



PROGRAM MATERIALS
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DEI - Legal or Illegal?

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DEI: Legal or Illegal

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DEI: Legal or Illegal

No federal court has held DEI is per se illegal.

Can implementation be problematic? **IT DEPENDS** on how DEI is put in place.



DEI Today After *Students for Fair Admissions, Inc. v. Harvard and UNC*

What's next?

After affirmative action is banned from college admissions, DEI becomes a lightning rod. Dozens of bills targeting DEI policies in higher education are pending across the country. Companies are facing challenges to diversity policies from shareholders and conservative activists.

Some top law firms have opened race-focused fellowships to applicants of all races. The battle is likely to heat up as companies adapt to a shifting legal landscape and DEI becomes a talking point on the presidential campaign trail.

Washington Post, 2024

EMPLOYMENT LAW

National Association of Diversity Officers in Higher Education v. Trump, No. 1:25-cv-00333-ABA, (D. Md, 2025). Mem. Op.

The Court further decided that the EOs are “void for vagueness” under the Fifth Amendment’s due process clause by not defining the terms used in the EO, such as DEI & equity, and failing to explain how DEI programs violate federal anti-discrimination law.

Court asked DOJ to define DEI for purposes of Court’s analysis. DOJ lawyer could not know, responding that he was unsure and did not know the answer.

WHAT TO DO IF YOU EXPERIENCE DISCRIMINATION RELATED TO DEI AT WORK



Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on protected characteristics such as race and sex. Different treatment based on race, sex, or another protected characteristic can be unlawful discrimination, no matter which employees are harmed. Title VII's protections apply equally to all racial, ethnic, and national origin groups, as well as both sexes.

Before you can sue in federal court, you first must file a charge of discrimination with the EEOC. The U.S. Equal Employment Opportunity Commission (EEOC) investigates charges of discrimination and can file a lawsuit under Title VII against businesses and other private sector employers. The Department of Justice can file a lawsuit under Title VII against state and local government employers based on an EEOC charge, following an EEOC investigation.

What can DEI-related discrimination look like?

Diversity, Equity, and Inclusion (DEI) is a broad term that is not defined in the statute. Under Title VII, DEI policies, programs, or practices may be unlawful if they involve an employer or other covered entity taking an employment action motivated—in whole or in part—by an employee's race, sex, or another protected characteristic. In addition to unlawfully using quotas or otherwise "balancing" a workforce by race, sex, or other protected traits, DEI-related discrimination in your workplace might include the following:

Disparate Treatment

DEI-related discrimination can include an employer taking an employment action motivated (in whole or in part) by race, sex, or another protected characteristic. Title VII bars discrimination against applicants or employees in the terms, conditions, or privileges of employment, including:

- Hiring
- Exclusion from training
- Firing
- Exclusion from mentoring or sponsorship programs
- Promotion
- Exclusion from fellowships
- Demotion
- Selection for interviews (including placement on candidate slates)
- Compensation
- Fringe benefits

Harassment

Title VII prohibits workplace harassment, which may occur when an employee is subjected to unwelcome remarks or conduct based on race, sex, or other protected characteristics. Harassment is illegal when it results in an adverse change to a term, condition, or privilege of employment, or it is so frequent or severe that a reasonable person would consider it intimidating, hostile, or abusive. Depending on the facts, DEI training may give rise to a colorable hostile work environment claim.

Limiting, Segregating, and Classifying

Title VII also prohibits employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities. Prohibited conduct may include:

- Limiting membership in workplace groups, such as Employee Resource Groups (ERGs) or other employee affinity groups, to certain protected groups.
- Separating employees into groups based on race, sex, or another protected characteristic when administering DEI or other trainings, or other privileges of employment, even if the separate groups receive the same programming content or amount of employer resources.

Retaliation

Title VII prohibits retaliation by an employer because an individual has engaged in protected activity under the statute, such as objecting to or opposing employment discrimination related to DEI, participating in employer or EEOC investigations, or filing an EEOC charge. Reasonable opposition to a DEI training may constitute protected activity if the employee provides a fact-specific basis for his or her belief that the training violates Title VII.

Who can be affected by DEI-related discrimination?

Title VII protects employees, potential and actual applicants, interns, and training program participants.

What should I do if I encounter discrimination related to DEI at work?

If you suspect you have experienced DEI-related discrimination, contact the EEOC promptly because there are strict time limits for filing a charge. The EEOC office nearest to you can be reached by phone at 1-800-669-4000 or by ASL videophone at 1-844-234-5122.



www.EEOC.gov

DEI EOs

Executive Order 14151 “Ending Radical and Wasteful Government DEI Programs and Preferencing,” and Executive Order 14173 “Ending Illegal Discrimination and Restoring Merit-Based Opportunity.”

