



**Written Statement of
Southern Poverty Law Center**

**Submitted to the U.S. House of Representatives Education and
Workforce Committee
Subcommittee on Higher Education and Workforce Development
in connection with hearing on May 21, 2025, entitled
*“Restoring Excellence: The Case Against DEI”***

I. Introduction

On behalf of the Southern Poverty Law Center (“SPLC”), we write to share our perspective on the May 21, 2025, hearing held by the U.S. House Subcommittee on Higher Education and Workforce Development, titled *“Restoring Excellence: The Case Against DEI.”* We appreciate the opportunity to contribute our expertise on the critical role that anti-discrimination laws—and broader diversity efforts—have played, and continue to play, in expanding opportunity in this country. We also feel compelled to address the hearing’s framing, which, in our view, reflects a gross distortion of Diversity, Equity, Inclusion, and Accessibility (DEIA) initiatives. While the acronym DEIA may be relatively new, the principles underlying it are not. DEIA initiatives are firmly grounded in long-standing civil rights law and decades of work to build a fairer, more inclusive America.

Founded in the Deep South in 1971, SPLC was established to make real the promise of the Civil Rights Movement—serving as a bulwark against efforts to roll back hard-won progress. For over 50 years, SPLC has worked alongside communities of color to dismantle white supremacy, combat hate and inequality, and advance human rights across the South and beyond. We believe everyone deserves to live free from discrimination, and that government has a duty to protect those who have been systematically marginalized throughout our nation’s history. Policies such as DEIA are essential tools for ensuring that the rights guaranteed by the Constitution are truly accessible to all—particularly in education and employment.

America’s ability to live up to its promise as an inclusive, multiracial democracy rests on ensuring that *all* people—regardless of race, identity, or background—have real and equal access to opportunity. Talent exists in every neighborhood and community across the nation. Yet too often, hardworking and gifted individuals are shut out by structural barriers and discriminatory practices. Closing this gap requires more than good intentions; it demands focused, deliberate efforts to find and nurture talent wherever it exists: in other words, diversity, equity, inclusion, and accessibility (DEIA).¹ In higher education and the workplace, these initiatives help uncover diverse talent, enhance academic achievement, and foster environments where everyone can thrive. Far from undermining excellence, these initiatives broaden its reach—helping transform the ideal of equal opportunity into a reality for all Americans.

Yet, despite the promise and impact of DEIA initiatives—or, more precisely, because of them—the Trump administration has launched an aggressive and deceptive campaign to dismantle such initiatives. In January 2025, President Trump signed a series of executive orders terminating all federal DEIA offices, rescinding long-standing anti-discrimination protections for federal contractors, and directing agencies to eliminate any equity-related programs or grants.² The Department of Education followed with guidance threatening to withhold funding from K-12 schools and universities that engage in lawful efforts to advance equal opportunity.³ Although these measures were temporarily

¹ Throughout this document, we use DEIA—“diversity, equity, inclusion, and accessibility”—because accessibility is a vital part of equity and inclusion. Many attacks from the Trump Administration and its allies target programs under the broad label of “DEI,” but these attacks often affect accessibility too.

² See e.g., White House, Executive Order, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, (Jan. 21, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/ending-illegal-discrimination-and-restoring-merit-based-opportunity/>; White House, Executive Order, *Ending Radical and Wasteful Government DEI Programs and Preferencing*, (Jan. 21, 2025), <https://www.whitehouse.gov/presidential-actions/2025/04/restoring-equality-of-opportunity-and-meritocracy/>

³ U.S. Department of Education, Office for Civil Rights, Dear Colleague Letter (Feb. 14, 2025), <https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf>; U.S. Department of Education, Office for Civil Rights, Reminder of Legal Obligations Undertaken in Exchange for Receiving Federal Financial

blocked in court,⁴ their true aim was to intimidate institutions into compliance—a strategy that, in some cases, has unfortunately succeeded.⁵ To the president, DEI is not only unnecessary; it is harmful—an “illegal and immoral” endeavor that, in his framing, exists only to elevate people he claims are “unqualified.”⁶

