scholarship states that it is open to all qualified applicants, its application materials specifically identify certain racial and ethnic groups, LGBTQ applicants, and applicants from disadvantaged backgrounds as the intended beneficiaries of the program. The scholarship’s emphasis on particular racial groups suggests that race may be considered in the selection process, or at minimum would deter other students from applying

Link: <https://www.jefferson.edu/academics/colleges-schools-institutes/skmc/departments/rehabilitation/programs/visiting-medical-student-diversity-scholarship.html>; <https://www.instagram.com/p/DUlwWSnDyfl/>

Archived Link: <https://archive.is/wip/jsKk4>; <https://archive.is/wip/9QPUZ>

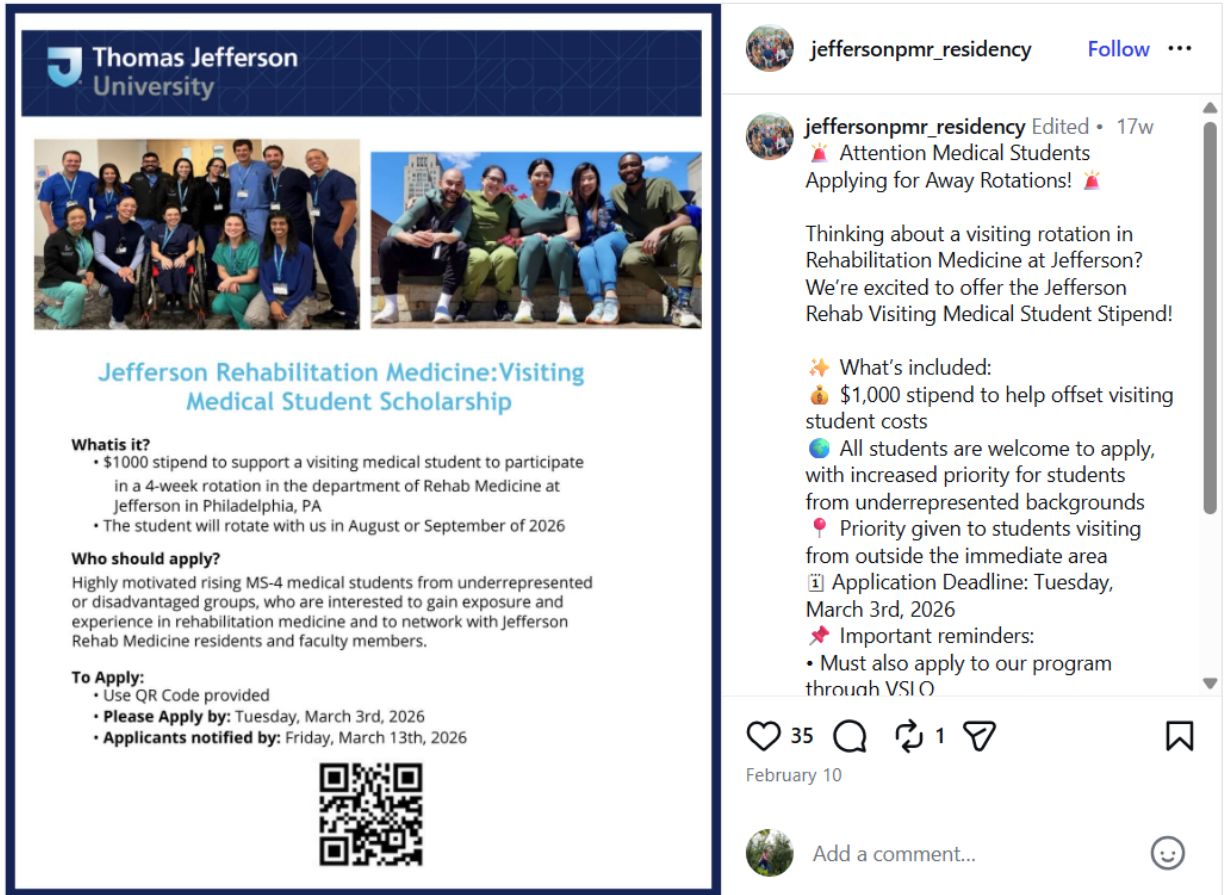
Discriminatory Requirement: The program’s official website states: “This program is open to qualified applicants, **including but not limited to students who identify as underrepresented in medicine as defined by AAMC<sup>7</sup> and/or HRSA<sup>8</sup> and/or disadvantaged<sup>9</sup> as defined by NIH.**” The program’s official Instagram page states: “All students are welcome to apply, with **increased priority for students from underrepresented backgrounds.**” The application also says “Who Should apply? Highly motivated rising MS-4 medical students from **underrepresented or disadvantaged groups**, who are interested to gain exposure and experience in rehabilitation medicine and to network with Jefferson Rehab Medicine residents and faculty members.”