Sec. 4. Encouraging the Private Sector to End Illegal DEI Discrimination and Preferences. (a) The heads of all agencies, with the assistance of the Attorney General, shall take all appropriate action with respect to the operations of their agencies to advance in the private sector the policy of individual initiative, excellence, and hard work identified in section 2 of this order.

March 26, 2026 EO

On March 26, 2026, President Trump issued a new executive order (EO) titled “Addressing DEI Discrimination by Federal Contractors.” This executive order prohibits federal contractors from engaging in what the administration views as “racially discriminatory DEI activities” and imposes related reporting obligations, as well as penalties that can be assessed against a contractor who violates the requirements of the EO.

The EO covers contractors and all tiers of subcontractors doing business with the federal government under the Federal Property and Administrative Services Act (FPASA).

The March 26th EO is the most recent action by the Trump administration in its pursuit to eliminate diversity, equity, and inclusion (DEI) programs and initiatives in the public and private sectors

Courts Are Deep Into DEI Cases



EEOC Moves to Implement DEI EOs



HBR, 4/26: The Upside of Opening Up DEI Programs to Everyone

Over the past few years in the U.S., [more than a hundred](#) federal lawsuits have been filed challenging diversity, equity, and inclusion (DEI) programs in companies, firms, universities, and the public sector.

As legal scholars who monitor these cases closely, we have noticed a clear pattern. To avoid legal liability, organizations that formerly restricted diversity programs to specific demographic groups (such as people of color, women, or LGBTQ+ individuals) are now opening such programs to everyone.

EEOC and DEI

“DEI-related discrimination can include an employer taking an employment action motivated (in whole or in part) by race, sex, or another protected characteristic. Title VII bars discrimination against applicants or employees in the terms, conditions, or privileges of employment, including

Hiring

Firing

Promotion

Demotion

Compensation

Fringe benefits

Exclusion from training

Exclusion from mentoring or sponsorship programs, Exclusion from fellowships,”

HBR, 4/26: The Upside of Opening Up DEI Programs to Everyone

Prior to the Supreme Court's [seismic 2023 decision](#) ending affirmative action in higher education, many organizations had developed programming such as scholarships or internships restricted to students of color, mentorship programs and leadership retreats restricted to women, or affinity groups restricted to LGBTQ+ people. Since then, a tsunami of lawsuits has challenged these programs.

Most recently, the Equal Employment Opportunity Commission [filed a lawsuit](#) against a regional Coca-Cola distributor for organizing a women-only corporate retreat.

EEOC v. Coca Cola, 2/16/26, D. NH

The EEOC's lawsuit said the company paid for lodging, meals and other benefits for attendees and paid them their salaries while excusing them from regular work duties. The agency is seeking monetary compensation for a class of men who were excluded, saying they suffered not only financial losses but “emotional pain, suffering, inconvenience, mental anguish.”

EEOC v. Coca Cola, 2/16/26, D. NH

Targeted programs, such as networking events, for particular demographic groups have been among the most vulnerable to lawsuits challenging diversity practices, said David Glasgow, co-founder of the Meltzer Center for Diversity, Inclusion, and Belonging at NYU School of Law, which tracks anti-DEI litigation.

Discrimination Lawsuit Filed For Denial of Admission to Black Infant Health Program

On April 2, Erica Jimenez of Pasadena filed a lawsuit against the California Department of Public Health, alleging that it violated the Equal Protection Clause of the 14th Amendment and the Civil Rights Act of 1964, which prohibits discrimination in federally funded programs. Jimenez, whom the Pacific Legal Foundation represents, claims the Black Infant Health (BIH) program denied her access to prenatal and postpartum support services because of her race, citing its race-based enrollment criteria.

“California’s program treats race as a stand-in for need — assuming that only mothers of one race deserve or require the help this program offers,” said Andrew Quinio, an attorney with Pacific Legal Foundation. “Drawing a line around a public benefit program and saying only certain races may enter is precisely the kind of discrimination the Equal Protection Clause prohibits.”

Black Enterprise, April 20, 2026

EMPLOYMENT LAW

What You Should Know About DEI-Related Discrimination at Work

Diversity, Equity and Inclusion (DEI) is a broad term that is not defined in Title VII of the Civil Rights Act of 1964 (Title VII).

