

DEI Is a Threat to the Republic

Testimony Before The Task Force on Defending Constitutional Rights and Exposing Institutional Abuses The Committee on Oversight and Government Reform

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My name is Mike Gonzalez. I am the Angeles T. Arredondo Senior Fellow on E Pluribus Unum at The Heritage Foundation. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

Chairman, Ranking Member, and Members of the Committee:

Thank you for the opportunity to testify regarding the persistence of Diversity, Equity, and Inclusion (DEI) programs and trainings across the federal government, the education system, and broader American institutions, and its implications for civil rights, constitutional governance, and national continuity. I have written extensively on identity politics, critical theory, and political transformation in the United States.¹

The issue before this Committee is not limited to personnel policies inside federal agencies or isolated programming in schools. DEI now functions as a broad institutional framework that shapes how government, education, and some segments of civil society define fairness, evaluate outcomes, and interpret inequality. What was once presented as a set of training programs has evolved into a governing ideology embedded across multiple sectors of American life.

As we saw with the bombshell report on the Smithsonian Institution published by the White House's Domestic Policy Council on July 4,² just before fireworks, DEI and DEI-type thinking has spread deeply into all our cultural institutions, including our museums. The report, which focuses on the National Museum of American History, but which is really an indictment of the entire institution, reveals that DEI permeates thousands of exhibits that reframe America. The NMAH recasts the Founding as a story of pure evil, Christopher Columbus as a “murderer,” “slaver,” and “thief,” the Pilgrims as “colonizers,” and Thanksgiving as a “National Day of Mourning.” The Smithsonian, this report also reveals, “chose to proudly list a talk about a future where America no longer exists as a contribution to one of its 400+ DEI initiatives that fiscal year.”³

DEI mushroomed under the Biden Administration, particularly following Executive Order 13985, which directed federal agencies to embed “equity” as a central principle of governance.⁴ This was the first executive order Joe Biden signed upon becoming president, underlining the important he assigned to the pursuit of DEI. This directive required agencies to identify statistical disparities across demographic groups and develop Equity Action Plans to address them.³ In practice, DEI

transformed the federal government's role from enforcing nondiscrimination law to actively doing the opposite—pursuing color-conscious policies—in order to manage demographic outcomes across society.

Perhaps it is best at this point if we define each of the terms included in the DEI acronym, Diversity, Equity and Inclusion. For that, I would like to make use of the work of James Lindsay, Bruce Gilley, and Peter Boghossian, three academics who were members of the Oregon Association of Scholars, a chapter of the National Association of Scholars, at the time they wrote the following definition.⁵ The three drafted a “Cheat Sheet for Policy Makers,” which I will quote or paraphrase, and add my own expansions on this definitions.⁶

Diversity, according to this glossary, is “[a]n identity-based approach to society; includes only those who agree with Social Justice, which is a violation of individual identity; enforced intellectual conformity; political quotas; an attack on merit and a form of soft bigotry.” Diversity demands that government, the private sector, the universities, all societal entities, to choose individuals because of their membership in the immutable characteristics of race, sex, etc., regardless of merit, talent or virtue, until an office, a classroom, a military base, etc. resembles a given base population statistically. It constitutes an affront to the dignity of the individual. As the great Christopher Hitchens said 15 years ago, “from now on it would be sufficient to be a member of a sex or gender, or epidermal subdivision, or even erotic ‘preference’.”⁷ But notice that people would not be chosen—hired, promoted, elevated, etc.—according to diversity of opinion, on the contrary. The goal is groupthink; ending up with people mouthing off the same orthodoxy. And even when it comes to epidermal, sexual or erotic subdivisions, diversity often comes to mean that only members of the so-called marginalized groups might be included; if a societal space such as an office or a courtroom completely excludes members of the so-called oppressor groups, that space is *still* considered diverse.

