



**Minutes of the Academic Council Meeting
Thursday, February 20, 2025**

Trina Jones (Chair, Academic Council / Law School): Welcome everyone and thank you for being here today albeit virtually. While we truly wish we could have all been together in person, ECAC and I made the decision late yesterday to shift our meeting to a virtual format given the forecast and our concerns about road and travel conditions. I want to thank Tracy Futhy, Steve Toback, Debbie Suggs and the entire Duke IT team, as well as our internal Academic Council team, Sandra Walton and Jennifer Xiao for making this meeting possible. We worked really hard over the last 24 hours. We're also grateful to our guest of honor, Dr. Holden Thorp, for his flexibility in adapting to whatever format we landed on. Holden, let me welcome you to the Academic Council, and to share how pleased and honored we are to have you join us.

Holden Thorp (Editor-in-Chief of the Science family of journals): Great, happy to do it! When you invited me, I was really excited. I'm sorry I'm not there in person. I was ready to jump in the car this morning and drive down there if you were going to meet in person for sure.

Jones: That would have been wonderful. But thank you for your flexibility. You have an invitation to come back anytime!

Thorp: Sounds great.

Jones: For those of you who may not know Dr. Thorp, who has invited me to call him Holden, is currently Editor-in-Chief of the Science family of journals, a professor of chemistry at George Washington University and a former Chancellor of UNC-Chapel Hill. He also served as Provost at Washington University from 2013 to 2019. Before we get to our conversation with Holden, I want to share a couple of informational items, and then we need to perform our usual task of approving the previous month's meeting minutes.

I'm pleased to share that **Mark Anthony Neal**, James B. Duke Distinguished Professor of African and African American Studies, with secondary appointments in the Department of English and the Program in Gender, Sexuality and Feminist Studies, has been elected as the next Chair of the Academic Council. Mark will begin his term on July 1st of this year and will serve through June 30th, 2027. Our congratulations to Mark and our thanks to Merlise Clyde from Statistical Science and also a committed ECAC member for standing for election as well.

As you're likely aware, the annual election of Academic Council members is taking place. Please encourage your colleagues who appear as nominees for your school or division to serve if they are elected. Finally, President Price regrets that he cannot be in

attendance today due to a long-standing travel commitment for Duke. Given that we're meeting virtually, we will assume that the minutes from our January 16th meeting are approved as they've been posted on our website since Monday. If anyone has any corrections, please send those to acouncil@duke.edu, and we will revise the minutes before posting them to their permanent location on our website.

Before we begin our conversation with Dr. Holden, let me explain how the format for Q&A will be handled. As the conversation unfolds, if you have any questions, please type them in the Q&A box on your screen. When the conversation between Holden and myself concludes, my ECAC colleague, Cam Harvey, has agreed to be the technical interface for selecting the questioner. He will notify you that you are next in the queue. Once he notifies you, you will need to unmute yourself when Cam calls upon you. Then re-mute yourself when Holden responds to your question. With that, let's get started.

Holden, across the country, faculty members are concerned about the continuation of governmental funding for research through entities like National Institutes of Health (NIH), National Science Foundation (NSF) and the National Education Association (NEA). Indeed, the NIH recently announced that it would limit indirect costs on grants to 15%. Although that's being litigated, these sorts of cuts have huge ramifications for researchers, the people they serve and university finances. What actions would you recommend that universities, faculty members and other interested stakeholders take to ensure the continuity of the academic enterprise?

Thorp: That's a big question and I'll be happy to answer it. But first of all, let me

just say thanks for including me today and also so many of my friends are on this participation list, including my Priest and old songwriting partner. So, Timothy, if you want to pray for me while I'm answering these questions, I'll certainly accept that. It's wonderful to be with you all. Just to get the whole Duke-Carolina thing out of the way, when I left North Carolina, I realized hating another university that's doing great stuff is a really dumb thing to do. I was thinking of writing an op-ed called Duke Doesn't Actually Suck, but I already have a lot of Tar Heel fans who don't like me, so I figured I'd probably not try to rack up anymore. But you all have such an extraordinary program, such a strong faculty, and of course, one of my peeps, Valerie Ashby, was your Dean. She's doing a great job at University of Maryland, Baltimore County now.

I've been all over the media talking about this for the last ten days or so. Some of you who listen to WUNC Radio, may have heard me talking to Leoneda Inge about all this. There's no question that it is a moment of concern that is the largest of my career in higher education for sure, and one of the largest ever.

I was born in 1964, so there was a lot of stuff going on in 1968 and around then that I don't remember all that well. That was a pretty big time also. But this is a time to be worried about -- what we have all dedicated our lives to and our ability to keep doing it. We'll get into some of the other topics around academic freedom and other things later. But as far as the funding situation is concerned, I do think there's a massive financial challenge here. It's probably of the scale of COVID or 2008, if Duke ends up having to accept a cut in their indirect costs, recovery down to 15%. Jenny Lodge, who also used to work with me, is on the meeting and knows the number precisely, but my

guess is that it's about 125 or 150 million dollars that you all would have to cut. Those are real dollars paying real people. Those are real folks who would become unemployed and not be able to do the important functions that are required.

The first thing, though, is to make sure the faculty understand what this means, because I can remember being a young, angry associate professor, which is a part of my personality that I try to stay in touch with when I'm making administrative decisions, and I was always grouchy that the university was taking all this indirect cost money out of my grant. But those are paying for real things.