Title VII prohibits employment discrimination based on protected characteristics such as race and sex. Under Title VII, DEI initiatives, policies, programs, or practices may be unlawful if they involve an employer or other covered entity taking an employment action motivated—in whole or in part—by an employee's or applicant's race, sex, or another protected characteristic.

EEOC, 2025

DEI and Hostile Work Environment

Besides hostile work environment, employees also have challenged employers under the First Amendment for forcing them to listen to and affirm DEI concepts.

Conversely, employers that support DEI training used the First Amendment to challenge a Florida law restricting certain workplace diversity training concepts, winning at the Eleventh Circuit in March. More straightforward job bias lawsuits also have proliferated under Title VII as majority-group employees target DEI programs to mixed results.

A former Honeywell International Inc. engineer lost the appeal of his Title VII retaliation claims to the US Court of Appeals for the Seventh Circuit in July, after he was fired for refusing to participate in mandatory DEI training.

Three Trump-appointed judges said he **wrongly assumed the video-based training would be anti-White without watching it.**

DEI Today After *Students for Fair Admissions, Inc. v. Harvard and UNC*

Do No Harm, “ a nationwide membership organization that opposes racially discriminatory programs and policies in healthcare and seeks to keep identity politics out of medical education, research, and clinical practice.”

DNH has been a plaintiff in lawsuits alleging, for example, illegal racial discrimination in a corporate fellowship program (*Do No Harm v. Pfizer, Inc.*, Docket No. 23-152, 2nd Cir., 2024) and medical licensing board appointments (*Do No Harm v. William Lee acting as Governor of Tennessee*, Civil Docket # 3:23-cv-01175, M.D. Tenn., 2023). And See: *Haltigan v. Drake*, No. 5:23-cv-02437-EJD, 2024 BL 412519, 2024 US Dist Lexis 208115 (N.D. Cal. Nov. 15, 2024),

Both cases were dismissed because the courts found the discrimination allegations to be “too speculative” and without proof of any actual injury to DNH members for DNH to have standing to bring their claims to court. The courts did not decide the merits of either case.

DEI and Hostile Work Environment

The hostile work environment cases add to a bevy of legal challenges and public scrutiny against DEI programs—ranging from workplace anti-bias training to fellowships, hiring, and business funding programs designed to boost women and minorities. The anti-DEI movement is expected to grow as Donald Trump returns to the White House, bringing advisors, Cabinet picks, and a vice president who have vocally opposed DEI.

Bloomberg Law, 2025

**DANIELLE JOHNSON, Plaintiff, v. STATE OF OREGON,
DEPARTMENT OF ENVIRONMENTAL QUALITY, et al., Defendants.
Case No. 3:24-cv-00279-JR, (D. Or., 2024)**

Plaintiff started employment with DEQ in 2018 with a goal to advance in her career. At first, she succeeded—her supervisors "groomed her for promotion, and promoted her to Lead Worker for her team. She alleges, however, that her upward career trajectory came to a halt after DEQ increased its DEI efforts.

DEQ historically made efforts to hire and promote a diverse workforce, but those efforts became more intense in the summer of 2020. DEQ rejected policies of equal employment because policies providing equal opportunities regardless of race or other immutable characteristics would not create a workforce that includes suitable numbers of women, minorities, and people with disabilities across job classifications. DEQ segregated employees based on race by giving non-white employees one paid hour a week to enter "safe spaces" that were only available for non-white employees. DEQ engaged with an outside DEI firm called Engage to Change and instructed employees to prioritize the views of non-white employees during meetings. DEQ leadership clarified that this instruction was "serious, and not to be taken lightly."

EMPLOYMENT LAW

DEQ assigned reading materials that ascribed negative, stereotypical characteristics and attributes to whiteness. In June and July 2023, DEQ distributed an Organizational Assessment that it required all employees to read that included negative statements based on race, specifically negative statements about "whiteness" or "white folks" that DEQ leadership adopted as the official view and policy of DEQ.

**DANIELLE JOHNSON, Plaintiff, v. STATE OF OREGON,
DEPARTMENT OF ENVIRONMENTAL QUALITY, et al., Defendants.
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According to Plaintiff, the negative statements about race "severely affected the workplace for individuals like [her]." Assigned reading materials "stat[ed] offensive racialized opinions as if they were settled fact." And mandatory trainings that "aggressively promoted" anti-white concepts caused Plaintiff significant mental and personal stress.

Defendant referred to Plaintiff's question during the meeting as: an incident that showed a "continuing racis[t] culture within the organization", "aggressive resistance", and "a racist . . . diatribe." Defendant demoted Plaintiff, taking away her Lead Worker position; cut Plaintiff's pay by five percent; and initiated an investigation into whether Plaintiff caused harm with her comments at the meeting.

