

Key Takeaways: Senate Judiciary Subcommittee Hearing on “Ending Illegal DEI Discrimination & Preferences: Enforcing Our Civil Rights Laws.”

July 30, 2025

On July 23, 2025, the Subcommittee on the Constitution of the Senate Judiciary Committee (the “Subcommittee”) held a hearing entitled “Ending Illegal DEI Discrimination & Preferences: Enforcing Our Civil Rights Laws.” The hearing lasted almost 2 hours and featured three witnesses: (1) Harmeet Dhillon, Assistant Attorney General, Civil Rights Division, U.S. Department of Justice (“DOJ”); (2) Gene Hamilton, President and Co-Founder, America First Legal; and (3) Robert Stewart, Alabama State Senator, District 23.

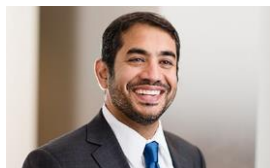
Below are the key takeaways from the hearing:

- Majority Members challenged the legality of Diversity, Equity and Inclusion (“DEI”) initiatives, arguing that they constitute unlawful race- and sex-based discrimination in violation of federal civil rights laws, citing *Students for Fair Admissions v. Harvard*.
- AAG Dhillon highlighted the broad scope of DEI-related enforcement and investigations against universities (including law schools and medical schools) and local governments.
- Majority Members pressed DOJ to investigate alleged efforts to evade federal enforcement by rebranding or disguising DEI initiatives. AAG Dhillon indicated that her office is requesting data from universities and relying on whistleblowers to expose alleged defiance of federal law.
- Mr. Hamilton stated that DEI initiatives undermine core American principles and advocated for a three-pronged approach to addressing DEI: (1) robust Congressional oversight; (2) executive branch enforcement; and (3) private litigation and other initiatives like those of America First Legal. He warned of significant potential liability for corporations employing DEI-linked recruitment and promotion models.
- Minority Members defended DEI initiatives as mechanisms for advancing civil rights and addressing persistent inequalities in employment, education, and

governance. They argued that the DOJ Civil Rights Division is prioritizing political investigations over bipartisan enforcement.



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