---

<sup>7</sup> The AAMC defines individuals who are underrepresented in medicine as “those racial and ethnic populations that are underrepresented in the medical profession relative to their numbers in the general population.” See <https://www.aamc.org/about-us/excellence-academic-medicine> [<https://archive.is/wip/KgGTY>].

<sup>8</sup> The Health Resources and Services Administration (“HRSA”) does not use the term “underrepresented in healthcare.” Rather, HRSA uses the term “underrepresented minority,” which it defines as a member of a racial or ethnic population that is underrepresented in the health professions relative to its representation in the general population. See <https://bhw.hrsa.gov/sites/default/files/bureau-health-workforce/about-us/reports-to-congress/Nursing-Workforce-RTC-FY-2021-508.pdf>? [<https://archive.is/wip/mGXQz>] (accessed June 17, 2026).

<sup>9</sup> The National Institutes of Health (“NIH”) defines individuals from disadvantaged backgrounds as those who meet two or more specified criteria, including homelessness, foster care, Pell Grant eligibility, first-generation college status, eligibility for free or reduced-price lunch, WIC participation, or growing up in certain rural, low-income, or health-professional-shortage areas. See <https://www.preventivemedicine.northwestern.edu/docs/dei-in-research-resources/not-od-20-031-notice-of-nihs-interest-in-diversity.pdf>? [<https://archive.is/wip/SPssf>] (accessed June 17, 2026)



**Thomas Jefferson University**

**Jefferson Rehabilitation Medicine: Visiting Medical Student Scholarship**

**What is it?**

- \$1000 stipend to support a visiting medical student to participate in a 4-week rotation in the department of Rehab Medicine at Jefferson in Philadelphia, PA
- The student will rotate with us in August or September of 2026

**Who should apply?**

Highly motivated rising MS-4 medical students from underrepresented or disadvantaged groups, who are interested to gain exposure and experience in rehabilitation medicine and to network with Jefferson Rehab Medicine residents and faculty members.

**To Apply:**

- Use QR Code provided
- **Please Apply by:** Tuesday, March 3rd, 2026
- **Applicants notified by:** Friday, March 13th, 2026

**jeffersonpmr\_residency** Follow ...

**jeffersonpmr\_residency** Edited • 17w  
Attention Medical Students  
Applying for Away Rotations! 🎉

Thinking about a visiting rotation in Rehabilitation Medicine at Jefferson? We're excited to offer the Jefferson Rehab Visiting Medical Student Stipend!

🌟 What's included:

- 👛 \$1,000 stipend to help offset visiting student costs
- 🌍 All students are welcome to apply, with increased priority for students from underrepresented backgrounds
- 📍 Priority given to students visiting from outside the immediate area

📅 Application Deadline: Tuesday, March 3rd, 2026

🌟 Important reminders:

- Must also apply to our program through VSI O

👍 35 🗨️ 1 📌

February 10

Add a comment...

#### 4. Otolaryngology Research Fellowship Scholarship

This scholarship is offered through the SKMC Otolaryngology Research Fellowship. The fellowship awards a scholarship each year to a research fellow who self-identifies as being from a group historically underrepresented in medicine. SKMC consistently relies on the Association of American Medical Colleges' definition of underrepresented in medicine, which is based on racial and ethnic populations that are underrepresented in the medical profession relative to their representation in the general population.<sup>10</sup>

---

<sup>10</sup> TJU expressly adopts the Association of American Medical Colleges' ("AAMC") definition of "underrepresented in medicine." See <https://www.jefferson.edu/academics/colleges-schools-institutes/skmc/departments/rehabilitation/programs/visiting-medical-student-diversity-scholarship.html> [<https://archive.is/jsKk4>] (accessed June 17, 2026). The AAMC defines individuals who are underrepresented in medicine as "those racial and ethnic populations that are underrepresented in the medical profession relative to their numbers in the general population." See <https://www.aamc.org/about-us/excellence-academic-medicine> [<https://archive.is/wip/KgGTY>].

