



June 26, 2025

The Honorable Harmeet Dhillon, Assistant Attorney General for Civil Rights
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

The Honorable Craig Trainor, Acting Assistant Secretary for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100

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

The Honorable Andrea Lucas, Acting Chair
U.S. Equal Employment Opportunity Commission
131 M Street, NE
Washington, DC 20507

Re: Civil Rights Complaint Against Cornell University

Dear Ms. Dhillon, Mr. Trainor, Ms. Stannard, and Ms. Lucas:

On behalf of several individuals who have brought this matter to our attention, the America First Policy Institute (AFPI) submits this formal civil rights complaint against Cornell University for engaging in a deeply embedded, systemic pattern of discriminatory diversity, equity, and inclusion (DEI) practices. What has been reported to us—and confirmed through internal documents, public policies, and archived webpages—reveals a university-wide culture that places an illegal identity-based ideology above equal opportunity and merit, leading to a coercive and hostile environment.

Cornell's current president, Michael Kotlikoff, has publicly claimed otherwise. In a February 21, 2025, statement, then-Interim President Kotlikoff declared:

Cornell is committed to merit-based decisions in all of its processes. Just as we do not exclude anyone at Cornell for reasons irrelevant to merit, neither do we admit or evaluate students, hire or promote





employees, award chairs or tenure, or make any other merit-driven decisions at Cornell based on race, ethnicity, or other attributes not relevant to merit.

That statement is demonstrably false. According to reports made to AFPI, internal hiring memos, and our independent analysis of Cornell's scholarship offerings and public-facing policies, the Office of the Provost, which Mr. Kotlikoff led at the time in question, oversaw a scheme that prioritized race and sex over qualifications in faculty hiring. Additionally, discriminatory awards of student scholarships continue to this day.

This pattern of discrimination has not ended. It persists under Mr. Kotlikoff's leadership.

This complaint is brought pursuant to Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, which prohibit discrimination based on race, color, national origin, and sex, respectively, in any education program or activity receiving federal financial assistance. We also raise concerns under Title VII of the Civil Rights Act and the False Claims Act. Cornell's conduct must be investigated to determine compliance with equal opportunity if employment law and whether the university has made false certifications of compliance with civil rights laws in order to secure federal funding.

Cornell's Hiring and Retention Practices Prioritize Identity Over Merit

Cornell's institutional policies openly promote identity-based hiring preferences. These practices are not accidental—they are officially sanctioned and operationalized throughout the university. For example:

- Cornell's [Toward New Destinations Rubric](#) provides evidence of Cornell's systematic endorsement of discriminatory hiring. The rubric evaluates departments based on their ability to “demonstrate measurable progress in compositional diversity” in hiring and retention efforts. It awards high marks for “explicit goals for diversity within hiring,” including efforts “to attract and retain a more diverse faculty and staff.” The rubric emphasizes “quantitative evidence of progress” in achieving these compositional goals, placing clear institutional pressure on departments to prioritize immutable traits like race and sex in their hiring decisions.
- Cornell's [Best Practices in Faculty Recruitment](#) urges search committees to use a “Faculty Pipeline Tool” to identify institutions with



“a high number of doctoral graduates, including underrepresented candidates” and to advertise in “diversity-focused” publications.

- That same page warns that “[w]omen, minorities, and candidates from institutions outside traditional peers can be held to higher standards,” suggesting that search committees should actively correct for this alleged bias by relaxing standards for certain applicants.
- Cornell’s “[Diversity Dashboard](#)” states that “social categories like race, income, and gender intersect to create overlapping and interdependent systems of advantage and disadvantage”—a declaration that explicitly justifies unequal treatment based on identity.
- Cornell’s [Best Practices in Faculty Mentoring page](#) reflects a race- and sex-essentialist worldview by assuming that identity categories like race and sex inherently determine professional experience, burden, and vulnerability within academic settings. For example, the page states that “[w]omen and underrepresented minority faculty face unique challenges...which may affect their success,” citing “social isolation” and “heavy advising burden of underrepresented students overall and women students in STEM” among the assumed disadvantages. This language and tone imply that women and minority faculty members are categorically disadvantaged in ways that require structurally different treatment, reinforcing group-based assumptions rather than individual merit or experience.

