

Congress of the United States

Washington, DC 20515

May 26, 2023

The Honorable Dr. Miguel A. Cardona
Secretary
U.S. Department of Education
400 Maryland Ave. SW
Washington, D.C. 20202

The Honorable Catherine E. Lhamon
Assistant Secretary for Civil Rights
Department of Education, Office for Civil Rights
400 Maryland Ave. SW
Washington, D.C. 20202

Dear Secretary Cardona and Assistant Secretary Lhamon,

We write to express serious concerns with the recent report that the University of Minnesota's Office of Undergraduate Studies opened a paid undergraduate internship program application to only non-white applicants.¹ As a taxpayer-funded university, this is nothing short of unacceptable.

According to the UMN's Office of Undergraduate Studies' website, prior to their recent update, the Multicultural Summer Research Opportunities Program (MSROP) was described as, "an intensive 10-week summer program in which undergraduate students of color work full-time with a faculty mentor on a research project." The top listed eligibility requirement for this program – which was also listed on the UMN's MSROP website – is to "Identify as a Student of Color or Native American."² While we are pleased that the University has since updated its website, there is still cause for concern if this is a common UMN practice that expands across departments.

The U.S. Department of Education Office for Civil Rights (OCR) itself clearly states that "OCR enforces several Federal civil rights laws that prohibit discrimination in programs or activities that receive Federal funds from the Department of Education. These laws prohibit discrimination on the basis of race, color, and national origin, sex, disability, and on the basis of age. These laws extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries, and museums that receive U.S. Department of Education funds."³ Furthermore, Title VI of the Civil Rights Act of 1964 expressly prohibits discrimination based on race, color, or national origins in programs or activities receiving federal financial assistance and all federal agencies that provide grants of assistance are required to enforce Title VI.⁴

¹Rhumpf-Witten, S. (2023, May 21). *University of Minnesota faces backlash over summer research program restricted to non-white applicants*. Fox News. <https://www.foxnews.com/us/university-minnesota-faces-backlash-over-summer-research-program-restricted-non-white-applicants>.

²University of Minnesota. (2023). *Multicultural Summer Research Opportunities Program*. <https://ugresearch.umn.edu/opportunities/msrop>.

³U.S. Department of Education. (2023). *Race and Original Discrimination: Overview of the Law*. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/know.html>.

⁴Civil Rights Act of 1964. (7/2/1964). *Enrolled Acts and Resolutions of Congress, 1789 – 2011*. General Records of the United States Government, Record Group 11. National Archives Building, Washington, DC. <https://www.archives.gov/milestone-documents/civil-rights-act>.

The University's decision to offer this program only to Students of Color and Native Americans was in clear violation of this law and others that were put in place to protect *all* students from this form of discrimination. Discrimination under the guise of Diversity, Equity, and Inclusion is still discrimination, and it is reprehensible that the University of Minnesota has fostered this type of learning environment.

As Secretary of the U.S. Department of Education, proper oversight of this program falls under your jurisdiction. It is our understanding that a case has already been opened into this matter and it is critical that you fully and fairly exercise your authority, investigate these unlawful practices by the University of Minnesota, and take proper action to ensure that this does not continue.

Thank you for your consideration and we appreciate your attention to this urgent matter.

Sincerely,



Brad Finstad
Member of Congress



Tom Emmer
Member of Congress



Michelle Fischbach
Member of Congress



Pete Stauber
Member of Congress



Burgess Owens
Member of Congress