The way I usually explain this is that in 1945, after World War II, when the United States decided it needed a federal research effort, because science was so important in World War II, and they could tell that what eventually became the Cold War was going to happen. It was going to be related to technology, and the decision was made. Thankfully, instead of setting up a Federal research enterprise that would be directed by people in the government, it would be done by professors at universities. Because a guy who probably gets more credit than he deserves, but he has a distinctive name, and people in Washington like to say it, named Vannevar Bush convinced Congress that professors doing curiosity driven research would produce more technological advancement than if the government directed it. That's proved to be correct, and lots of other countries have copied this. But the universities didn't actually want to do that, because it was going to be expensive to build all these labs and take care of all this equipment. The agreement eventually became that the universities and the Federal Government would roughly share the cost of that. It makes it easy to talk about if you

imagine your overhead rate is 50%. Yours is probably 65%, 70% or something like that. But if it was 50%, which is what it is for most public universities, if you spend a dollar on lab supplies, salaries and things we think of as the direct costs, then it costs basically another dollar, maybe a little more to provide the lab buildings, the waste disposal and all the compliance stuff that has to be done in order to do the research. The Federal Government puts in 50 cents, and the university puts in another 50. Now it works out a little differently from that, but that's an easy way to think about it. If you don't have that second dollar, you don't have any labs to work in, you don't have anybody to account for your grants, you don't have any of those people. Duke is already putting in a ton of money to support the research effort. If you take 35 cents out of that 50, that's a very big number. Those are all things that you have to do in order to do the research. You can't get rid of radioactive waste disposal, or not pay the power bill for the laboratory, or not pay the people who make sure that you comply with the regulations that you have to follow in order to do all that stuff. So, the university, if they lost all that money, would either have to figure out how to cover it from other sources which could end up hurting other programs at Duke. For those of you in the Humanities who want to understand why this is bad for the Humanities, Chris Newfield is a guy who's written a lot about this. He has a book called "*The Great Mistake*," which is all about basically how Science paying the cost of Science, took money away from the Humanities. I agree with him about his analysis for sure. He's a very sharp guy, and he'd be a good guy to come talk to your group if you wanted somebody else. So, other programs will get hurt, or you'd take more risk that you'd run afoul of some regulation. All those regulations are set up so that the NIH can blame the university

whenever anything goes wrong rather than take the blame themselves. These are all bad choices. And the worst choice would be to stop doing research, certain kinds of research, or to ration who gets to put a grant in and who doesn't. That would be very hard to contemplate. So, those cuts are real. Now, there's other stuff going on. There were funding freezes that were supposedly reversed. But now the NIH is kind of on hold again, because the Federal Register process was shut down for all of Health and Human Services (HHS), so they can't have meetings of the study sections. Different people who are sources into our News Department or other reporters that have been calling me don't know for sure whether that was a deliberate scheme to stop the money, or whether somebody else in HHS wanted to shut it down for a different reason that just happened to affect NIH. I don't think we know the answer to that yet.

But in terms of making the case for why these cuts shouldn't happen, there's so little sympathy for universities right now, that I wouldn't lead with this is really bad for our university. That's not going to be a winning political argument. I think the winning political arguments are that cities like Raleigh, Durham, Chapel Hill that have large academic medical centers and States that voted for Trump are going to have lots of unemployment. That's Pittsburgh. That's Saint Louis. That's Nashville. That's Birmingham. So, massive economic problems. The second is the research that won't get done that affects people. Easiest one is probably rare diseases. If we're going to do all this chronic disease stuff that Robert F. Kennedy Jr. (RFK) wants us to do, that may crowd out a lot of really important things that have been done in rare diseases at academic medical centers where people drive from all over to come to Duke to get treatment for their child, who has Wilson's

disease, Pompe disease, Limb-girdle, or whatever it is. That's a story people can get their arms around. Clinical trials that are funded by the NIH, these are things that are impactful. So, if I was in Federal Affairs at your university, those are the things I'd be talking about. I wouldn't be talking about how professors might have to teach more or other things that don't do very well politically, even though those are real and important to us.

Jones: Very impressive. I appreciate the depth of that. Thank you for insights into the history between the collaboration between the government and academic institutions, your comments on the effects on researchers, as well as the people who are served up by the research. It's really important to keep that in mind and also for your observations about making the case for not making the cuts. So, let's keep our fingers crossed that case is made and it prevails.

I'm going to switch now to academic freedom, another really complicated topic. In 2023, the US Supreme Court decided Students for Fair Admissions (SFFA) versus UNC/Harvard, a case which has restricted the use of race in college admissions. Since then, public universities across the country have been subject to legislative attempts, some of which have been successful, to limit instruction on systemic racism, sexism and other "divisive concepts." And the new Presidential Administration has assigned executive orders seeking to abolish DEI trainings and programs in public entities. How should universities handle the following threat? Suppose the Federal Government threatens to cut off all Federal funding for research if a university does not expunge courses in a certain area, for example, Critical Race Theory, which I teach, or delete all references to DEI on a

website, or threatens to terminate staff working in this area, how should a university respond to that threat?

Thorp: This is where I'm glad I'm retired as an administrator. I went to the Dean's Council meeting at GW to present on a very mundane matter. After I left, the next item on the agenda was what they were going to do about the Dear Colleague letter that came out on Friday about all this. I said, I will make my remarks as quickly as I can, and I will be out of here before you have to discuss this, and I just want to thank you for what you're going to do.

Listen, I can promise you that the administrators who are on this call, or who couldn't come today, or who are in the Allen Building, they are meeting around the clock, pulling their hair out, trying to figure out what they're going to do. As I've been saying, the angry associate professor me, and lots of faculty have plenty of complaints about their administrators. But this is probably a time to cut them some slack, because they have so many bad choices in front of them. They're the people we have, so certainly in my role as a faculty member at GW, I'm doing everything I can to support Ellen Granberg and her administration as they try to work through this. I'll complain to her about the other things that they do some other time. But this is a moment for unity if there ever has been one. What do I think you should do? There aren't a whole lot of good choices, but I don't think it's realistic to expect institutions that have been around for hundreds of years that have tens of thousands of employees to just go full on resistance. They're not going to do that. We're not doing that at the American Association for the Advancement of Science (AAAS). We're a 180-year-old organization. I work for the journals where I'm protected by the First Amendment, and I can say stuff,

but the AAAS has to pick and choose what they're going to chime in on and what they're not going to chime in on. Those of you who were around when I was the Chancellor at UNC, who are reading about me in these things we used to have called newspapers, you know I wasn't very good at lobbying the GOP legislature in North Carolina, so I'm not the right person to give anybody advice about how to do that given my track record. I think that they are going to have to pick the things that they want to fight, to take stands on and to try to preserve. It's going to be very difficult and challenging. The ones who have said anything and the ones I'm talking to, they still firmly believe in the values that the university has always had in terms of knowledge and justice. I'm confident they'll fight as hard as they can to preserve that by whatever method works the best. But will it require rethinking things that we're doing, or changing words and grants, or content and courses (that would be a tough one for me)? But all of these things may come up, and we're all going to have to figure out how we're going to keep going with the things that are important to us, with the new constraints that we've been given.