As for Equity, it means “equality of outcomes plus reparations, which is a violation of equality before the law; a dismantling of the foundations of a free society; state management of society by redistributing resources, opportunity, and access.” The traditional meaning and sound of the word “equity” are so close to the old American promise of “equality” that many Americans may still believe it to mean that. That the word now means its functional opposite was demonstrated when Kamala Harris, as vice presidential candidate in November 2020, tweeted: “There’s a big difference between equality and equity. Equality suggests, ‘everyone should get the same amount.’” Equity, however, Harris went on, is “about giving people the resources and the support they need, so that everyone can be on [an] equal footing, and then compete on [an] equal footing. Equitable treatment means we all end up in the same place.”⁸ No matter how much harder you have exerted yourself than the person sitting next to you, you both should end up getting the same amount. That, I put to you, is not the American expectation, it is the Marxist promise, one written in sand, of course. I had the good fortune of attending last week in Madrid a lecture by the President of Argentina Javier Milei, which he gave at the largest Catholic school complex in Spain, San Pablo-CEU, and where he said that ‘Social Justice’ in this new-fangled popular definition, amounts to nothing more than “envy plus rhetoric,” and not the Catholic understanding of the common good.

Inclusion, according to this glossary, means “restricted speech and justification for purges, which is...an attack on freedoms of association and speech; an enforced separation of people by race (‘neo-segregation’). It is language codes, in other words, the opposite of what it promises. We just saw an

example of this the other day when baseball players for the San Francisco Giants were prevented from wearing references to Bible verses on their caps, instead of the rainbow paraphernalia that accompanies the LGBTQIA+ celebration of “pride.” Inclusion means including only expressions that promote the reigning orthodoxy and including those that dissent. Inclusion, in this understanding, means exclusion.

All of this represents a significant departure from the traditional civil rights framework. The Civil Rights Act of 1964 and the Equal Protection Clause of the Constitution’s 14th amendment are grounded in the principle that government must treat individuals equally under neutral law, without regard to race or other immutable characteristics. DEI frameworks, by contrast, increasingly define fairness in terms of statistical parity among groups. DEI is therefore illegal and un-American, as it transgresses traditional American understandings of the promise of equal treatment from which we must never deviate. But DEI is also immoral, as it proposes to treat people differently because of membership in an immutable characteristic, that is, a trait they were born into and which they can never change, such as race, sex, national origin, etc. To do so is inherently and recognizably unjust. Morality distinguishes between right and wrong, good and bad behavior. We know it in our bones that to treat people differently because of something they can do nothing about is wrong.

Yet, this is what invariably obtains with DEI. Once disparities are treated as evidence of systemic injustice, which is what the related doctrine of Disparate Impact promotes, the logical policy response becomes race-conscious (i.e., illegal and immoral) intervention to adjust those outcomes. This produces a system in which individuals were increasingly evaluated and categorized by group identity in order to achieve demographic targets across institutions.

Beyond government and education, DEI increasingly influenced private institutions, corporate governance, and professional sectors. Large organizations often adopted DEI frameworks in hiring practices, internal training, and public-facing policy commitments, extending the reach of identity-based governance beyond the public sector. This was not a neutral intellectual development. It had direct implications for how institutions defined fairness, allocated resources, and evaluated success. When structural explanations became the default framework, alternative perspectives were often excluded from institutional consideration.

This expansion was reinforced by federal funding structures, regulatory expectations, and compliance frameworks that indirectly encouraged alignment with DEI standards. As a result, DEI functioned not only as a set of internal policies but as a broader cultural and institutional model that shaped behavior across multiple sectors of society. DEI entered into every facet of life. The effect was the normalization of identity-based decision-making as a standard feature of institutional American life. Whether in government, education, or the private sector, individuals were increasingly evaluated through group-based categories rather than treated strictly as individuals under neutral rules. To understand these developments, it is important to remember that the intellectual foundations of modern DEI frameworks drew from traditions associated with critical theory, which emphasized structural explanations of inequality and the role of institutions in reproducing social disparities.⁹

The DEI regime did not of course emerge with the Biden Administration, although he tried to activate it through the federal government during his years in office. DEI trainings go back over many decades, though it was only over the past 15 years or so that the acronym DEI became more

standardized. These trainings, which are nothing but American versions of Maoist struggle sessions as practiced in China during the 1966-1976 Cultural Revolution, amount to attempts to indoctrinate Americans. Just as in Maoist China, the term used for DEI is “consciousness raising,” in other words, these are attempts to dissuade Americans from viewing their country as wholesome and worthy of patriotic love. Americans are instead encouraged to see themselves as nothing more than members of the immutable categories; to believe that the existence of slavery, a tragedy that ended 160 years ago, robs the country of its legitimacy; that racism in American society is so pervasive that it is “structural” or “systemic;” and that system-wide transformation is therefore required.