These policies reflect not just a tolerance for race- and sex-conscious practices but a deliberate, systematic effort to prioritize them—an effort made undeniable by internal communications.

Internal Records Reveal a Covert Discriminatory Hiring Scheme

Documents provided to AFPI detail a deliberate scheme within at least one Science, Technology, Engineering, and Math (STEM) academic department to exclude potential tenure-track faculty candidates based on race and sex. This process was devised and executed in close coordination with senior DEI officials and the Office of the Provost, then led by President Kotlikoff.

The evidence includes:

- A December 23, 2020, email message from a department chair confirming that the tenure track faculty position in question would be filled through a “diversity hire” process that excluded the great majority of qualified candidates because these persons lacked the targeted identity traits.



Candidates were prescreened and selected, then invited one at a time, in a secret process with no advertised position opening to avoid any sense of competition on the part of the prospective candidates. Only individuals with certain favored identity characteristics (race, ethnicity, and/or sex) were considered for employment. (See [Exhibit A](#))

- A report that a list of 20–30 preselected candidates, compiled purely based on identity screening, was used to guide the process. The scheme called for candidates to be approached sequentially until one accepted the offer. It is estimated that more than 98% of otherwise qualified applicants were excluded from employment consideration based on their disfavored identity characteristics, without these persons ever knowing an open Cornell faculty position existed.
- Reports of internal meetings in which faculty were discouraged from evaluating candidates on merit. When concerns were raised about the credentials of proposed hires, the Cornell faculty members who questioned the “diversity hire” process were dismissed as “racist,” and no further objections were tolerated.
- A December 13, 2022, email message discussing another assistant professor search within a STEM academic department states that the department first prescreened candidates solely based on their required diversity statements, eliminating one candidate immediately due to a “weak” DEI narrative. The same email message confirms that more experienced candidates were excluded for “reasons of equity,” regardless of more favorable qualifications. (See [Exhibit B](#))

These practices violate not only the law but also the most basic principles of academic integrity and fairness. They also directly contradict President Kotlikoff’s claims that merit governs Cornell’s hiring decisions.

Weill Cornell Medical School: Racial Quotas and Financial Incentives for Discrimination

At Weill Cornell Medical School, the discrimination is even more explicit. A now-unavailable page on Weill Cornell’s website described a “Faculty Diversity Hiring Incentive Program” that awarded direct financial bonuses based on the race and ethnicity of faculty hires. A [snapshot archived](#) on August 27, 2024, shows that: “[d]epartments are eligible for up to \$50,000 in subsidies for the hiring of faculty from groups that are underrepresented in medicine (URiM),” with additional funds for hiring two URiM candidates. The eligibility criteria are explicit: “[a]pplicants must be underrepresented minorities in medicine (URiM).” Additionally, the program was less concerned with merit and qualifications, as “[s]pecial





consideration [is] given to faculty who have a demonstrated interest in Diversity and Inclusion.”

This particular discriminatory DEI program began in 2021, and is part of a five-year, \$5 million *Mastercard Diversity-Mentorship Collaborative Program*. In a [press release](#) announcing the program, Dr. Augustine M.K. Choi, Dean of Weill Cornell Medicine, said “[a]t Weill Cornell Medicine, we have established diversity and mentorship as chief priorities and fundamental pillars of our institution’s mission, developing numerous, robust initiatives geared toward increasing representation and nurturing talent in medicine.” The associate dean for diversity and inclusion, Dr. Said Ibrahim, was explicit: “[a]dvancing diversity and inclusion is a top priority for this institution, and one of our leading objectives is to boost the number of URM faculty through recruitment, retention, advancement and mentoring.”

This incentive structure illegally ties funding to racial and ethnic identity. Though Cornell appears to have removed the content from its website, the archived version provides clear evidence of illegal identity-based preferences in hiring as part of a program running through 2026. These discriminatory incentives constitute a facial violation of Title VI.