Jones: Holden, you mentioned that this is a time for unity, and you were talking internally at Duke. Should universities be thinking about coalitions or partnerships across institutions to collectively protect academic freedom from political attack? If so, do you think coalitions or partnerships among universities and colleges would be useful? What would an effective coalition look like, and what leverage might a coalition of universities have?

Thorp: That's a sharp question. The reason it's such a sharp question is that part of what the administrators don't want is for their university to be singled out, just like in the spring, when your former Provost and then

the University of Pennsylvania, Harvard, and Columbia were all selected to go through everything that they went through. A coalition is a good idea, because that'll lower the risk that any one university gets singled out. But some of the associations, for example, the Association of American Universities (AAU) has a challenge, because they have red State publics, elite privates, privates, and blue States. They have challenges acting together. They did file a lawsuit in the indirect cost matter that was successful. The Association of American Medical Colleges (AAMC) did also. I think the AAMC might have a little more latitude, just because academic medicine has a little more political cachet than higher education generally. Another sharp person that I talked to a lot who could talk to you about that would be Heather Pierce who is the General Counsel at the AAMC. But on more academic freedom matters, it's probably going to require universities that have a similar set of challenges to be the ones that are in a coalition. So, putting Duke in the same coalition with the University of Alabama, is probably not a good coalition. But somebody could figure out the right way to do that, I'm sure.

Jones: That takes me to my next question which is focused on the distinction between publics and privates, because many of the governmental restrictions, at least over the last several years, particularly in the area of academic freedom, have been largely focused on public universities. But we've seen how governmental action, for example, with these NIH cuts can affect private entities as well, who are not only the recipients of funding from NIH, but also the recipients of Title VI Funds. So, might you speak to some of the risk for private schools, and to what extent are private universities benefit from some protections? How might

private universities play a leadership role in this moment?

Thorp: I went from a public university where I went through all the things that I went through, as some of you observed, most all of which really were a product of the fact that I was at a public university, because our meetings were all public and had politically appointed trustees, governors and legislators that I had to worry about, to a private university. At that time, 12 years ago, it was a big, positive change. I remember going to my first trustees meeting and asking where the TV cameras were, and lots of things like that. It was a huge relief to be an administrator at WashU compared to UNC-Chapel Hill which is one of the most public possible universities.

A lot of that stuff is still there. But I think the thing that's getting revealed here is that if you look at the revenue that comes to Duke, I'm guessing that's similar to WashU. So, the biggest chunk probably starts out in Medicare and Medicaid that pays the academic medical center, that pays the practice plan, that pays the cash balances in the Department of Medicine, that generates the interest that pays for a lot of the academic affairs side. The NIH and the Federal grants are the next biggest. And then tuition and income from your endowment are smaller than that. People asked me how I got paid, I'd say I mostly get paid by Medicare, because WashU has a gigantic School of Medicine. I assume you have the same kind of budget model we do, where the schools pay the Center to run the administration. So, the biggest chunk came to the School of Medicine, and the biggest chunk of their revenue came from clinical income. Every major private university in the United States gets a lot of money from the Federal Government, more than from anywhere else. Whether there's reach

through based on that to the content and what have you is probably going to end up getting litigated by the courts, I would assume. You're the law professor, so you can probably speculate on how that would work better than I can. But my guess would be that the latitude that the Federal Government has to limit you based on the money that you get from them, is probably unclear in the law to some extent, or at least worth litigating. So, I guess that's how we'll see what's going to happen. But I still think private universities have more latitude. I certainly tried, when I was at WashU to use that to advocate for higher education generally. Compared to people in public universities who are dealing with so many more complications, that's probably a good insight.

Jones: I'm going to switch gears slightly. The new Trump Administration has issued some executive orders and other statements that basically say that immigration authorities are now free to enter and conduct arrest in areas that were formerly protected spaces, including healthcare facilities, places of worship, and schools. How might universities balance their respective duties to the law and to their communities of students, faculty and staff?

Thorp: In 2016, I was the Provost at WashU. (It's been a couple of weeks since I wrote about this, so I haven't seen the other schools that made statements). At that time Brown had made a similar statement, which was that they would comply with the law, but only after they exhausted their opportunities to make sure that they were compelled to assist the immigration authorities. That is for a private university the best you can do. You're not going to defy court order or some other legally compelling instrument. That served well in 2016. Whether it will work this time is

unknown. But I don't know. It is frightening. First of all, for students who are international or concerned about their immigration status, the first thing is to tend to them. This is frightening. I would focus on that. Make sure they know that you're going to do everything you can to support them. And then just say we'll protect them to the extent we're legally allowed to do so.

Jones: When you were responding to the question about funding cuts by NIH, you were giving some thoughts about the best way in which to advocate against these cuts, or to lobby against the cuts. You said you did not think that the best way would be to talk about faculty having to teach additional classes. In November of last year, this Academic Council had an open conversation about higher education. During that discussion, several Council members expressed concern that faith in higher education is rapidly disappearing, and the public perception of higher education is probably not what we'd like it to be. Do you believe that this is the case? If so, what factors are contributing to declining perceptions of higher education? What can we do about it?