However, the president’s view—echoed by several witnesses at the recent subcommittee hearing—does not withstand serious scrutiny. The empirical evidence is clear: racial disparities remain entrenched across nearly every stage of education and employment, particularly in the Deep South.⁷ These disparities are not the result of inherent differences in ability but rather of persistent and unequal access to opportunity.⁸ Moreover, the impact of these inequities is not confined to Black and Latino communities. They hinder overall outcomes for all Americans, including white students, and weaken the broader economy.⁹ Importantly, no federal court—not even the current Supreme Court—has found DEIA programs to be inherently unlawful. On the contrary, the Court has affirmed that the promotion of diversity is a “worthy” and “commendable” goal.¹⁰

What is unfolding is not merely a backlash against DEIA initiatives—it represents a broader effort to unravel decades of civil rights progress. President Trump has gone so far as to blame DEIA for incidents as implausible as plane crashes and wildfires.¹¹ Such rhetoric is not only unfounded; it is profoundly dangerous. It revives a long-standing and damaging myth: that when a woman or person of color attains a position of authority, it is the result of “preferences” rather than merit. But this campaign goes far beyond incendiary rhetoric. It aims to weaponize civil rights laws—originally designed to dismantle barriers—to erect new ones. As many observers have pointed out, the current administration appears to be mounting the most sweeping attack on civil rights protections since Reconstruction. These actions must be firmly and unequivocally rejected.

Assistance and Request for Certification under Title VI and SFFA v. Harvard (Apr. 3, 2025), <https://www.ed.gov/media/document/reminder-of-legal-obligations-undertaken-exchange-receiving-federal-financial-assistance-and-request-certification-under-title-vi-and-sffa-v-harvard-april-3.pdf>.

⁴ See *National Association for the Advancement of Colored People v. U.S. Department of Education*, No. 25-cv-1120 (D.D.C. 2025), <https://storage.courtlistener.com/recap/gov.uscourts.dcd.279521/gov.uscourts.dcd.279521.30.0.pdf>; *American Federation of Teachers v. U.S. Department of Education*, No. 1:25-cv-00628 (D. Mary. 2025), <https://storage.courtlistener.com/recap/gov.uscourts.mdd.577437/gov.uscourts.mdd.577437.60.0.pdf>; and *National Education Association v. U.S. Department of Education*, No. 1:25-cv-00091 (D. New Hamp. 2025), https://storage.courtlistener.com/recap/gov.uscourts.nhd.65138/gov.uscourts.nhd.65138.74.0_1.pdf.

⁵ Andy Rose, et al, *From Scholarships to Housing, College Students Struggle with the Effects of Trump Orders*, CNN (Mar. 8, 2025), <https://edition.cnn.com/2025/03/07/us/university-dei-housing-scholarships-college/index.html>

⁶ White House, Executive Order, *Ending Radical and Wasteful Government DEI Programs and Preferencing*, (Jan. 21, 2025), <https://www.whitehouse.gov/presidential-actions/2025/04/restoring-equality-of-opportunity-and-meritocracy/> (“The Biden Administration forced illegal and immoral discrimination programs, going by the name “diversity, equity, and inclusion” (DEI), into virtually all aspects of the Federal Government.”)

⁷ See, Southern Education Association, *Miles to Go: the State of Education in Black America*, (Oct. 30 2024) <https://southerneducation.org/wp-content/uploads/miles-to-go-report-final.pdf>; Chandra Childers, *Rooted in Racism and Economic Exploitation: The Failed Southern Economic Development Model*, Economic Policy Institute, (Oct.11, 2023), <https://www.epi.org/publication/rooted-in-racism/-full-report>

⁸ *Id.*,

⁹ Georgetown University Center for Education and the Workforce, *The Cost of Economic Injustice in Postsecondary Education* (2021), <https://files.eric.ed.gov/fulltext/ED612709.pdf> (“ Our simulation found that the US economy misses out on \$956 billion per year, along with numerous nonmonetary benefits, as a result of postsecondary attainment gaps by economic status and race/ethnicity”

¹⁰ 600 U.S. 181 (2023), at 213-214.