Identity-Based Scholarships Reinforce the Discriminatory Pattern

Cornell’s preferential treatment is not limited to faculty hiring. It pervades student opportunities as well. The university maintains and promotes numerous scholarships based on race, sex, and ethnicity, including:

Scholarship Name	Population Served	Exclusive Language
LALSA – Carlos Caceres Law Scholarship	Latino heritage	“Preference is given to students of Latino family heritage”
Hagberg-Jackson Diversity Scholarship	Underrepresented minorities	“Self-identifies as a member of an underrepresented minority group”
Mellon Mays Fellowship	URMs	“Applications are particularly encouraged from African-Americans, Latinos and Latinas, Native Americans”



Scholarship Name	Population Served	Exclusive Language
McNair Scholars Program	First-gen/URM	“Member of an underrepresented group... (African American, Latino American, Native American)”
LSAMP Scholars	URMs in STEM	“Underrepresented groups... leadership potential to address underrepresentation”

These policies and programs are not neutral. It is possible that university donors directed their gifts to be used in this discriminatory manner, but that does not absolve Cornell of its duty to comply with civil rights laws. Indeed, these scholarships are simply another reflection of Cornell’s institutionalized belief that skin color, ethnicity, and sex are determinative factors in who gets opportunity—and who does not.

Identity-Based Policies Have Created a Hostile Environment in Violation of Title VI and Title IX

Cornell’s race-, sex-, and ethnicity-based practices have not only led to explicit acts of discrimination in hiring and scholarship decisions, they have also created a hostile environment that violates the civil rights of students, faculty, and staff who do not share the institutionally favored ideological views. Such environments are prohibited under Title VI of the Civil Rights Act and Title IX of the Education Amendments of 1972, both of which protect individuals from being subjected to discrimination or exclusionary conditions in federally funded education programs.

Title VI and Title IX do not require physical segregation or overt animus to trigger enforcement obligations. A hostile environment may arise where a pattern of conduct or policy—such as identity-based hiring, financial incentives, or official messaging—systematically marginalizes individuals based on race, sex, or national origin. At Cornell, the effect is chilling: those who are not members of protected identity groups are implicitly (and sometimes explicitly) treated as less worthy, less welcome, and less likely to succeed, regardless of merit. Meanwhile, members of the protected identity groups have their individuality flattened away, and are assigned character traits and vulnerabilities based on stereotypes.

AFPI has received reports from faculty members who have chosen to remain anonymous or speak only through trusted intermediaries due to a credible fear of professional retaliation. These individuals describe a university climate in which objecting to DEI orthodoxy—or even raising concerns about fairness and merit—is viewed as misconduct or evidence of bias. In one reported case, a





faculty member who questioned the lack of open competition in a hiring process was dismissed as “racist” in front of peers and was warned against raising the issue again. The university’s practices pressure faculty and staff to express performative support for DEI goals in diversity statements or risk being excluded from consideration for jobs or promotions.

The same chilling effect applies to students. Numerous scholarships, fellowships, and research opportunities are limited to those who identify with preferred racial, ethnic, or sex-based groups. This sends a clear message: some students are inherently more valued than others. Even those who are eligible for these programs are burdened by the implication that their success is attributed not to merit but to identity, undermining both personal achievement and institutional integrity.

The pervasiveness of these practices and the fear they engender violate the guarantees of nondiscrimination under Title VI and Title IX. A federally funded institution may not foster an environment where identity dictates access, opportunity, or the freedom to speak.

Federal Funding and Jurisdiction

Cornell received more than \$784 million in federal research funding in 2024. According to the [Tracking Accountability in Government Grants System](#), Weill Cornell Medical School currently receives more than \$400 million in active grant funding from the National Institutes of Health alone. Institutions receiving taxpayer dollars must not be allowed to flout federal civil rights law.

These practices also violate Executive Order 14173, “Ending Illegal Discrimination and Restoring Merit-Based Opportunity,” issued by President Trump, and the February 14, 2025, “Dear Colleague Letter” from Secretary Linda McMahon, which clarified that identity-based hiring and scholarships are unlawful in federally funded institutions.