Thorp: Yes, I agree that faith is declining. This is always tricky when you talk about this amongst ourselves, because if you talk about things that higher education could have done better, then people say, you're drawing a moral equivalence between that and the way we've been attacked. So, let me just say, 90% of it is the attacks that we have withstood and perhaps some naivete about that. I teach a class at GW about attacks on science that begins with Naomi Oreskes and Eric Conway's book, classic book, "*Merchants of Doubt*," that starts in 1980. I think a lot of things started going sideways for higher education in 1980. It was also the year the US News started publishing their

God-awful, godforsaken, statistically flawed list that has done nothing but make universities run counter to their values, not to put a finer point on it than that, I guess. It was also really around the time that we shifted from this kind of public good model to what people might call the neoliberal model where we had to get money from our grants and get money from gifts, do deals, sell our parking contracts, securitize everything we had, and do all these things to scramble to get more money. So, if you look at the trajectory from there, that's where a lot of this started. The playbook for the attacks is 50 years old. We're just seeing it at a much higher level of intensity now. But if you go back to tobacco, acid rain, ozone, and the early days of climate change, the tactics that we're seeing now are identical, and a lot of the players are even the same.

If you think about the things that we could have done better for the moral equivalence crowd, I'm saying this is a small portion of it, but recognizing it is an important part of how you figure out how to climb out of this. There are a couple things. One is believing that everybody would think all these crazy ways we have of doing things are just as important to them as they are to us. The committees we have, the ways we approve classes, the way we account for indirect costs, tenure, and all these things we have are all important to us. But if you're just out there going about your business, trying to take care of your kids and go to your job, you don't know all that stuff. So, we've kind of taken it on faith that everybody trusted us that those were the right ways to do things. And now there's a spotlight on it, we're having a hard time explaining it. It's hard to explain what indirect costs are, that it's not a slush fund. It's hard to explain that you've got billions of dollars in your endowment, and you can't just take that money and use it to pay for something else. These are all

awkward things that are hard to explain. The fact that we haven't done more ahead of time to get people to understand it, is something that we're paying the price for. Then the third category is sort of self-inflicted wounds. When we say on our website that we value everybody, and we create a diverse community where you can achieve your dreams and all that stuff, and then we don't live up to that, either because we are dishonest or corrupt on things we do when we've got integrity splashed all over our website, or when we do things that hurt marginalized groups or people with less power in the university when we say we're for justice, and all this stuff. Those are not good either. So, my stick about all of this is that, not everybody agrees with me about this, for example, when it comes to research integrity which I have spent a lot of time on, when you make a mistake, you need to tell everybody. If there's something wrong with your paper, it doesn't matter whether it was misconduct or not, just correct or retract the thing, because when people find it without you doing it then that's yet another self-inflicted wound. Now some people say, who don't like it that I do this, say, well, that's bad for science, because you're making us look bad and making mistakes is just part of the way we do things. My answer to that is we're at war, and we can't afford to have people discover on their own when you've got an Internet full of people digging, that we made mistakes that we weren't honest about. So, that's my assessment of how we got here. Yes, I think most of it is because of the attacks that we've taken. But there are things that we can do better that have contributed to the problem. Finally, the last thing is that most people believe that the purpose of the university is undergraduate teaching, and we don't act like that's the most important thing that we do. We don't retain people. We don't invest. We don't build buildings around that. To us, it makes

sense because we do scholarship and teaching, and we create this environment where we're doing all that together, that's awesome for undergraduates. But if you ask somebody who's not in higher education, what's Duke supposed to do? They're going to say people go to college there and they learn from professors. I don't blame the professors for this. They're acting perfectly rationally, trying to get out of teaching, so they have more time to do their research or trying to get out of patient care, so they have more time for their research. I get all that. But the public can't process that at all. They think patient care and undergraduate teaching are way more important than anything else, and we haven't dealt with that at all.

Jones: Thank you, Holden. Might we talk for a moment about institutional neutrality? Some people have argued that colleges and universities should refrain from taking positions on social and political issues. Chicago's 1967 Kalven Report is often cited in support of institutional neutrality. The question is, is institutional neutrality possible? What is neutral? Is silence neutral? Is AI neutral? Are statements about climate justice neutral? Your thoughts?

Thorp: I've been an outspoken critic of institutional neutrality. There's nothing universities do that's actually neutral. We decide who gets tenure. We decide who to hire. We decide what grade to give somebody. We decide what content should be in the class. None of those decisions are neutral. So, I think what it really is, was something that I do support, which is that sometimes the university should stay out of things because they have higher priorities. If the priority is academic freedom and protecting the professors, students and people on the campus and living up to its values, then making a statement about

something that doesn't intersect with all that is probably a good thing to avoid. But instead of saying we have this neutrality shield, or whatever you want to call it, just have the courage to say, yes, thanks, we're not going to say anything about that, if you want to criticize us for it, go ahead. But we're staying out of this one because we got other things we got to do. And you're going to make some enemies when you do that in the short term. But in the long term I think it'll come across as being much more honest than saying that we've invented this neutrality deal that I don't know how you keep consistent. I think you ought to cut your administrators some slack about what they're saying and not saying right now. And I know not everybody on this call agrees with me about that. But, if a college President says thanks, I'm not going to make a comment on that, they get to do that. But to come up with some doctrine that explains it is almost impossible. I'm a very literal person, so there may be people who are more nuanced thinkers than I am, who can adapt to that.

Jones: Even within the Kalven Report, there is a focus or an exception when it comes to mission critical ideas. I think the way in which you articulated that was that universities should stay out of things unless it involves some of their priorities. I'm curious about your thoughts in terms of how a university determines its priorities and the role of various constituent groups in determining what those priorities ought to be.