¹¹ David Sanger, *Trump Blames D.E.I. and Biden for Crash Under His Watch*, New York Times, (Jan. 30, 2025), <https://www.nytimes.com/2025/01/30/us/politics/trump-plane-crash-dei-faa-diversity.html>

II. Black Americans Face Persistent, Unfair Barriers to Opportunity in Higher Education and Employment

More than 70 years after *Brown v. Board of Education*, America's schools are still profoundly unequal—especially for Black students. In 2020–2021, over a third of students—about 18.5 million—attended schools where most students shared their race or ethnicity.¹² Inside those segregated schools, the gaps are glaring. Black and Latino students have less access to advanced classes, fewer counselors, and a shortage of certified teachers.¹³ They're twice as likely as white students to attend school in underfunded districts—and 3.5 times more likely to be in districts starved for resources year after year.¹⁴ These disparities hold true even when one controls for income.¹⁵ SPLC has spotlighted how these inequities hit hardest in the Deep South—where entrenched poverty, chronic underfunding, and proliferation of private segregation academies compound the problem.¹⁶ Moreover, as we have previously documented, Black students are disproportionately suspended or expelled for similar infractions compared to White students across the South, including in Alabama and Georgia.¹⁷

These persistent disparities in K–12 education ripple upward, shaping who gets to access one of the most powerful engines of economic mobility: higher education. According to a 2024 report from the National Center for Education Statistics, just 36% of Black Americans and 33% of Latino Americans aged 18 to 24 are enrolled in college—compared to 42% of white Americans.¹⁸ That gap holds even when you control for family income and parental education.¹⁹ A recent analysis by the *Hechinger Report* highlights the structural depth of the problem. In 14 states, public universities enroll Black students at rates more than 10 percentage points below their share of public high school graduates.²⁰ The gaps are widest in the South. In Mississippi, Black students made up 48% of the state's high school graduates in 2021—but only 8% of first-year students at Ole Miss.²¹ At the University of Georgia, the enrollment gap has grown to 31 points, and just 2% of incoming freshmen in 2021 were Black.²² The gap remains at selective colleges, where Black students are admitted at lower rates than their peers.²³

¹² U.S. Gov't Accountability Off., GAO-22-104737, *Student Population Has Significantly Diversified, but Many Schools Remain Divided Along Racial, Ethnic, and Economic Lines* (June 2022), <https://www.gao.gov/assets/gao-22-104737.pdf>.

¹³ Collin Binkley, et al, *Black and Latino Students Lack Access to Certified Teachers and Advanced Classes, US Data Shows* (Nov. 15, 2023), <https://apnews.com/article/black-latino-students-civil-rights-school-7203f99c430a71c90388cfd330b5f1c>

¹⁴ Bruce Baker, et al, *The Adequacy and Fairness of State School Finance Systems*, Albert Shanker Institute, (Jan. 2024), https://www.schoolfinancedata.org/wp-content/uploads/2024/02/SFID2024_annualreport.pdf

¹⁵ *Id.*

¹⁶ Southern Poverty Law Center, *Inequity in School Funding: Southern States Must Prioritize Fair Public School Spending* (2021), https://edlawcenter.org/assets/files/pdfs/publications/leg_cr_school_funding_inequities_report_2021_final.pdf.