Link: <https://www.jefferson.edu/academics/colleges-schools-institutes/skmc/departments/otolaryngology/research/research-fellowship.html>

Archived Link: <https://archive.is/wip/ILjUB>

Discriminatory Requirement: “Scholarship for Underrepresented Groups in Medicine: Each year the program awards a scholarship to **one research fellow who self-identifies as being from a group historically underrepresented in medicine.**”

## Scholarship for Underrepresented Groups in Medicine

Each year the program awards a scholarship to one research fellow who self-identifies as being from a group historically underrepresented in medicine.

### **5. Visiting Medical Student Scholarship for Inclusive Excellence**

The Visiting Medical Student Scholarship for Inclusive Excellence is offered through SKMC's Department of Emergency Medicine. Although the scholarship states that it is open to all qualified applicants, its application materials specifically identify certain racial and ethnic groups, LGBTQ applicants, and applicants from disadvantaged backgrounds as the intended beneficiaries of the program. The scholarship's emphasis on particular racial groups suggests that race may be considered in the selection process or at a minimum may deter other students from applying.

Link: <https://www.jefferson.edu/academics/colleges-schools-institutes/skmc/departments/emergency-medicine/education/visiting-student-inclusive-excellence-scholarship.html>

Archived Link: <https://archive.is/wip/FEigB>

Discriminatory Requirement: “Who Should Apply? Highly motivated rising 4th year medical students, including but not limited to those who identify as **African American, American Indian, Alaska Native, Hispanic/Latino, Pacific Islander**, LGBTQ or from a disadvantaged background.”

### Who Should Apply?

Highly motivated rising 4th year medical students, including but not limited to those who identify as African American, American Indian, Alaska Native, Hispanic/Latino, Pacific Islander, LGBTQ or from a disadvantaged background.

The Department of Emergency Medicine at Sidney Kimmel Medical College is pleased to offer three scholarships for EM-bound students, including those from groups underrepresented in medicine.

- The Visiting Medical Student Scholarship for Inclusive Excellence supports rising 4th year medical students from other medical colleges who wish to complete Emergency Medicine (EM) Sub-Internship within the Department of Emergency Medicine for the months of August, September, or October.
- We will offer three (3), \$1500 stipends during this academic cycle to help defray the cost of transportation, fees, and housing expenses.



### **The Challenged Programs Violate the Law**

The scholarships identified above violate Title VI by discriminating on the basis of race, skin color, or national origin.<sup>11</sup> Furthermore, because these programs and scholarships involve the education of health care professionals such discrimination also violates Section 1557 of the ACA.

Several of the challenged scholarships expressly identify preferred beneficiaries based on race. Others use ostensibly race-neutral language while identifying specific racial or ethnic groups as the intended recipients of scholarship benefits. Whether implemented through explicit racial classifications or through race-conscious selection criteria and promotion, these scholarships distribute educational benefits on the basis of race rather than race-neutral standards.

The scholarships that claim to be open to all but simultaneously identify eligibility to certain racial and ethnic groups signal to students not identified that they are not eligible. Courts evaluate potentially discriminatory messaging based on its effect on an “ordinary reader,” rather

---

<sup>11</sup> Unless a distinction favoring Native Americans is based on tribal membership, citizenship, or a similar affiliation in a federally recognized tribe, and the preference involves “uniquely Indian interests,” such as Native American lands or treaties, *Doe v. Kamehameha Schs./Bernice Pauahi Bishop Est.*, 470 F.3d 827, 880 (9th Cir. 2006) (en banc), allocating preferences to Native Americans “as a discrete racial group” is subject to the same legal scrutiny as any other racial classification, *Morton v. Mancari*, 417 U.S. 535, 554 (1974). These exceptions do not apply to this programming or scholarships.

than the speaker's stated intent. The relevant inquiry is whether the message would convey that individuals of a particular race or national origin are preferred or discouraged from participating. Here, TJU's and SKMC's racial and ethnic signaling is not subtle, but even subtle messaging can convey discriminatory preferences. See *Ragin v. New York Times Co.*, 923 F.2d 995, 999–1000 (2d Cir. 1991); *Jancik v. Dep't of Hous. & Urb. Dev.*, 44 F.3d 553, 556 (7th Cir. 1995); *Hous. Rts. Ctr. v. Donald Sterling Corp.*, 274 F. Supp. 2d 1129, 1138 (C.D. Cal.), *aff'd*, 84 F. App'x 801 (9th Cir. 2003). In other words, the perception of a reasonable observer controls whether a communication operates as discriminatory signaling, regardless of the speaker's subjective intent. *United States v. Hunter*, 459 F.2d 205, 215–16 (4th Cir. 1972).