Immediate Federal Action Is Needed

We urge your offices to investigate the systemic, institution-wide violations of federal civil rights laws at Cornell University and the extent to which these policies have created a discriminatory climate of fear, stigma, and ideological conformity. It is crucial that you take corrective action to restore equal opportunity and legal compliance at every level of the institution. Specifically, we urge your agencies to:

- Demand all internal communications and hiring documentation dating back to 2020;





- Interview relevant faculty and administrators under protection from retaliation;
- Audit current hiring, scholarship, and training policies for compliance with Title VI, Title IX, and other relevant statutes;
- Evaluate whether university officials knowingly misrepresented compliance with civil rights laws when applying for federal funding;
- Coordinate enforcement and funding reviews across your agencies.

The discrimination at Cornell is widespread, deliberate, and ongoing. We believe this is only the tip of the iceberg. It must be exposed and addressed without delay. We are available to answer any questions you may have.

Sincerely,

Jessica Hart Steinmann

Jessica Hart Steinmann
Executive General Counsel
America First Policy Institute

Leigh Ann O'Neill

Leigh Ann O'Neill
Chief of Staff, Center for Litigation; Senior Legal Strategy Attorney
America First Policy Institute



EXHIBIT A

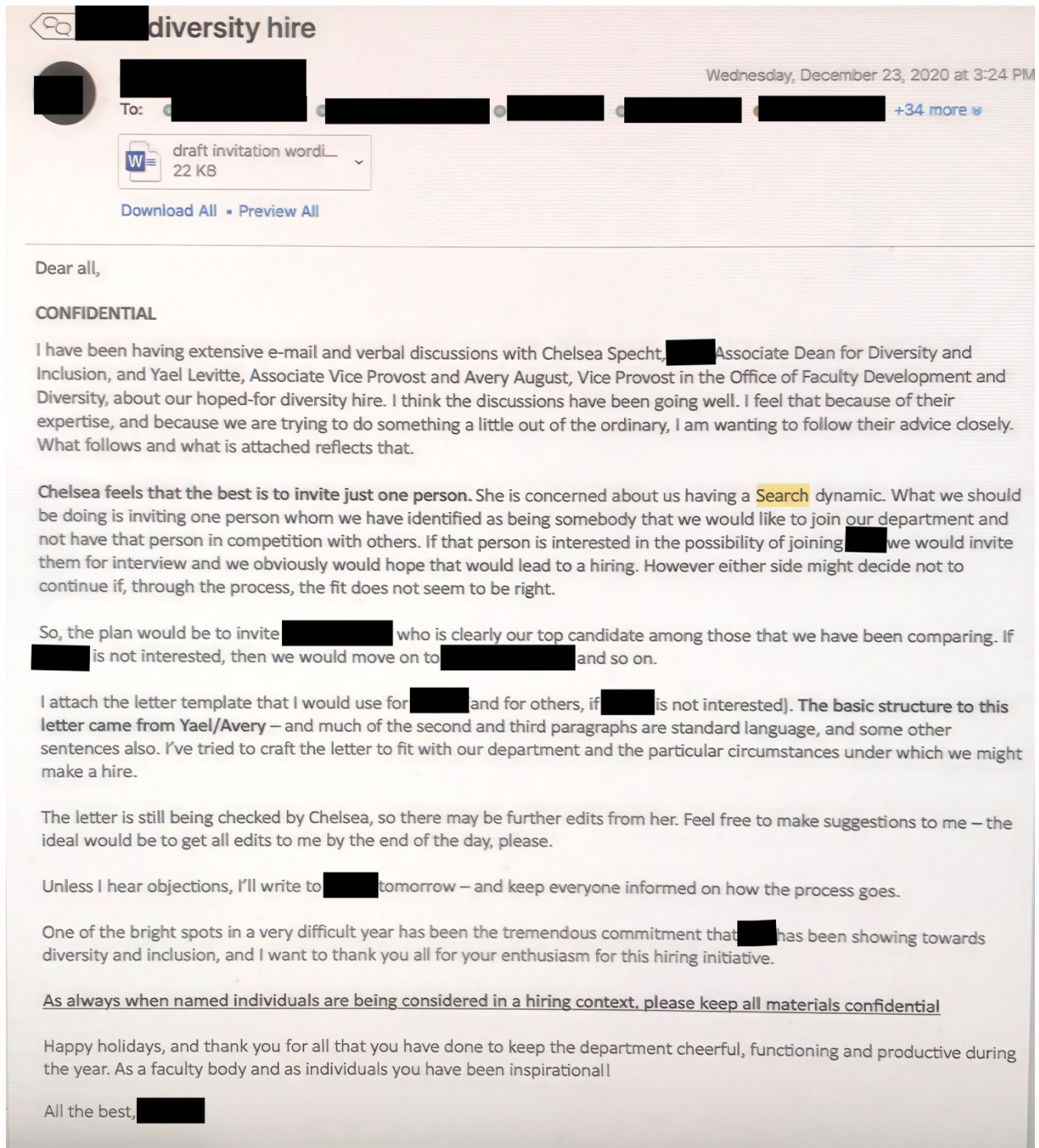


EXHIBIT B

search update, heading towards Dec 21 faculty meeting

Tuesday, December 13, 2022 at 9:12



Department of



Grad Advisory Reps...
23.2 KB



Search COI policy v5...
106.9 KB

[Download All](#) • [Preview All](#)

Dear faculty colleagues —

I'm writing with a fairly detailed update on our search for an Assistant Professor of and to seek your forthcoming input. Please note that some aspects of this update are confidential within the faculty group, so please don't forward this more broadly.

Apologies that this is long — but the details really do matter in searches... :)

My thanks to all of you who helped get the word out. Through our formal and informal outreach there was a lot of buzz about this position in circles. The application 'deadline' was November 30th and resulted in an applicant pool of 74 candidates, which seems like a robust number for a search that is constrained both by a tight topical area () and academic rank (Assistant Professor). At this stage the general sentiment from the entire committee is that we have a very strong applicant pool and that it is well aligned with the values of diversity and inclusion.