DEI, then, should be seen as one more tool in the cultural Marxist attempt to transform the United States into something different, to dismantle its culture, heritage, traditions, norms, etc. and replace it with another system. What that new model would be is seldom described, though it sometimes escapes the lips of its promoters. An example is when New York City Mayor Zohran Mamdani said in his inaugural address on January 1, 2026, “We will replace the frigidity of rugged individualism with the warmth of collectivism.”¹⁰ Katherine Gorka and I explained the transformation of Marxism from its original emphasis on economic material forces to its present focus on indoctrinating the population through education, trainings, struggle sessions, etc. in our 2024 book “NextGen Marxism: What It Is and How to Combat It.”¹¹

Unsurprisingly, DEI spread to k-12 education rapidly. Almost ten years ago I and others wrote about how the New York City Department of Education, in the largest education district not just in the country but in the world, made educators undergo consciousness-raising seminars to ensure they could identify “white supremacy” hallmarks. What were these hallmarks? They included “perfectionism,” “worship of the written word,” “either/or thinking,” “individualism,” “objectivity,” and “sense of urgency.”¹² In other words, practices that help people succeed in life.

That was not all. These seminars and trainings derived from “Dismantling Racism: A Workbook for Social Change Groups” by Kenneth Jones and Tema Okun,” which then used by the Smithsonian, the country’s—and again, the world’s—largest museum complex, in guidelines unveiled by the National Museum of African American History and Culture for how to talk about race. A graphic displayed in the guidelines, entitled “Aspects and Assumptions of Whiteness in the United States.” They included “objective, rational, linear thinking,” “cause and effect relationship,” and “quantitative emphasis,” as “assumptions of whiteness and white culture” in our country.¹³

This is DEI: it is destructive, racist approach that makes us poorer, meaner and detached from actual reality. The writings, teachings, and trainings of DEI seek to erode support for the American system of individual rights, free-market economics, and parental control of children’s moral upbringing, as well as America’s culture and history.

It should surprise us none that the education system, which is meant to instruct young minds about facts and figures, and to transmit to them the culture, values and principles of their society, represented one of the most deeply affected sectors of DEI expansion. Universities and school systems across the country maintained centralized DEI offices with influence over hiring, curriculum development, faculty evaluation, and student programming.¹⁴

At the university level, faculty hiring and promotion frequently involved diversity statements, which were used to assess candidates’ alignment with institutional DEI commitments. These requirements

functioned as ideological filters that disadvantaged applicants who did not adhere to prevailing DEI frameworks. This raised serious concerns about academic freedom and intellectual diversity in publicly funded institutions.

In K–12 education, DEI frameworks were increasingly embedded in teacher training programs, instructional materials, and curriculum standards.¹⁵ The emphasis on DEI stressed structural interpretations of inequality and encouraged students to analyze historical and contemporary events through categories such as privilege, oppression, and systemic bias. While presented as analytical tools, they were the opposite, having the effect of narrowing intellectual diversity by privileging a single interpretive lens.

Teacher training programs such as the one I described was used in the New York City required educators to incorporate DEI concepts into classroom instruction and to interpret academic performance and behavioral outcomes through identity-based frameworks.¹⁶ Over time, this shaped not only curriculum content but also institutional expectations about how educators were expected to understand student differences.

At the higher education level, even after the Supreme Court’s 2023 decision in *Students for Fair Admissions v. Harvard*, concerns remained that institutions continued to pursue demographic outcomes through concealed or indirect mechanisms in admissions, recruitment, and so-called holistic review processes.¹⁷ While explicit racial preferences have been here and there more constrained, the emphasis on group-based outcomes continued to influence institutional behavior.