As the Supreme Court cautioned in *Students for Fair Admissions v. Harvard*, universities may not accomplish through indirect means what they are forbidden from doing directly. The Court explained that institutions may not "simply establish through application essays or other means the regime we hold unlawful today." *Students for Fair Admissions*, 600 U.S. at 230. Accordingly, a scholarship program that is nominally open to all applicants but is structured to recruit, promote, and confer benefits based on race may still violate Title VI.

## **Title VI**

Title VI prohibits intentional discrimination on the basis of race, color, or national origin in any "program or activity" that receives federal financial assistance. See 42 U.S.C. § 2000d. The term "program or activity" encompasses "all of the operations ... of a college, university, or other postsecondary institution, or a public system of higher education." See 42 U.S.C. § 2000d-4a(2)(A). As noted in *Rowles v. Curators of the University of Missouri*, 983 F.3d 345, 355 (8th Cir. 2020), "Title VI prohibits discrimination on the basis of race in federally funded programs," and therefore applies to universities receiving federal financial assistance. Because TJU receives federal funds, including funding from Health and Human Services and the National Institutes of Health ("NIH") it is subject to Title VI.<sup>12</sup>

Regardless of TJU's reasons for offering, promoting, and administering the programs and scholarships' discriminatory eligibility requirements, it is violating Title VI by doing so. It does not matter if the recipient of federal funding discriminates in order to advance a benign "intention" or "motivation." *Bostock v. Clayton Cnty.*, 590 U.S. 644, 661 (2020) ("Intentionally burning down a neighbor's house is arson, even if the perpetrator's ultimate intention (or motivation) is only to improve the view."); accord *Automobile Workers v. Johnson Controls, Inc.*, 499 U.S. 187, 199 (1991) ("the absence of a malevolent motive does not convert a facially discriminatory policy into a neutral policy with a discriminatory effect" or "alter [its] intentionally discriminatory character"). "Nor does it matter if the recipient discriminates against an individual member of a protected class with the idea that doing so might favor the interests of that class as a whole or otherwise promote equality at the group level." *Students for Fair*

---

<sup>12</sup>See [https://www.usaspending.gov/award/ASST\\_NON\\_R01EY021784\\_075](https://www.usaspending.gov/award/ASST_NON_R01EY021784_075) (<https://archive.is/wip/Lg2IX>) (Last accessed June 15, 2026.)

*Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 289 (2023) (Gorsuch, J., concurring).

Title VI and the Equal Protection Clause of the 14<sup>th</sup> Amendment generally apply the same legal standards to claims of intentional race discrimination. The Supreme Court has repeatedly recognized that Title VI's prohibition on race discrimination by federally funded institutions is coextensive with the Equal Protection Clause's prohibition on racial classifications by government actors. As a result, courts typically analyze race-based programs under Title VI using the same strict-scrutiny framework that applies under Equal Protection, and a racial classification that would violate the Equal Protection Clause will generally also violate Title VI if implemented by a recipient of federal funding. See *Students for Fair Admissions v. Harvard*, 600 U.S. 181, 206 n.4 (2023) ("For the reasons provided in our Title VI discussion, the Court's analysis of Harvard's admissions program applies equally to UNC's admissions program.").

TJU's Visiting Medical Student Scholarship for Inclusive Excellence states that it is open to all qualified applicants but specifically identifies African American, American Indian, Alaska Native, Hispanic/Latino, Pacific Islander, LGBTQ, and disadvantaged students as the intended beneficiaries of the program. Likewise, the Visiting Medical Student Diversity Scholarship states that it is open to all qualified applicants, including those who are "underrepresented in medicine," while the program's official Instagram page states that applicants from underrepresented backgrounds receive "increased priority." The titles, promotional materials, and selection criteria of these scholarships indicate that they are designed to advance diversity by favoring certain demographic groups. Institutions cannot evade Title VI simply by replacing an explicit racial eligibility requirement with facially neutral language that serves the same purpose. As the Supreme Court explained in *Students for Fair Admissions*, universities may not "simply establish through application essays or other means the regime we hold unlawful today." 600 U.S. at 230.

