

American Alliance for Equal Rights  
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June 1, 2026

*Via Electronic Mail*

The Honorable Harmeet Dhillon  
Assistant Attorney General  
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Civil Rights Division  
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United States Department of Education  
Office for Civil Rights  
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**Re: Complaint Under Title VI Against Chi Am Circle –  
Race Discrimination in Scholarship Program**

To whom it may concern:

The American Alliance for Equal Rights (AAER) submits this complaint and requests an investigation into potential violations of federal anti-discrimination laws by Chi Am Circle, a private nonprofit offering educational scholarships on the basis of race. Title VI of the Civil Rights Act of 1964 prohibits racial discrimination by “any program or activity receiving Federal financial assistance.”<sup>1</sup> Because Chi Am Circle is a 501(c)(3), tax-exempt organization, it receives “federal financial assistance” in the form of “a tax deduction for charitable contributions.”<sup>2</sup> So Chi Am Circle’s scholarship programs are subject to Title VI and cannot engage in blatant race discrimination by excluding all students except those of Asian descent. Indeed, “racial discrimination is invidious in all contexts,”<sup>3</sup> including educational scholarships.

In addition, President Trump’s January 21, 2025, Executive Order, “Ending Illegal Discrimination and Restoring Merit-Based Opportunity,” directs the end of such race-based discrimination by private organizations. The Executive Order instructs the Attorney General of the United States and all federal agency heads to “tak[e] . . . appropriate measures to encourage the private sector to end illegal discrimination and preferences.”<sup>4</sup> AAER believes that Chi Am Circle’s open use of race preferences to distribute money warrants action by your Office and the Attorney General under the Executive Order.

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<sup>1</sup> 42 U.S.C. § 2000d.

<sup>2</sup> *McGlotten v. Connally*, 338 F. Supp. 448, 462 (D.D.C. 1972) (three-judge panel).

<sup>3</sup> *Students for Fair Admission v. Harvard*, 600 U.S. 181, 214 (2023) (cleaned up).

<sup>4</sup> *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, Exec. Order 14173 § 1 (Jan 21, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/ending-illegal-discrimination-and-restoring-merit-based-opportunity/>.

Discriminatory programs like Chi Am Circle’s “violate the text and spirit of our longstanding federal civil-rights laws.”<sup>5</sup> More fundamentally, such programs “also undermine our national unity, as they deny, discredit, and undermine the traditional American values of hard work, excellence, and individual achievement,” promoting instead a “pernicious identity-based spoils system.”<sup>6</sup> AAER therefore requests that your Office open an investigation into these concerns and remedy any illegal race discrimination.

## **I. Chi Am Circle’s Asians-Only Scholarship Programs**

Chi Am Circle is a 501(c)(3), nonprofit corporation with its headquarters and principal place of business in Campbell, California.<sup>7</sup> For more than 40 years, Chi Am Circle has awarded college scholarships to graduating high school seniors in Santa Clara County—on the condition that they must “[b]e of Asian descent as defined by the California Department of Education.”<sup>8</sup> That definition provides that “Asian” means “person[s] having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.”<sup>9</sup> Students of any other race (white, black, Hispanic, indigenous Americans) are not eligible to apply.<sup>10</sup>

In addition, Chi Am Circle offers an Outreach Scholarship, open only to “Asian American students in Santa Clara County with Autism Spectrum Disorder.”<sup>11</sup> This scholarship, too, requires a racial identity of “Asian” as defined by the California Department of Education—all other students are excluded based on their race.<sup>12</sup>

Promoting a supportive community for Asian Americans was the specific and express purpose behind Chi Am Circle’s formation.<sup>13</sup> Chi Am Circle describes its Asians-only scholarship programs as its “signature commitment to the community.”<sup>14</sup> And the organization boasts that donations are “invested in the future by providing scholarships to college-bound seniors of Asian heritage.”<sup>15</sup>

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<sup>5</sup> *Id.* at § 1.

<sup>6</sup> *Id.*

<sup>7</sup> Articles of Incorporation, File No. 557557, on file with California Secretary of State at <https://bizfileonline.sos.ca.gov/search/business> (accessed May 22, 2026).

<sup>8</sup> *Scholarship Program Info*, Chi Am Circle, <https://chiamcircle.org/scholarship-program-info>; <https://perma.cc/U3NY-CHQT> (archived May 17, 2026).

<sup>9</sup> *Description of Racial and Ethnic Categories*, California Department of Education, <https://www.cde.ca.gov/ls/nu/sn/raciaethniccat.asp> (last visited May 17, 2026).

<sup>10</sup> *Supra* note 8.

<sup>11</sup> *2026 Scholarship Programs*, Chi Am Circle, <https://chiamcircle.org/2026-scholarship-programs>; <https://perma.cc/4F35-6G7H> (archived May 17, 2026).

<sup>12</sup> *Supra* note 8.

<sup>13</sup> *Chi Am Circle*, <https://chiamcircle.org/> (“Our History”) (last visited May 25, 2026).