In K-12, President Trump set the tone of his new administration from the start by signing on his first day in office Executive Order 14151, Titled “Ending Radical and Wasteful Government DEI Programs and Preferencing.”¹⁸ It explicitly criticized and targets the programs stemming from Biden’s EO 13985, directing federal agencies to eliminate DEI initiatives throughout the federal government, and calling for increased scrutiny of DEI-related practices in institutions that receive federal support. Unfortunately, school administrators who remained intent on continuing to discriminate based on race and sex began trying to figure out how to defy the president or at least game the system as long as they could.

Some school districts have scaled back these DEI programs, to be sure. Many others, however—particularly in deep blue states such as Illinois, California, Colorado, and New Mexico—have gone on as if the only thing that had changed was that they now had to disguise their efforts. The districts in question have rebranded DEI initiatives, changed program names, or embedded DEI concepts into other departments and strategic plans. These efforts are designed to preserve the same policies and priorities while avoiding public attention or potential legal challenges.

One example is the Fresno Unified School District in California. The district simply renamed its DEI Department as the Department of Culture and Student Inclusion. District leaders characterized the change as a “reorganization.”¹⁹ The Superintendent simply named the head of the DEI department, Carlos Castillo, as Fresno Unified’s chief academic officer. Castillo said the “core mission and efforts” around diversity, equity and inclusion remain a priority for the district.

Another example comes from Oswego School District 308 in Illinois. According to a report from Defending Education, district officials have continued developing a DEI plan for the 2026–2027

school year despite the heightened federal scrutiny. The plan reportedly includes professional development and training for a DEI Design Team in elementary and middle schools tasked with continuing to pursue race-conscious hiring and recruitment efforts.²⁰

In other cases, school districts that have maintained DEI-related programs have faced federal investigations. In Colorado, Cherry Creek School District in Arapahoe County has come under investigation by the U.S. Department of Education following evidence of racially discriminatory practices. Complaints filed with the Department's Office for Civil Rights point to the fact that the district continues to provide programs, resources, and opportunities based on race and promote professional development materials that characterize the United States as fundamentally rooted in white supremacy.²¹

The investigation is examining whether any district practices violate Title VI of the Civil Rights Act, which prohibits discrimination based on race in federally funded programs. The outcome of the investigation could have significant implications for how school districts nationwide implement DEI initiatives moving forward.

The Trump Administration is also trying to fight DEI in other ways. On May 29, the Office of Management and Budget issued a notice of proposed rulemaking that will shut down millions in federal spending on leftist mischief throughout the country.²² With this sweeping rules change, the OMB proposes codifying many of the executive orders. The rule would largely dry up funding for DEI, critical race theory, disparate impact, and all other types of racial and sexual discrimination disguised as social justice programs.

In sum, the contrast between the Biden and Trump administrations underscores a fundamental shift in approach to civil rights enforcement. The Biden administration expanded and institutionalized DEI as a governing framework across federal agencies and federally influenced institutions. By contrast, the Trump administration's executive orders represented a necessary corrective, reasserting the principle of equal treatment under the law and beginning the process of dismantling race-, sex- and other identity-based preferences embedded within federal structures.

That said, executive action alone is not sufficient to fully reverse the depth of institutional change that has occurred. As I have said, many DEI-related practices remain embedded within educational systems, regulatory frameworks, and private-sector institutions influenced by federal policy. Preserving the American constitutional tradition of individual equality before the law will therefore require sustained congressional oversight, continued administrative implementation of nondiscrimination principles, and ongoing efforts to ensure that federal institutions remain neutral, accountable, and consistent with that foundational standard. Congress has a role to play by translating into legislation the actions that the Administration has taken with its executive orders and its rule making. That way, we can rest assured that the effort has a right to survive in the future. The tide has turned, the climate of public opinion strongly supports returning to the promise of color-blind policy-making. That's how President Trump was re-elected, that's how you were elected. Seize the moment.

Thank you for the opportunity to testify. I look forward to your questions.

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³ Ibid. pg. 127.

⁴ Mike Gonzalez, "Biden's Embrace of 'Equity' Means He's Abandoned the Quest for Equality, February 2, 2026. <https://www.heritage.org/progressivism/commentary/bidens-embrace-equity-means-hes-abandoned-the-quest-equality>, "Pushing Equity Under the Guise of Unity," The Heritage Foundation (2021), <https://www.heritage.org/civil-rights/commentary/pushing-equity-under-the-guise-unity>

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