### **ACA Section 1557**

Section 1557 of the Affordable Care Act ("ACA") prohibits discrimination on the basis of race, color, national origin, sex, age, and disability in certain health programs and activities. Section 1557 provides that, except as otherwise provided in Title I of the ACA, an individual shall not, on grounds prohibited by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, or Section 504 of the Rehabilitation Act of 1973, be excluded from participation in, denied the benefits of, or subjected to discrimination under any health program or activity receiving federal financial assistance. The regulation applies to health programs and activities administered by recipients of HHS funding, HHS-administered health programs and activities, and Title I entities that administer health programs or activities.<sup>13</sup>

---

<sup>13</sup> 89 Fed. Reg. 37692 (May 6, 2024). [1]

The challenged scholarships fall within the scope of Section 1557. Four of the five scholarships are administered through SKMC, TJU's medical school, and are designed to support the education, training, and professional development of future physicians and other health care professionals. Because these scholarships are part of a federally funded medical education program, they constitute educational benefits provided in connection with health programs and activities subject to HHS oversight.

The nondiscrimination requirements of Section 1557 apply broadly, covering “all of the operations of any entity principally engaged” in the provision, administration, or support of health programs and activities. TJU receives HHS funding for medical education, research, and related health initiatives. HHS OCR therefore has a particular interest in ensuring that educational opportunities offered through TJU's medical school and related health-professions programs are administered in a manner consistent with federal civil rights laws.

Moreover, TJU's SKMC is part of Jefferson Health, a multi-state regional health system. Jefferson Health describes this relationship as follows: “Jefferson is comprised of Thomas Jefferson University, Thomas Jefferson University Hospitals, and Jefferson University Physicians. Aligned under one Mission, Vision and set of Values, our commitment to patient care, research and education connects our employees through a common purpose.” As a component of Jefferson Health and a recipient of HHS funding, TJU is subject to Section 1557's prohibition on discrimination in covered health programs and activities.

Because Section 1557 incorporates Title VI's prohibition on race discrimination, the race-based eligibility requirements, preferences, and selection criteria described in this complaint violate Section 1557 for the same reasons they violate Title VI. By offering, promoting, and administering scholarships that allocate educational benefits on the basis of race, color, or national origin, TJU is engaging in conduct prohibited by Section 1557 of the Affordable Care Act.

### **HHS OCR Has Jurisdiction**

TJU receives federal HHS funding. It is subject to Title VI and Section 1557, and HHS OCR therefore has jurisdiction over this complaint.<sup>14</sup>

### **Request For Investigation And Enforcement**

In *Richmond v. J. A. Croson Co.*, Justice Scalia aptly noted that “discrimination on the basis of race is illegal, immoral, unconstitutional, inherently wrong and destructive of a democratic society.” 488 U.S. 469, 505 (1989) (citation omitted). This is true regardless of which race suffers – discrimination against white applicants is just as unlawful as discrimination against black or other non-white applicants. As Justice Thomas correctly noted in *Students for Fair*

---

<sup>14</sup> See [https://www.usaspending.gov/award/ASST\\_NON\\_R01EY021784\\_075](https://www.usaspending.gov/award/ASST_NON_R01EY021784_075) (<https://archive.is/wip/Lg2IX>) (Last accessed June 15, 2026.)

*Admissions*, race-based admissions preferences “fly in the face of our colorblind Constitution and our Nation’s equality ideal” and “are plainly – and boldly – unconstitutional.” 600 U.S. at 287 (Thomas, J., concurring).

HHS OCR has the power and obligation to investigate TJU’s role in creating, funding, promoting, and administering these programs and scholarships and to impose whatever remedial relief is necessary to hold them accountable for that unlawful conduct. This includes, if necessary, imposing fines, initiating administrative proceedings to suspend or terminate federal financial assistance and referring the case to the Department of Justice for judicial proceedings to enforce the rights of the United States under federal law. After all, “[t]he way to stop discrimination ... is to stop discriminating[.]” *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 748 (2007).

Accordingly, we respectfully ask that the Department of Health and Human Services promptly open a formal investigation, impose such remedial relief as the law permits for the benefit of those who have been illegally excluded from these programs and scholarships based on discriminatory criteria, and ensure that all ongoing and future programming and scholarships at TJU comport with federal civil rights laws.

Respectfully submitted,

*/William A. Jacobson/*  
William A. Jacobson, Esq.  
*President*  
Legal Insurrection Foundation  
[Contact@legalinsurrection.com](mailto:Contact@legalinsurrection.com)

*/Maureen S. Riordan/*  
Chief Counsel  
Legal Insurrection Foundation  
[m.riordan@legalinsurrection.com](mailto:m.riordan@legalinsurrection.com)

*/Robert J. Fox/*  
Robert J. Fox  
*Attorney*  
Legal Insurrection Foundation  
[Robert.Fox@legalinsurrection.com](mailto:Robert.Fox@legalinsurrection.com)