



March 26, 2026

U.S. Department of Energy
Office of Inspector General
ATTN: IG Hotline 1000
Independence Avenue, SW
Mail Stop 5D-031 Washington, DC 20585

Re: Investigation of Potential Violations of Federal Law and Guidance at Sandia National Laboratories

Dear Office of the Inspector General:

America First Policy Institute (“AFPI”) respectfully submits this notice of our investigation into potential violations of federal law and guidance regarding non-discrimination policies and practices at Sandia National Laboratories (“Sandia”), a recipient of substantial federal funds from the Department of Energy. Based upon our investigation, Sandia appears to have employed policies and practices that may violate Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and related federal nondiscrimination requirements.

AFPI is a 501(c)(3) organization dedicated to advancing policies and litigation that put the American people first. AFPI’s guiding principles are liberty, free enterprise, national greatness, American military superiority, foreign policy in the American interest and the primacy of American workers, families and communities.

As a federal contractor and recipient of federal funds, Sandia is subject to the requirements of Title VI, Title VII, Title IX, the Equal Protection Clause, and the July 29, 2025 Attorney General Memorandum: Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination (“Guidance”). These authorities strictly prohibit the use of race, color, national origin, sex, or their proxies in any aspect of program design or selection criteria.

On Dec. 9th, 2025, AFPI sent a letter to Sandia raising several areas of concern and requesting clarification of Sandia’s efforts to bring their programs in line with federal nondiscrimination law. **Exhibit A.**

We received a short response dated Jan. 21st, 2026, wherein Sandia claimed that all identified programs and communications were executed in line with then-existing federal guidance, and that Sandia is now committed to full compliance with the current administration’s policies and orders. **Exhibit B.** Sandia provided no details concerning what action has been taken to bring their programs into compliance, and all the following information remains publicly posted on Sandia’s website.

Sandia’s potentially unlawful acts and practices include the following:

I. Sandia’s HMTech student program postings include language suggesting that improper, race-based criteria may be used to select program applicants.

Sandia operates an annual summer STEM program for middle and high school students, labelled HMTech. According to a blog post written by Sandia employee Kim Vallez Quintana on June 29th, 2023, (<https://www.sandia.gov/labnews/2023/06/29/stem-program-inspires-black-students-for-nearly-50-years/>), HMTech is a student program that is sponsored and operated by Sandia. The stated purpose of the program in this blog post is “exposing Black students to science and engineering to help increase the number who pursued collegiate and professional careers in STEM.” Quintana also states that HMTech “continues to bring together Sandians and Black students.”

Sandia spokesperson and employee Breanna Gallegos-Robinson also advertised the HMTech program on LinkedIn, claiming the following:

“HMTech targets Black middle and high school students, but students of all backgrounds are welcome to attend!” (https://www.linkedin.com/posts/bgallegosrobinson_save-the-date-sandia-national-laboratories-activity-7176603776672231426-8d9E)

Statements of this nature, in the context of applicant recruitment, suggest that Sandia may be evaluating or prioritizing candidates based on race, ethnicity, national origin, sex, or related demographic characteristics. The Attorney General’s Guidance expressly warns against using such criteria when selecting participants for internships, programs, or employment. (AG Guidance § IV(A)(2)).

In its Jan 21st response, **Exhibit B**, Sandia asserts that during the timeframe these comments were made it was operating in accordance with the then-existing statutory and regulatory framework. However, Sandia declined to provide any information as to whether the HMTech program has been changed to eliminate racial preferences and whether Sandia *continues* to

unlawfully preference applicants on the basis of protected characteristics.

II. Sandia operates “Employee Resource Groups” that appear to provide a benefit to employees based on protected characteristics.

Sandia advertises on its public website that it operates employee resource groups (ERGs) which, among other listed benefits, offers participating employees “career development opportunities.” Concerningly, a number of these ERGs are specifically designed for members of particular demographic groups including those based on race, ethnicity or sexual orientation. Listed examples include: “Black Leadership Committee,” “Sandia Pride Alliance,” “Hispanic Leadership Committee,” and the “Asian Pacific Leadership Committee.” (<https://hr.sandia.gov/community/employee-resource-networking-groups/>)

While the existence of these ERGs may themselves constitute unlawful employee segregation, we note that in the accompanying descriptions for these groups, Sandia indicates that they are involved directly in the employee hiring process. For example, the Black Leadership Committee purportedly “participates in identifying and recruiting qualified employment candidates,” and the Sandia Pride Alliance “support(s) recruiting activities.” If true, the use of protected characteristics to make employment decisions is a clear violation of federal nondiscrimination law.