Thorp: One of the things about what happened in the spring, is that the university is always trying to be friends with everybody. When I was the Provost at WashU, which has a big Jewish population, just like Duke does, I'm a Gentile, but I've been to more Shabbat dinners and Seders, as

I was saying this to somebody who was Jewish, and said, yes, maybe even more than a lot of Jews have. Of course we built Jewish studies programs. If you're a Jewish student in a university, it's logical to conclude the university is on your side. If you're a pro-Palestinian person, we've been building multicultural centers and starting up Native American Studies. These things have always been overtly pro-Palestine. We didn't have the courage to tell anybody that (this includes me; I did those things when I was an administrator). We constantly got out of answering questions about how this goes together in our mind, and this all got called into the spotlight in the spring. In my opinion, both the pro-Palestinian students and the Jewish students had every right to think the university was going to be on their side, because that's what we've been saying. Like I said, we have these brochures and these websites that say we're for everybody and this is a place where you can flourish and find your identity. That's not always possible. So, another thing we've got to get through is that these institutions have to say, look, we can't always be for everyone. But it goes back to what I was saying about the transition to the neoliberal model in the 80s where we had to be for anything that would generate revenue. So, once we did that it got a lot harder to take moral stands, because we're just constantly searching for friends who can give us more money and more revenue. I think, whatever you want to call it, the late-stage capitalism or neoliberalism has made it hard to adhere to the value statement in our brochures. I don't know the solution to that, but that's the box we're in.

Jones: We spent some time talking about funding issues. I want to come at it a different way. Across the country, we've seen a huge increase in the size of administrative personnel at universities, and at the same time a contraction in the number

of tenure-track faculty positions. How might this growing administrative apparatus affect faculty governance? If you perceive a decline in faculty governance, what are some specific things that both university administrators and faculty can do to enhance shared governance?

Thorp: That's a big question. But on the growth of the administrative areas, those are responding to regulations that usually come from the outside. Either they're things that came from the Federal Government that the universities have to comply with, or they're things that have continued to be professionalized in the university, or they are things that the faculty actually want. It always would crack me up when somebody would come to my office and say, we really need a Vice Chancellor for such and such. A lot of times, it's their thing that they're interested in. And I'd say, that's interesting, in the last faculty governance meeting you were complaining about the size of the administration, now you're asking me for more administrators. But that's not the largest source of it. I think the biggest source of it is the professionalization of Student Affairs and lots of other services that the universities do. It again comes back to not being able to say no to anyone and wanting more friends. When the students say we need a center for this, or the alumni say we need a center for that, the university often ends up responding to that. So, it gets to this question of what are the actual core functions and values of the university? And are we going to somehow contract down to those. That's a hard thing to do. Almost no place has ever succeeded at it. As far as the role of the faculty in governance, listen, I'm somebody who every time I left an administrative job, the trustee said, well, Holden did pretty good, but he would have done better if he hadn't been so close to the faculty. I want that engraved on my

tombstone. But a lot of administrators who maybe lasted longer or did more than I did, were people who were closer to their boards or spent more time lobbying the legislature. A lot of people would say that about me and certainly when I was a Chancellor, that was a fair critique. Now that's why being a Provost was a better job for me, because I still have my professor's core deep inside me. But those are hard choices, because if you spend your time working faculty governance to make sure you're getting people on board, then you're not spending your time raising money or doing all the other things that the administrators have to do. So, it worked well for me when I was in St. Louis, because Mark Wrighton and I had a great understanding about this. We agreed about most things, but he focused on the board and the donors, and I focused on the campus. Sometimes we would pretend like we disagreed about things, so that he could say to the trustees, oh, yeah, that crazy liberal Thorp, but the faculty love him, so let's go along with him, I'm going to let him do this one, even though I knew it was usually something he wanted to do also. That worked really well. But it's very hard to achieve that. It was a golden six years of my life when we got to work that way. I have the same relationship with the CEO of the AAAS. He's in charge of lobbying Congress and representing everybody. And I'm the firebrand who runs the journal. When people complain to him about me, he says, yes, Holden's kind of crazy, but it's the First Amendment, journalism and all that stuff. When people complain to him that he's not saying anything, he goes well, yeah, but Holden said something, and he's about this, and he's got a bigger platform than I do. So, I think if the administration can get this handoff, which is rare, then that's really the only solution I've ever seen to this particular problem.

Jones: Thank you so much, Holden. One final uncomplicated area before I turn it over to Cam and the robust queue of questions that we have. Can we talk about collegiate athletics, where the rules have changed significantly in recent years, especially in revenue generating sports? There's Name, Image, and Likeness (NIL), Collectives, Transfer Portals, skyrocketing coaches' salaries. And the perennial question of whether athletes are students or employees? Athletics can build community bonds and contribute positively to university cultures. But how can, or should, we protect the integrity of the academic enterprise when so much money and attention are devoted to sports?

Thorp: My life was completely altered by this question, as those of you who have been around the Triangle for a while know. What I always tell people is, look, when I went on a hero's journey to find the soul of intercollegiate athletics, it wasn't there. When Luke Skywalker went to the Dagobah system, Yoda was not waiting for him. I know, because I did it myself, which is nothing against the people who work in intercollegiate athletics. The ones in Carolina that I know well, I got along great with them. They even had a party for me when I left, to thank me for all the things that I had done for them, which I'm sure a lot of the fans would be furious if they found out about that. There are a lot of wonderful people working really hard. My view about this, which is informed by my experience, is that it's just not a hill to die on. I know it bugs a lot of people, the money and the injustice. It's a more just system now, if you ask me, with NIL and the Transfer Portal than it was, as far as the athletes are concerned. The money that gets spent can be infuriating to people inside the university, and it's another awkward thing that universities have to explain. Why can you

pay Coach K nine million dollars a year while you could have three English Departments for that? And the answer is, because if we stopped doing it, we'd have so many other problems that it would consume the university. Your university was consumed by a problem with athletics also. So, the consumption of a university by an athletics problem, as those of you who lived through yours or watched mine know, is a major dislocation, effort and everything. If you go to Duke, you know Duke's going to spend a lot of money on basketball. They just are. If you don't want to do that, I went to Division III. Hey, it was awesome. When I went in the basketball arena, I started crying, because it was like walking into a high school gym. I said, we're going to play in here? I couldn't believe it. It's like I went to heaven. But if you're at North Carolina or Duke, you signed up at an institution that's going to go big in athletics, and I don't think there's a thing you can do about it.