¹⁷ See, Southern Poverty Law Center, *Only Young Once: Alabama's Overreliance on School Pushout and For-Profit Youth Incarceration*, (Sept. 2024) <https://www.learningforjustice.org/sites/default/files/2024-09/only-young-once-alabama-report.pdf>; Southern Poverty Law Center, *Only Young Once: Dismantling Georgia's Punitive Youth Incarceration System* (Dec. 2024), <https://www.splcenter.org/resources/reports/georgia-juvenile-justice-system-reform/>

¹⁸ National Center for Education Statistics, *The Condition of Education 2024* (2024), https://nces.ed.gov/programs/coe/pdf/2024/cpb_508c.pdf

¹⁹ Hechinger Report, *Many Flagship Universities Don't Reflect Their State's Black or Latino High School Graduates* (June 15, 2023), <https://hechingerreport.org/many-flagship-universities-dont-reflect-their-states-black-or-latino-high-school-graduates/>

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ Jeremy Ashkenas et al., *Even With Affirmative Action, Blacks and Hispanics Are More Underrepresented at Top Colleges Than 35 Years Ago*, *New York Times* (Aug. 24, 2017), <https://www.nytimes.com/interactive/2017/08/24/us/affirmative-action.html>

Even those with top grades and SAT scores have been denied admission at twice the rate of similarly qualified White and Asian American applicants.²⁴

In the labor market, Black Americans continue to face persistent and systemic barriers. The most striking example is the stubborn 2-to-1 unemployment gap between Black and White workers—a disparity that holds true across education levels, ages, and genders.²⁵ This indicates that the issue is not simply about skills or experience, but rather the effects of discrimination and structural racism. Hiring bias only deepens the problem. A University of Chicago study found that applicants with white-sounding names are 24% more likely to receive callbacks than those with Black-sounding names.²⁶ Even when employed, Black workers face entrenched wage disparities: in 2019, the median Black worker earned nearly 25% less per hour than the median White worker—a gap that has actually widened since 1979.²⁷ Black women experience even larger disparities.²⁸ Put simply, Black workers get less return on the same investments in education and experience, which erodes wealth and economic opportunity over time. Yet, despite all this evidence, many act as if the playing field is level today. Ignoring these disparities doesn’t solve inequality—it only ensures it persists.

III. Diversity, Equity, Inclusion, and Accessibility Initiatives Are Both Legal and Essential

Contrary to the claims in the president’s recent executive order—and to the testimony offered by several witnesses at the hearing—DEIA initiatives do not “violate the letter or spirit of longstanding federal civil rights laws”. Nor are these initiatives “immoral” or “illegal discrimination.”²⁹ In fact, the opposite is true. Colleges and universities—whether community colleges, public institutions, or graduate schools—carry both a legal and moral obligation to eliminate unfair barriers that limit opportunity for historically marginalized and underrepresented communities. DEIA programs are not just aligned with civil rights law; they are a direct means of ensuring compliance with it. In some cases, they are not merely permissible—they are necessary to meet antidiscrimination obligations.³⁰

²⁴ In *Students for Fair Admissions v. University of North Carolina*, the University of North Carolina admitted that Black and Latino students were underrepresented and that “those with the highest grades and SAT scores were denied twice as often as their white and Asian American peers.” *Students for Fair Admissions v. University of North Carolina*, 567 U.S.F. Supp. 3d 680, 666-67 (M.D.N.C. 2021)

²⁵ William Darity Jr., et al. Understanding Black–White Disparities in Labor Market Outcomes Requires Models That Account for Persistent Discrimination and Unequal Bargaining Power, Economic Policy Institute, (Mar. 15, 2022), <https://www.epi.org/unequalpower/publications/understanding-black-white-disparities-in-labor-market-outcomes/>

²⁶ Patrick Kline, et al, *A Discrimination Report Card*, BFI Working Paper No. 2024-40, Becker Friedman Institute for Economics at the University of Chicago, (April 2024) <https://bfi.uchicago.edu/working-paper/a-discrimination-report-card/>