In its Jan 21st response, **Exhibit B**, Sandia asserted that it has not used protected characteristics to make employment decisions. However, Sandia failed to provide any context or explanation regarding the statements on its public website regarding ERG involvement in the recruitment process. As of the date of this notice, these statements remain posted on Sandia’s public website.

III. Sandia provides employee benefits to certain groups based on protected characteristics

A public blog post concerning Sandia’s 2025 employee benefits lists a partnership with the legal insurance provider ARAG. (<https://www.sandia.gov/labnews/2024/10/17/open-enrollment-for-2025-benefits/>). This benefit is putatively to offer “expanded coverage” to support “Diversity, Equity and Inclusion.” ARAG’s attached flyer discusses LGBTQ+ specific services, including “Gender Identifier Change,” and “Name Change” coverage.

The Attorney General’s Guidance specifically states that using race, sex, or other protected characteristics for resource allocation, or other similar activities, opportunities, or benefits, is unlawful. If Sandia is actively procuring and providing employee resources and benefits that are not universally available to employees on the basis of a “Diversity, Equity and Inclusion” initiative or group identifier, then it may be in violation of federal law. (AG Guidance § IV(C)(3).

In its January 21st response, **Exhibit B**, Sandia asserts that it has never established employment benefits limited to particular demographic groups. However, Sandia did not provide any explanation for the above information, all of which remains posted on Sandia’s public website.

Given the substantial amount of federal funding that Sandia receives, and Sandia's obligation to conform to federal nondiscrimination law and guidance, AFPI respectfully recommends that the Office of Inspector General investigate these concerns. We hope to be kept informed as to the status of the investigation.

Sincerely,

Leigh Ann O'Neill

Leigh Ann O'Neill
Chief Legal Affairs Officer

Isaac Loring

Isaac Loring
Associate, Litigation

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Enclosures:



December 8, 2025

Richard P. Lawson, Vice Chair, Litigation
America First Policy Institute
1455 Pennsylvania Ave N.W., Suite 225
Washington, DC 20004

VIA FIRST CLASS MAIL

Ms. Laura McGill, Laboratories Director
Sandia National Laboratories
1515 Eubank SE
Albuquerque, NM 87123

Re: Investigation of Potential Unlawful Discrimination in Sandia National Laboratories Student Programs, Hiring Practices and Employee Benefits

Dear Ms. McGill:

The America First Policy Institute (AFPI) is investigating whether Sandia National Laboratories (“Sandia”) may be violating federal nondiscrimination laws in administering discriminatory student programs, biased hiring processes, and provision of employee benefits. Our concerns arise from publicly available program descriptions, advertisements, and statements from Sandia’s website and spokespeople. Evidence suggesting that Sandia gives preferential treatment on the basis of a person’s race, color, national origin, sex, or related characteristics may indicate a direct violation of federal nondiscrimination laws.

AFPI is a 501(c)(3) organization dedicated to advancing policies and litigation that put the American people first. AFPI’s guiding principles are liberty, free enterprise, national greatness, American military superiority, foreign policy in the American interest and the primacy of American workers, families and communities.

As a federal government contractor and recipient of federal funds, Sandia is subject to the requirements of Title VI as well as Title VII, Title IX, the Equal Protection Clause, and the July 29, 2025 “Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination”

issued by Attorney General Pam Bondi. These authorities strictly prohibit the use of race, color, national origin, sex, or their proxies in any aspect of program design, hiring, or selection.

Based on AFPI's initial examination of Sandia's publicly available information, the specific practices below raise serious concerns of a violation:

I. The HMTech student program postings include language that suggests improper criteria may be used to select program applicants.

According to a blog post written by Sandia employee Kim Vallez Quintana on June 29th, 2023, (<https://www.sandia.gov/labnews/2023/06/29/stem-program-inspires-black-students-for-nearly-50-years/>)

HMTech is a student program that is sponsored and operated by Sandia. The stated purpose of the program in this blog post is “exposing Black students to science and engineering to help increase the number who pursued collegiate and professional careers in STEM.” Quintana also states that HMTech “continues to bring together Sandians and Black students.”

Sandia spokesperson and employee Breanna Gallegos-Robinson also advertised the HMTech program on LinkedIn, claiming the following:

“HMTech targets Black middle and high school students, but students of all backgrounds are welcome to attend!”