Jones: Okay. Before I turn the floor to Cam, what have we failed to address that we should be talking about?

Thorp: We could go on for a long time, but you got some great questions lined up from people I know, so I want to answer them.

Jones: All right. Thank you so much, Holden. Cam, you're on.

Cam Harvey (Fuqua / member of ECAC): Thank you very much for taking the time to join the Zoom. We have a long list of questions, and I apologize in advance to those that asked questions – we might not get to all of them. We will start with Terry Oas, please unmute.

Thorp: The best paper I ever did was with Terry. I got a lot of citations too. I get more compliments on that paper than almost

anyone I've ever done one with. Good to see you, my friend.

Terry Oas (Biochemistry / member of ECAC): Good to see you, Holden. My question is, campus protests have a long history of impacting national policy, do you think peaceful, non-disruptive campus protests have a role in response to this Administration's destructive policies?

Thorp: Yes. It's what makes academia great and what makes science great, because a lot of people who are lobbying Congress get frustrated that we have scientists speaking out whether it's me, Michael Mann or Peter Hotez, loudmouths like us. That's part of what makes academic life or science great, so we have all this diversity of voices. Of course, the students should express themselves. There's going to be marches for science and stuff. There was a big march eight years ago. I don't think this one will be as big. I'm not sure that it does that much good in the long run, but it's really psychically important for people to express themselves. It's the administration's job to make sure that can happen. When I got to WashU, it wasn't nearly as politically active as UNC, so I was getting kind of bored that there were no protesters. I went to the student body President and asked, what's up with this? He said, well, you know this is not that kind of place, we've got a lot of business majors. But finally, they came with tents about fossil fuels. I went running downstairs. I said, where have you all been? You're finally here. I've always been a roll up your sleeves, go out and talk to the protesters guy. It's one of the things I miss about not being in higher education. That's a big responsibility and an opportunity.

Harvey: Thank you. The second question is from Nancy MacLean.

Nancy MacLean (History / Sanford School of Public Policy): Hello! Thank you so much for being with us. I so appreciate all that you've said, but particularly that last question that we're trying to raise students to be Democratic actors, and we need to give them some trust and respect in that. But my question was one of a pained feeling of solidarity with UNC, when you were going through all the attacks from the State legislature that you were on institutional autonomy on so many questions, and I wondered whether, if you would be candid with us about whether you wish that Duke and perhaps other private universities (we're the second largest employer in the State) had stood up more for the UNC system when these attacks started at the State level? And I'm asking that not just because of hindsight, but rather because it seems like what was happening in these Republican-controlled States were pilots for what the new Administration in Washington is now doing to higher education across the board at the national level. So, I wanted to ask if you think that there are particular responsibilities that more privileged institutions have, and particularly private institutions like ours, when our State public school allies are facing such serious challenge to their aspects of their core missions?

Thorp: That's a sharp question. There's this thing that's always happened in higher education, where if it's not your school's turn in the spotlight, you just keep your head down. There was a smart guy in AAU that I used to love talking to, named John Vaughn. They used to say, yeah, it's like a Law School class where you haven't done the reading, and you're staring down at your paper hoping you don't get called on. I can remember at one point saying, should we all have a collective conversation about athletics? Nobody wanted to, because they felt great sympathy for those of us who had

our turn in the spotlight. But they didn't want the spotlight turned on them. Well, the spotlight's on everybody now. You're absolutely right about that. I said this inside a Higher Education piece last week (seems like so much longer ago). Eventually, the university Presidents are all going to start realizing that this is a singularity. They're going to start saying more. I understand why they're trying to wait it out, hoping somebody else will be the tip of the spear. But this goes around, I don't see how this even really affects public universities that much more than it affects private. So, you could rehash the past as to whether the private university should have stood up more. I don't know. When the University of Missouri went through everything, we didn't exactly go marching over there, which you all may not even remember that it was a localized thing. This is the moment that we've all probably seen coming and we need to stop telling ourselves that you can wait it out. We're in for qualitative change.

Harvey: The third question is from Paul Jaskot.

Paul Jaskot (Art, Art History & Visual Studies): Thanks a lot. I appreciate you being here with us. Just to state the obvious, universities like ours have a bad reputation, because we have huge endowments. Who has sympathy after all for an institution with "12 billion" in the bank? So, several questions related to that point. One, why has the messaging been so bad around endowments? Two, why are wealthy donors, many Trump supporters, not saying anything about their universities, and about the way they have also hemmed in their own endowed funds? And three, can universities use this moment to move off of an endowment funding model, which is after all only decades and not centuries old? I know the easy answer for these questions is dream

on, Paul. But do you see any movement in any of these areas dealing with endowments?

Thorp: The reason that isn't been explained better is the same reason, I believe I was saying earlier, we've all tried to avoid our time in the spotlight. There are public universities that have big endowments. UNC's was two billion when I was the Chancellor. But once it's a billion, you get the same question. So, I was always trying to explain why we couldn't take the principal and do stuff with it. I've been saying to the media lately that's like making a Ponzi scheme. You're using the principal to pay out the payout. Of course, that's essentially illegal. There's a little wiggle room called Uniform Management of Institutional Funds Act (UMIFA). They changed the rules a little bit in 2008, so you could invade the principal a tiny amount. The second question was, why haven't people who've put a lot of money in these endowments, spoken out about the tax going up on what they agreed to? Probably because they believe that the institutions already are pretty well resourced and that the Federal Government's entitled to tax that more. I don't know. The political scientists on this call can explain it better than I can. Can we get away from that? It's going to be very hard to take that apart. There's so much in student aid and professorships at Duke that's being paid by that right now. I don't even know how you would dismantle it. We certainly couldn't have done that at WashU, I can tell you that. It's a similar number there. But like I said, that's all a change from the pre-1980 when we used to have a much simpler funding model, a much simpler way of running these places and doing our work.