²⁷ William Darity Jr., et al. Understanding Black–White Disparities in Labor Market Outcomes Requires Models That Account for Persistent Discrimination and Unequal Bargaining Power, Economic Policy Institute, (Mar. 15, 2022), <https://www.epi.org/unequalpower/publications/understanding-black-white-disparities-in-labor-market-outcomes/>

²⁸ Institute for Women's Policy Research. *Black Women Wage Gap Fact Sheet* 2024. (July 2024). <https://iwpr.org/wp-content/uploads/2024/07/Black-Women-Wage-Gap-Fact-Sheet-2024.pdf>

²⁹ White House, Executive Order, *Ending Radical and Wasteful Government DEI Programs and Preferencing*, (Jan. 21, 2025), <https://www.whitehouse.gov/presidential-actions/2025/04/restoring-equality-of-opportunity-and-meritocracy/>

³⁰ Federal laws require institutions to take active steps toward diversity and inclusion—such as reporting student body diversity (20 U.S.C. § 1092(a)(1)(Q)), appointing a Title IX Coordinator (34 C.F.R. § 106.8(a) (2020)), developing IEPs with parents of students with disabilities (20 U.S.C. § 1401(9)), and including English learners in assessments (20 U.S.C. § 6311(b)(2)(B)(vii)(III)). Similarly, employers must accommodate religious practices and disabilities, even when it requires altering neutral policies.

A particularly troubling theme that emerged during the hearing—echoed by the White House—was the claim that the Supreme Court’s decision in *Students for Fair Admissions v. Harvard/UNC* prohibits institutions from advancing diversity, equity, inclusion, and accessibility (DEIA). This interpretation is, at best, a profound misreading of the ruling—and at worst, a willful distortion of law.

No federal court has ever held that race-neutral measures designed to achieve race-conscious goals—such as promoting racial diversity—are prohibited under Title VI. To the contrary, courts have upheld such measures. And when opponents have attempted to challenge them before the Supreme Court, the Court has declined to review those cases.³¹ *SFFA* considered only the explicit use of race in college admissions—a ‘zero-sum’ environment where admitting one applicant necessarily requires rejecting another. The ruling was limited to higher education admissions practices that used race in this specific way. Importantly, the Court recognized that the promotion of diversity is a “worthy” and “commendable” goal.³² It also made clear that the decision does “not prohibit universities from considering an applicant’s discussion of how race affected his or her life, be it through discrimination, inspiration, or otherwise.”³³ *SFFA* thus explicitly rejects the idea of absolute colorblindness in college admissions—let alone in every aspect of school programs. Indeed, even the current Department of Education acknowledges that the Court has recognized the consideration of race can be appropriate to remedy past discrimination that violated the Constitution.³⁴

DEIA programs and practices—which vary by college—are not quotas or set-asides; those have long been illegal for decades.³⁵ Instead, these lawful DEIA initiatives ensure that every student — regardless of race, background or socioeconomic status — has the opportunity to succeed. DEIA initiatives expand access through mentorship, scholarships and outreach, providing crucial resources for women, veterans, people with disabilities, students of color, and LGBTQ+ individuals. Further, studies have consistently shown that diversity in education enhances critical thinking, creativity, and problem-solving skills for all students by exposing them to a wider range of perspectives and experiences.³⁶ Research also indicates that diverse learning environments help prepare all students for a global workforce and promote greater empathy and cultural understanding.³⁷ Moreover, companies with diverse leadership teams consistently outperform more homogeneous organizations, achieving higher financial returns as well as greater social and environmental impact.³⁸

³¹ See, e.g., *Coalition for TJ v. Fairfax County School Board*, 68 F.4th 864, 891 (4th Cir. 2023), cert. denied, 218 L. Ed. 2d 71 (Feb. 20, 2024) and *Bos. Parent Coal. for Acad. Excellence Corp. v. Sch. Comm. for City of Bos.*, 89 F.4th 46, 61 (1st Cir. 2023), cert. denied, 145 S. Ct. 15 (2024). In reaching its decision, the Fourth Circuit specifically noted that “[t]he Supreme Court has repeatedly blessed seeking to increase racial diversity in government programs through race-neutral means.” Similarly, the First Circuit concluded that “we find no reason to conclude that [SFFA] changed the law governing the constitutionality of facially neutral, valid secondary education admissions policies.”