As pre-planned as a best practice, we first did a pre-screening of just the D&I statements submitted by the candidates; all were read by two committee members, and any that were flagged as highly suboptimal were also reviewed by a third committee member with high DEI expertise. I read them all myself and I was impressed and heartened by the values, perspectives, and experiences of the overall candidate pool. In the end, we dropped just one candidate from further consideration because their D&I statement was so seriously and unambiguously weak that we could not imagine them being a finalist. That same process led us to identify a few others who also had weak D&I statements, but in dossiers that turned out to be overall very weak and, entirely missing components. In the subsequent full search committee meeting there was unanimous support to exclude these as part of seven additional candidates who fundamentally did not meet the basic qualifications (for example, not being a at all...) or who submitted incomplete or very short applications (e.g., one paragraph for multiple components where the clearly stipulated target lengths were each two pages).

At the same time, this same group of pre-reviewers screened for individuals who are substantially beyond the Assistant Professor level in their current career roles, as we are required by A&S to hire at the pre-tenure Assistant Professor level and this is non-negotiable. We found five individuals in this category. How to handle this engendered lengthy discussion in the full committee and we did not reach consensus. In the end, the substantial majority of the full committee was in favor of not considering these substantially more advanced candidates, partly for reasons of equity, and this was the implemented outcome. But I think that there was also appreciation for the alternative position that it should be left to the candidate to decide whether they are comfortable with moving 'backwards' professionally into a pre-tenure position. This was the hardest issue we have had to wrangle thus far and I'm happy to say it never got acrimonious, as I think everyone could see it from both perspectives.

This leaves us with 61 candidates for ongoing full consideration. The rubric subcommittee of our search committee had already done an excellent job of creating deeply considered evaluation criteria across five categories: DEI, Research, Teaching, Mentoring, and Service. As of today, three randomly assigned committee members have reviewed each application dossier using this rubric. We compiled the associated scores and the full committee met this afternoon. At present all committee members are now looking closely at the files of the 19 applicants who were most strongly supported after this initial round of full review, using our rubric as a scoring tool. We have an important meeting on Friday at which we plan to create a proposed set of long-listed candidates who will be invited to interview via Zoom in January after full faculty review and discussion.

Action Question for the general faculty: to what degree do you want visibility and input on the long-listed candidates, and then on their Zoom interviews? As mentioned way back at the beginning, a guiding principle of this search is to try to be maximally inclusive of the full faculty. Yet we are needing to make rapid progress going into the holidays and we must finalize this invite list at our December 21st faculty meeting. This leads me to suggest as a practical step