Harvey: Question number four is from our Dean of the Graduate School, Suzanne Barbour.

Suzanne Barbour (Dean of the Graduate School): I'm really concerned about the next generation of academic researchers. There are a lot of bright, talented minds at Duke and many other places who are probably looking at the situation right now and saying, the last thing in the world I want is a career in academics. Do you have any advice on how we can give them a little bit of hope and hopefully keep them in the pipeline?

Thorp: I've been getting this question a lot. When I was talking to Leoneda Inge on your public radio station, she told me that her son was in a PhD Program in Oceanography, and he was thinking of quitting. So, I got put on the spot on the radio to try to tell her what I would tell him. With everything that's going on, I still believe that the United States, which one major thing about our history is an obsession with technical and technological advancement, that it's hard for me to see how, in the long run, we don't still have a scientific enterprise of some kind a year from now that we can adapt to. We're going to lose a lot of things we care about, and we should grieve that. But creative places are also going to adapt to that. I remember when I went to Graduate School in 1986, it was the birth of something called Graham Rudman, which the people my age and older can remember. It was the scheme by which the United States was going to get the deficit under control and spend less. It was supposed to destroy the funding agencies. It's my first time telling this story at Duke. I was deciding between Duke Medical School and Caltech PhD. When I decided to get a PhD instead, a lot of my friends said, why are you doing this, because of Graham Rudman, there won't be an enterprise waiting for you? And of course we've invested a lot in scientific research since then. Now, this is more challenging than that was. But if you believe that

somehow the United States will still have a Federal science effort and you're a first year graduate student, perfect, you got five years' credit for it to get sorted out before you get out. Is it a guarantee? No, there are plenty of darker scenarios where that doesn't happen. But that's what I've been telling graduate students who have been asking me if they should get out.

Barbour: Thank you.

Harvey: Question number five is from Anne West.

Anne West (Neurobiology): Hi, Holden. I think the closing of the Federal Register is a really big deal. It's particularly concerning, because people don't seem to really understand why it happened or who did it. It effectively is blocking all new funding coming out of the NIH. So, study sections are canceled. A colleague was going to go for a really wonderful program next week and that's been canceled. Who knows if these things will start up again? This seems to be an end run around the courts attempting to prevent the shutting down of the NIH. The question is that, since no one here seems to know anything about it, is there any more knowledge in Washington? And are the lobbying agencies raising awareness of this, because I think we're talking a lot about what is overhead costs and this kind of thing, but this is a bigger problem.

Thorp: Yes, I agree. It's frightening. I don't think we know yet. I don't know yet. And I've got more science journalists than anybody in the world reporting to me. I also talk to a lot of reporters. I talked to Katie Wu, with all deference to the people who work for me, one of the greatest science journalists at the Atlantic. I talked to her three hours ago and we were talking about

this. She doesn't know whether this was a deliberate end run to stop the funding. It's certainly understandable that people think it is. My guess is with the number of journalists that are digging on this right now, within the next 24 or 48 hours, we'll know the answer to that. I guess there's one theory that it was something done for HHS that was supposed to affect another agency, and nobody thought about the fact that it was going to affect NIH. That's the happier scenario. And it'll get corrected. They'll be able to get the study sections done so they don't have to skip a cycle. But there's another scenario that this was a very clever way to get around the court order. I wish I could tell you I knew the answer to that. I'll get a text from a reporter soon. That'll tell me the answer. But it hasn't happened today. I agree it's urgent. Because if we end up skipping a cycle of NIH funding that is going to just pull a bunch of money out of the system. An enterprising reporter from Pittsburgh Public Radio called me yesterday. I don't know if the interview is up yet, but she had gone on NIH RePORTER, had looked and saw that the amount of money that's been dispersed so far in the last month, compared to the same month five years earlier from the NIH, was about 1/3 of what normally goes out. That's a lot of money that's missing. I think it was about 20 billion dollars for the country.

Harvey: Question number six is from me. It is related to Trina's first question. Let's consider a hypothetical university with \$1.2 billion of Federal funding and 60,000 employees. Suppose the federal government declares that the university will get zero funding unless it shuts down a specific department that has four faculty. Many might consider this edict as an existential threat to the university's mission. How do you think of the trade-off between this specific department versus potentially tens

of thousands of employees? How do we even measure the trade-off? The second and related question is, what can we do to de-risk, so that we do not face a scenario like this in the future?

Thorp: I'm sure there are people in the Allen Building who are exhausted, who are thinking about that right now. I would be. You framed it in a good way, because if it goes all the way to the wall and the administrators have to decide whether to shut down a department or take hundreds of millions of dollars in losses or billions of dollars in losses then they're going to end up deciding to protect the most people. I'm sure they would. That's why I say you're never going to see the administrators go full on resistance. They can't. They've got tens of thousands of people to take care of. I know Duke's going to be here a hundred years from now. I promise you that. The best thing to do would be to look at public universities in the south that have already had to do all this. One of my peeps is the President of Louisiana State University (LSU). They've been doing this for years. He's the first black President of LSU. He's got to make more gut-wrenching decisions than almost anybody I know. They've been shutting these things down for several years before now. In a way they kind of have an advantage, because they've already done a lot of this stuff. University of Alabama at Birmingham (UAB) which is comparable to Duke as far as Medicine is concerned, that would be another great school to talk to. Their President Ray Watts is really a sharp, super guy. The academic affairs side of the university is not nearly as distinguished as yours. But that Medical School is a jewel for sure, and it's comparable. My advice would be to talk to some places that have already tried this or done this and see, especially some of the ones that have managed to keep going and doing a lot of stuff. They've been

thinking about this longer than you have, so that would be my recommendation. I think both of those people I just named will take your phone call. If they don't, let me know.

Harvey: Thank you. Question number seven is from Earl Dowell.