³² 600 U.S. 181 (2023), at 213-214.

³³ *Id.*, at 230.

³⁴ U.S. Dep’t of Educ., *Reminder of Legal Obligations*, *supra* note 3; In concurrence, Justice Thomas supported race-neutral programs, referencing the Freedmen’s Bureau as a case in point. Although its benefits were largely directed to Black Americans, he characterized it as a race-neutral initiative consistent with federal law. *SFFA*, 600 U.S. at 247 (Thomas, J., concurring) (“Importantly, however, the [Freedmen’s Bureau] Acts applied to freedmen (and refugees), a formally race-neutral category, not blacks writ large.”)

³⁵ See, 438 U.S. 265 (1978)

³⁶ Amy Stuart Wells, et al, *How Racially Diverse Schools and Classrooms Can Benefit All Students*, The Century Foundation (Feb. 9, 2016) <https://tcf.org/content/report/how-racially-diverse-schools-and-classrooms-can-benefit-all-students/>

³⁷ *Id.*

³⁸ Kratz, Julie *The Little Known History of DEI and Why It’s Critical to Its Survival*, *Forbes* (Dec. 29, 2024), <https://www.forbes.com/sites/juliekratz/2024/12/29/history-of-dei-why-it-matters-for-the-future/>; Charles, J. Brian, *The Evolution of DEI*, *Chron. Higher Ed.* (June 23, 2023) <https://www.chronicle.com/article/the-evolution-of-dei>

IV. Civil Rights Laws Were Created to Address Disparities, Not Ignore Them

Our nation's civil rights laws did not arise in a vacuum. They were a response—urgent, deliberate—to centuries of discrimination that denied millions of Americans equal access to education, employment, housing, and public life. These laws were not designed to deny the role of racial disparities. They were created to confront it and other forms of discrimination. To reinterpret them now through the lens of strict “colorblindness” is a profound distortion—one that risks hollowing out the very commitments to equity and justice those laws were built to uphold.

Civil rights laws—such as the Civil Rights Act of 1964 and the Fair Housing Act of 1968—were passed because Congress recognized that discrimination wasn't theoretical; it was daily, lived, and systemic. Lawmakers understood that access to jobs, schools, housing, and public life was being denied not by accident, but by design—through policies, practices, and institutions that upheld racial hierarchies. These laws were meant to intervene in that reality. They were crafted to dismantle barriers, to actively promote inclusion, and to create a more equitable society by addressing discrimination where it actually existed.

Opponents of DEIA initiatives, in embracing a doctrine of colorblindness, would have us believe that after more than 250 years of slavery and nearly a century of Jim Crow and legal segregation, we now all stand on a level playing field.³⁹ That somehow, with the stroke of a pen, centuries of inequality dissolved. But disparities—and their lingering effects—did not vanish. They've reappeared in subtler forms or persisted beneath the surface. And yet, in this colorblind framework, the very laws designed to tear down barriers are now being weaponized to build new ones—especially for Black and brown communities. This turns the mission of civil rights on its head.

At the recent hearing, and in broader public discourse, opponents of DEIA efforts frequently invoked Dr. Martin Luther King Jr. to justify a colorblind approach.⁴⁰ But this invocation fundamentally misrepresents King's vision and legacy. While Dr. King aspired to a world in which individuals would be judged by the content of their character rather than the color of their skin, he was equally clear that such a world could not be achieved through passivity or pretense. It required deliberate, race-conscious efforts to dismantle the structures of discrimination and inequality. He was an unambiguous supporter of policies designed to confront disparities in education, employment, and housing.⁴¹ To cite King while rejecting the very tools he championed is not only an ignoble distortion of history—it is an abdication of the responsibility his legacy demands.