<sup>14</sup> *Donation*, Chi Am Circle, <https://chiamcircle.org/donation> (last visited May 19, 2026).

<sup>15</sup> *Id.*

The annual Chi Am Circle scholarship programs have furthered the organization’s race-based mission, and with substantial generosity. Recipients of the High School Scholarship are awarded between \$1,000 and \$5,000 to use toward their college expenses.<sup>16</sup> Last year alone, “Chi Am Circle awarded over \$121,000 to 41 local high school graduates.”<sup>17</sup> All of that philanthropy, by design, is limited to students of Asian racial identity. Photos from the 2025 Award Ceremony for scholarship recipients reflect that Chi Am Circle’s goal of race-based preferences has been fully accomplished.<sup>18</sup>



## II. Title VI’s Bar on Race-Based Programs

Under Title VI, “[n]o person in the United States shall, on the ground of race . . . be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”<sup>19</sup> Chi Am Circle’s scholarship programs violate this provision. By virtue of Chi Am Circle’s status as a 501(c)(3), nonprofit corporation, it “receiv[es] Federal financial assistance” through its federal tax exemption, which “operates” as “a Government matching grant.”<sup>20</sup> Thus its “program” that “subject[s] to discrimination” “on the ground of race” all non-Asian students who would otherwise be eligible violates Title VI.<sup>21</sup>

## III. President Trump’s Executive Order Targeting Race Discrimination by Private Organizations

Because Chi Am Circle’s Asians-only scholarships conflict with the protections of Title VI, they also implicate President Trump’s January 21, 2025, Executive Order directing federal agencies and the Attorney General to take action “to end illegal

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<sup>16</sup> *Supra* note 8.

<sup>17</sup> *Supra* note 11.

<sup>18</sup> *Supra* note 8 (featuring photos from the 2025 Chi Am Circle Award Ceremony).

<sup>19</sup> 42 U.S.C. § 2000d.

<sup>20</sup> *McGlotten*, 338 F. Supp. at 462.

<sup>21</sup> 42 U.S.C. § 2000d.

discrimination and preferences,” including in the private sector.<sup>22</sup> The Executive Order tasks federal agency heads and the Attorney General with developing strategies to ensure that private organizations “end illegal DEI discrimination and preferences and comply with all Federal civil-rights laws.”<sup>23</sup> It further orders executive branch officials to identify “strategies to encourage the private sector to end illegal DEI discrimination and preferences and comply with all Federal civil-rights laws.”<sup>24</sup> These broad directives fairly encompass racial discrimination relating to higher education and by private entities such as Chi Am Circle.

#### **IV. The Attorney General’s Memorandum Regarding Unlawful Discrimination**

Following President Trump’s Executive Order on the subject, the Attorney General of the United States issued a memorandum to all federal agencies offering guidance regarding unlawful discrimination by entities receiving federal financial assistance.<sup>25</sup> The memo advised that organizations and institutions—including private ones—“that receive federal financial assistance or that are otherwise subject to federal antidiscrimination laws . . . should review this guidance carefully to ensure all programs comply with their legal obligations.”<sup>26</sup> More pointedly, it underscored that racial discrimination is “dangerous, demeaning, and immoral,” and contrary to “[o]ne of our Nation’s bedrock principles . . . that all Americans must be treated equally.”<sup>27</sup>

In the memo, Attorney General Bondi called specific attention to Title VI of the Civil Rights Act of 1964 and its prohibition on race-based discrimination “in any program or activity receiving federal financial assistance.”<sup>28</sup> As noted, federal courts have acknowledged that tax-exempt status of nonprofit corporations can be reasonably viewed as financial assistance from the federal government.<sup>29</sup> Thus Chi Am Circle’s scholarship programs, which benefit from this form of federal financial assistance, should heed the memo’s guidance, regardless of the programs’ “purportedly benign labels, objectives, or intentions.”<sup>30</sup>

#### **V. Conclusion**

No racial discrimination is benign. It necessarily “demeans the dignity and the worth” of every American “to be judged” by race “instead of by his or her own merit and essential qualities.”<sup>31</sup> Numerous sources of federal law reinforce this principle, through guarantees on equal treatment based on race, and prohibitions on acts to the contrary.

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<sup>22</sup> *See supra* note 4, at § 4.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> Memorandum from the Attorney General for All Federal Agencies (July 29, 2025), <https://www.justice.gov/ag/media/1409486/dl>.

<sup>26</sup> *Id.* at 1.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.* at 3.

<sup>29</sup> *See McGlotten*, 338 F. Supp. at 462.

<sup>30</sup> *Supra* note 25, at 1.

<sup>31</sup> *SFFA*, 600 U.S. at 220 (cleaned up).

Because Chi Am Circle's Asians-only scholarship programs vitiate racial equality through blatant race discrimination, American Alliance for Equal Rights respectfully requests an investigation into these potential legal violations.

Respectfully submitted,

*Edward J. Blum*

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Edward J. Blum

President

American Alliance for Equal Rights