Earl Dowell (Mechanical Engineering & Materials Science): First of all, let me say you've given a great talk, that's remarkably candid. I hope we take to heart many of your good ideas. My question is actually about the Federal laboratories. This is a little bit inside baseball, but as you know, much of the basic research that's funded out of the Federal Government is actually done in House at the various Federal labs, and their overhead rate is probably at least twice that of Duke's typically. How do you think this will play out? Do you think Trump and Musk will learn about the Federal labs, or do you think the Federal labs will be the beneficiaries of less research being done in the universities?

Thorp: You mean the National labs, not the NIH Intramural Research Program, or do you mean that too?

Dowell: I'm talking about the NIH, the Department of Defense (DoD) labs, Department of Energy (DOE) labs, and all the rest.

Thorp: Thousands of people have been laid off in Bethesda. The short term for them is probably the worst right now than anybody, but in the long run I guess you could imagine the 80-year-old social contract of let's do this stuff at the universities, if it collapses, the Federal Government would have more control over the people in the national labs or at the Naval Research Lab, or at the NIH and the United States Department of Agriculture (USDA) and all

of that. Will they end up doing more research? I hadn't thought about that, but it's possible. Sure.

Harvey: The last question is from Jessilyn Dunn.

Jessilyn Dunn (Biomedical Engineering):

It was a very specific question about something that was mentioned, which is that because the Federal Register is closed, study sections are being canceled. I and my colleagues have been, and continue to sit, on study sections over the past several weeks. I'm just curious, is that something that just happened today, or is that something that's kind of been turning on and off?

Thorp: Things have been turning on and off. But in the last two or three days, lots of study sections have been cancelled, and that's because they can't comply with the rules under the Federal Register which has been suspended for all of the Departments of HHS. Whether that coincides with the new Secretary, or what exactly, I don't think that has sorted itself out yet, but a bunch of people that work for me, and their competitors at many other outlets, are digging on this right now. They have a lot of sources. I'm pretty sure it'll come out what the answer is.

Dunn: To verify the compliance issue, is that they're not able to pay the study section members, or is it something else?

Thorp: No, it has to do with being able to have Federal committees that are regulated by the Federal Register rules meet.

Dunn: I see. Thank you.

Harvey: We have time for one final question. Virginia Wang, please.

Virginia Wang (School of Medicine): I'm in the School of Medicine and the Department of Population Health Sciences, both heavily reliant on NIH funds. Can you describe from your perspective the impact of what's in the Project 2025 Playbook about decentralizing NIH funds to block grants to State governments?

Thorp: I've gotten that question. This is the second time I've gotten that question today also. First of all, it's highly ironic that people who supposedly want what they refer to as a meritocracy don't want professors to compete for funding, at least in the way that we have, and there are plenty of things that are imperfect about the study sections and with the way politics can get into it and do things that are safe, that everybody thinks will work. But it's certainly a lot better than having State legislature decide what they think is important. It would certainly be worrisome if that happened just in terms of what research would be done, even if it worked out to be the same amount of money. Are there injustices in the system that we have? Of course, because there are injustices in the way we're composed and organized. That would be really disruptive. Here's the final thing I'll say about all that; Science is one of the most sought-after places to publish your paper in the world. We only publish 6% of what we get. Sorry to those of you are in the 94%. If I ever write a memoir about my time, it's going to be called, "sorry we didn't have better news for you," because I type that sentence many times a day. The number of papers that we've been publishing from the United States has been declining already. The number of submissions from China is already much greater than the number of submissions from the US. At the rate it's going, even before this happened, that was going to cross over probably in the next five or six years or so. The number of papers

published from China were going to be higher. Today, in response to an anticipation of meeting with you, because we publish at two o'clock on Thursdays, I looked at our new issue. We had 14 papers. I like 15. So, I got to see what's up with that. But five of them were from the United States and funded by Federal sources. Eight were international, and one was from a private company in the United States. It's easy to see how the continued contribution of American science to journals like mine and our competitors in Europe, who are actually ahead of us on the international side, because they're in England, could just continue to dwindle. Sometimes I hear people say, maybe nobody will be able to submit to your journal, is that an existential crisis for you? Well, no, it's a crisis. But could Science still exist if we were just an international journal? Yes, we have more than enough submissions to do that. We probably wouldn't lose that much on our impact factor, because the next 6% are just as good as the 6% we take at least, we could easily do that. If you want to think about what's at stake for those of us who have devoted ourselves to the American system, there'll be plenty of great science done around the world. There already is. That's a very down place to leave this, but it's a call to action.

Jones: We have covered a lot of terrain today, and much of it has been unsettling. Our warmest appreciation to Holden for taking the time to join us, for explaining the complexity of the many topics that we discussed, and for being so open and sharing his insights about the road ahead. Holden, we're deeply grateful for your candor and for you taking the time to be with us. We have one final piece of business to address before we adjourn. (Chair Jones then reads the following):

ECAC is aware of the ongoing matter involving Duke faculty who have been asked to appear before the University Judicial Board for alleged violations of the Pickets, Protest and Demonstrations policy (PPD).

Because ECAC is not in possession of all of the relevant facts and because we are not a fact-finding body, ECAC does not think it prudent to comment on the substantive allegations in these cases and whether any violations of university policy have occurred. ECAC, however, recognizes that some members of the University community have requested greater clarity, notice and communication about relevant criteria and standards of conduct as well as greater clarity concerning process, including who has jurisdictional authority over faculty in these matters.

ECAC welcomes the opportunity to work with the Duke Administration, faculty and other University entities as part of our shared governance tradition to ensure that University standards and procedures are clear and comport with fair process.

Again, our sincere thanks to Holden, and my sincere thanks to all of you, my faculty colleagues, for your time and your engagement. It's always wonderful to hear your questions and to be in communication with you. This concludes today's meeting. Please stay safe, and we will see you next on March 20th when President Vince Price will deliver his annual address to the faculty.