



July 28, 2025

Vincent Price, President, Duke University
Office of the President
207 Allen Building
Box 90001
Durham, NC 27708-0001

Adam Silver, Chair, Duke University Board of Trustees
Board of Trustees
217 Allen Building
Durham, NC 27708

Mary Klotman, MD, Dean, Duke University School of Medicine
Duke University School of Medicine, Office of the Dean
DUMC 2927
40 Duke Medicine Circle
124 Davison Building
Durham, NC 27710

Re: Addressing Allegations of Racial Preferences at Duke Health in Violation of Federal Civil Rights Laws

Dear President Price, Chairman Silver, and Dean Klotman:

The United States invests in medical care and research because of the sacredness of human life and value of human health. The medical profession is a calling—one distinguished by the clarity of its purpose and the inestimable value of its mission. The people of the United States and their government stand behind that mission.

Racial preferences in hiring, student admissions, governance, patient care, and other operations betray that mission and endanger human lives. There is arguably no other area of our educational system where the rejection of merit is more dangerous than in medicine, where the competence of doctors means the difference between life and death for patients, and where scientific discovery is the difference between life-saving cures and the ravages of disease.

This vile racism carries a host of excuses and hides behind a smug superiority that such “benefitted” races cannot compete under merit-based consideration. Like all racism, “affirmative action” undermines America’s commitment to merit-based justice and violates the nation’s civil rights laws. In the medical context, this illegal preferencing also breaks faith with patients, hinders

medical discovery, and jeopardizes human life and health.

Allegations have been brought to the attention of the United States Department of Education and Department of Health and Human Services that Duke University School of Medicine and other components of Duke Health* are engaged in practices that, if true, would violate Titles VI of the Civil Rights Act and Section 1557 of the Affordable Care Act, and render Duke Health unfit for any further financial relationship with the federal government. These practices allegedly include illegal and wrongful racial preferences and discriminatory activity in recruitment, student admissions, scholarships and financial aid, mentoring and enrichment programs, hiring, promotion, and more.

Our Departments have historically recognized Duke's commitment to medical excellence and would prefer to partner with Duke to uncover and repair these problems, rather than terminate this relationship. That said, the concern is pressing and dire, for the sake of not only the law, but patient health.

The immediate request is simple: Review all policies and practices at Duke Health for the illegal use of race preferences, take immediate action to reform all of those that unlawfully take account of race or ethnicity to bestow benefits or advantages, and provide clear and verifiable assurances to the government that Duke's new policies will be implemented faithfully going forward—including by making all necessary organizational, leadership, and personnel changes to ensure the necessary reforms will be durable.

Given that Duke has taken alleged action that, if true, makes it unlikely that the school itself is capable of an honest and trustworthy review, to avoid invasive federal engagement we ask that you form a "Merit and Civil Rights Committee," with delegated authority from Duke University's Board of Trustees to act with the Board's full authority, for a period of six months from the time of formation. The Committee must be made up of those members of Duke's leadership and medical faculty most distinguished in and devoted to genuine excellence in the field of medicine, and the members chosen must satisfy the federal government as to their competence and good faith. This committee would be responsible for completing the tasks identified above.

We hope this arrangement will enable the parties to move quickly toward a mutually agreeable resolution of outstanding concerns and complaints.

If the alleged offending policies, practices, and programs are found to exist and remain unrectified after six-months, or if at any time the Merit and Civil Rights Committee and federal government reach an impasse, the federal government will commence enforcement proceedings as appropriate.

* We use "Duke Health" as an umbrella term referring to all medical entities at or connected to Duke University, as per the statement on Duke's website: "Duke Health conceptually integrates the Duke University School of Medicine, Duke-NUS Medical School, Duke University School of Nursing, Duke University Health System, our physician practice, Duke Health Integrated Practice, and incorporates the health and health research programs within the Duke Global Health Institute as well as those in schools and centers across Duke University, including the Duke Robert J. Margolis Institute for Health Policy." See <https://corporate.dukehealth.org/who-we-are>.

Civil rights investigations based on complaints currently filed with the Departments will not pause, nor will a voluntary agreement reached on this matter necessarily impact investigations relating to other components of the university or future investigations based on separate or further allegations. It is our hope that Duke Medical School and other components of Duke Health will either demonstrate that they merit the privilege of receiving taxpayer support or will enact reforms that make further enforcement efforts unnecessary.

Racism is a scourge when practiced by individuals, but it is especially corrosive when enshrined in the nation's most eminent and respected institutions. As oversight bodies tasked with enforcing federal civil rights law and incentivizing excellence at our universities, the Departments of Education and Health and Human Services will not fail to speedily address violations of law and justice. Accordingly, we request that you immediately acknowledge receipt of this letter and, within ten business days of receipt, that you decide whether you will form the Merit and Civil Rights Committee.

Thank you in advance for what we hope will be a shared effort toward shared goals.

Sincerely,



Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services



Linda E. McMahon
Secretary
U.S. Department of Education