³⁹ See, e.g., Lukas Althoff, et al. *Jim Crow and Black Economic Progress after Slavery*, *The Quarterly Journal of Economics*, Volume 139, Issue 4, November 2024, Pages 2279–2330, <https://doi.org/10.1093/qje/qjac023>; Aaron Gottlieb, et al. *The Legacy of Slavery and Mass Incarceration: Evidence from Felony Case Outcomes*. *Social Service Review* Volume 95, Number 1 March 2021 <https://doi.org/10.1086/713922>.

⁴⁰ See, e.g., Nikole Hannah Jones, *The Colorblindness Trap: How A Civil Rights Ideals Got Hijacked*. (March 3, 2024), <https://www.nytimes.com/2024/03/13/magazine/civil-rights-affirmative-action-colorblind.html>

⁴¹ David B. Oppenheimer, *Dr. King's Dream Of Affirmative Action*, *Harvard Latinx Law Review*, <https://lawcat.berkeley.edu/record/1128669/files/fulltext.pdf> (“While Dr. King dreamed of a time when racism – and thus race – would be irrelevant, he was an active supporter of both kinds of affirmative action – race-based and class-based. As a supporter of race-conscious affirmative action, he spent much of the last six years of his life actively promoting it.”)._

V. Conclusion

Across our country, talent and potential can be found in students and workers from every background. But for far too long, the opportunity to nurture that potential hasn't been shared equally. The legacy of segregation, the resistance to desegregation, and ongoing discriminatory policies have denied many Americans—Black and Brown communities, women, LGBTQIA+ individuals, people with disabilities, veterans, and others—access to higher education and workforce opportunities, which remain critical engines of upward economic mobility.

Our civil rights laws, along with efforts to advance DEIA are lawful tools designed to close these gaps and help ensure America is a place where every individual, regardless of background, has a fair shot at success. As our nation becomes more diverse, it is not only a moral imperative and legal obligation—but an economic necessity—that institutions create equitable environments where everyone can if we want to compete in a global economy and remain a vibrant, multiracial democracy, we have no choice but to ensure all qualified people are given a real opportunity to succeed. That is the choice before Congress today: the choice about the kind of America we want to be and the future we want to build together.

But opponents of DEIA envision a different future—one where opportunity is reserved for the elites, not shared by all. Their movement to dismantle these initiatives isn't about restoring excellence; it's about preserving power. It's a politics rooted in zero-sum thinking, using racial dog whistles to divide Americans and roll back the hard-won progress we've made together. They've turned the federal government into a roadblock to equal opportunity—stalling progress, restricting access, and undermining the foundational promise that every American deserves a fair chance to succeed. And make no mistake—this harms us Americans.

The truth is polling shows a strong majority of Americans—across race, class, and background—support diversity, equity, and inclusion.⁴² This moment demands a full and unapologetic commitment to the future of our multiracial democracy. Congress must stand firm. The cost of retreat is too high. We cannot afford to squander the brilliance, talent, and promise of a rising generation. If we are to build an America that truly delivers on its promise, the principles of diversity, equity, inclusion, and accessibility must be part of that future.

We look forward to working with subcommittee members to build that future, uphold our nation's civil rights laws, and ensure an America that advances equal opportunity for all. For any questions or follow-up, please do not hesitate to contact Sakira Cook, Federal Policy Director, at Sakira.Cook@splcenter.org. We welcome the opportunity to work with you.

⁴² Bellwether Research and Hart Research, *August 2024 Qualitative Research Report* (2024), <https://www.resourceimpactdc.org/copy-of-june-2024-qualitative-research>.