(https://www.linkedin.com/posts/bgallegosrobinson_save-the-date-sandia-national-laboratories-activity-7176603776672231426-8d9E)

Statements of this nature, in the context of applicant recruitment, suggest that Sandia may be evaluating or prioritizing candidates based on race, ethnicity, national origin, sex, or related demographic characteristics. The Attorney General's Guidance expressly warns against using such criteria when selecting participants for internships, programs, or employment. (AG Guidance § IV(A)(2))

II. Sandia operates “Employee Resource Groups” that provide a benefit to employees based on protected characteristics.

Sandia advertises on its public website that it operates employee resource groups (ERGs) at its facilities. Amongst other listed benefits, Sandia states that participation in an ERG presents “career development opportunities.” A number of these groups are specifically designed for members of particular demographic groups including those based on race, ethnicity or sexual orientation. Listed examples include:

- Black Leadership Committee
- Sandia Pride Alliance
- Hispanic Leadership Committee

- Asian Pacific Leadership Committee

The existence of these groups may themselves be an example of unlawful employee segregation. Of more concern, in the accompanying descriptions for these groups, Sandia indicates that these groups are involved directly in the employee hiring process. For example, the Black Leadership Committee purportedly “participates in identifying and recruiting qualified employment candidates,” and the Sandia Pride Alliance “support(s) recruiting activities.” The Attorney General’s Guidance expressly warns using facially neutral criteria as a proxy for discrimination in hiring. (AG Guidance § IV(B)(1))

III. Sandia provides employee benefits to certain groups based on protected characteristics.

A public blog post concerning Sandia’s 2025 employee benefits lists a partnership with the legal insurance provider ARAG. (<https://www.sandia.gov/labnews/2024/10/17/open-enrollment-for-2025-benefits/>) This benefit is putatively to offer “expanded coverage” to support “Diversity, Equity and Inclusion.” ARAG’s attached flyer discusses LGBTQ+ specific services, including “Gender Identifier Change,” and “Name Change” coverage.

The Attorney General’s Guidance specifically states that using race, sex, or other protected characteristics for resource allocation, or other similar activities, opportunities, or benefits, is unlawful. If Sandia is actively procuring and providing employee resources and benefits that are not universally available to employees on the basis of a “Diversity, Equity and Inclusion” initiative or group identifier, then it may be in violation of federal law. (AG Guidance § IV(C)(3))

To assist us in evaluating compliance, we request:

- (1) the eligibility criteria, selection procedures, and decision-making processes used for the Sandia HMTech Student Program, any guidance regarding the use of race or “representation gap” objectives, and aggregate demographic data for recent applicant and recipient cohorts in this program;
- (2) all documents and internal policies relating to the “Black Leadership Committee,” “Sandia Pride Alliance,” or other such demographic specific group’s involvement in Sandia’s hiring process, including candidate criteria, identification and evaluation;
- (3) any internal report compiled or presented on the need to develop or acquire employee benefits to support “Diversity Equite and Inclusion,” and any such DEI or substantively similar human resources policy currently in force,
- (4) any internal legal or compliance assessments conducted in response to federal nondiscrimination obligations or the July 29, 2025, Attorney General’s Guidance.

Thank you for your prompt attention to these serious compliance issues. Given Sandia’s obligations as a federal contractor and recipient of federal funds, it is imperative that all its

programs operate in full alignment with federal nondiscrimination requirements.

We look forward to receiving the information about Sandia's programs as requested above. We also welcome your response detailing the steps Sandia has taken to ensure that no program, partnership, or selection process confers unlawful preferential treatment based on protected characteristics or their proxies.

Please direct your responses to me. We look forward to your affirmative reply to this letter by December 31, 2025.

Sincerely,

Richard P. Lawson, Vice Chair, Litigation
America First Policy Institute

EXHIBIT B



Exceptional service in the national interest

Justin Poore

Senior Managing Counsel

Litigation, Labor, & Employment Law Center

January 21, 2026

Isaac Loring
America First Policy Institute
1455 Pennsylvania Ave NW
Suite 225
Washington, DC 20004

Dear Mr. Loring:

I am in receipt of your December 9, 2025 letter to Laura McGill. As a Management and Operating contractor and Federally Funded Research and Development Center, Sandia engages directly with our federal agency sponsor regarding compliance with statutory, regulatory, and contractual requirements. During the timeframe of the communications and programs identified in your letter, Sandia was operating in accordance with Executive Orders and Department of Energy requirements to—among other actions—maintain Affirmative Action recruiting programs and establish and follow a Diversity Plan. Sandia did so in full compliance with Title VII and other non-discrimination laws, and Sandia has not used protected characteristics to make employment decisions, nor has it established any groups or employment benefits limited to any particular demographic groups. Sandia is committed to full compliance with the Administration's policies and Executive Orders as those requirements are implemented through our Prime Contract with the Department of Energy.

Thank you for your interest in Sandia National Laboratories.

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin E. Poore'.

Justin Poore
Senior Managing Counsel

Sandia National Laboratories

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Operated for the United States Department
of Energy by National Technology and
Engineering Solutions of Sandia, LLC.