According to Plaintiff, some of her co-workers have noticeably changed how they interact with her, others know that she was "targeted by the highest level of DEQ management", and some believe that she is a racist. Defendants' actions harmed Plaintiff's professional network as well as her professional reputation and career advancement opportunities.

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Construing the facts in the light most favorable to Plaintiff, the Court finds that her allegations, at least on a motion to dismiss, plausibly state a claim for hostile-work environment based on race. Plaintiff's specific allegations include comments from co-workers that white employee's accomplishments result from "unearned privilege", "white voices are not worth listening to," and "discrimination against white people is legitimate."

Plaintiff makes specific allegations about mandatory trainings that ascribed negative characteristics to white people, and claims that the trainings and harassing comments went on over a period of years, such that ascribing negative characteristics to white people became commonplace at DEQ.

DEI and Hostile Work Environment

Ultimately winning a lawsuit like Johnson's should require extreme examples of repeated racial harassment and hostility, beyond a few training session remarks, said David Glasgow, executive director for the Meltzer Center for Diversity, Inclusion, and Belonging at NYU Law. Employers have ample room to offer training that promotes inclusion thoughtfully without violating Title VII of the 1964 Civil Rights Act, he said.

“In order to make out a claim that's grounded in a hostile work environment, the harassment needs to be severe and pervasive,” Glasgow said. “Just having a standard anti-bias training in the workplace of the kind that many organizations have, that's not going to give rise to a claim.”



Bloomberg Law, 2025

YOUNG v. COLORADO DEPARTMENT OF CORRECTIONS, (10th Cir., 2024)

A judge on the federal appeals court based in Denver oversaw a panel discussion last year about the future of diversity, equity and inclusion initiatives in the workplace while he had a case pending before him on the same subject.

Last week, the U.S. Court of Appeals for the 10th Circuit [dismissed the employment discrimination lawsuit](#) of a White ex-prison employee who alleged the workplace equity, or DEI, training he received amounted to a hostile work environment. At the same time, the decision's author, Judge Timothy M. Tymkovich, criticized DEI initiatives more broadly, saying they were "well on the way" to racial harassment, if not actual harassment. "The rhetoric of these programs sets the stage for actionable misconduct by organizations that employ them," he wrote [in the March 11 opinion](#). Tymkovich added the "racial subject matter and ideological messaging in the training is troubling on many levels."

Colorado Politics, 6/17/24



YOUNG v. COLORADO DEPARTMENT OF CORRECTIONS, (10th Cir., 2024)

Tymkovich criticized DEI initiatives more broadly, saying they were "well on the way" to racial harassment, if not actual harassment.

"The rhetoric of these programs sets the stage for actionable misconduct by organizations that employ them," he wrote [in the March 11 opinion](#). Tymkovich added the "racial subject matter and ideological messaging in the training is troubling on many levels."



YOUNG v. COLORADO DEPARTMENT OF CORRECTIONS, (10th Cir., 2024)

“To be sure, Mr. Young’s objections to the contents of the EDI training are not unreasonable. As other courts have recognized, race-based training programs can create hostile workplaces when official policy is combined with ongoing stereotyping and explicit or implicit expectations of treatment. The rhetoric of these programs sets the stage for actionable misconduct by organizations that employ them.”

YOUNG v. COLORADO DEPARTMENT OF CORRECTIONS, (10th Cir., 2024)

FN. 2:

Perhaps an ongoing, continuing commitment from Mr. Young's supervisors to mandatory EDI trainings with content similar to the one here may evolve into a plausible hostile workplace claim. But the single training session here is not enough. And requiring government employees to either endorse a particular race-based ideological platform or risk losing their jobs could also evolve into a plausible claim of pervasive hostility—or even venture into the realm of compelled speech.

Honeyfund.com v. Governor of Florida 94 F.4th 1272 (11th Cir. 2024)

Florida's law, the Individual Freedom Act, bans certain mandatory workplace trainings.¹ Fla. Stat. § 760.10(8)(a). The Act says employers cannot subject “any individual, as a condition of employment,” to “training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels” a certain set of beliefs. *Id.*

It goes on to list the rejected ideas, all of which relate to race, color, sex, or national origin.

Honeyfund.com v. Governor of Florida 94 F.4th 1272 (11th Cir. 2024)

The State of Florida seeks to bar employers from holding mandatory meetings for their employees if those meetings endorse viewpoints the state finds offensive. But meetings on those same topics *are* allowed if speakers endorse viewpoints the state agrees with, or at least does not object to. This law, as Florida concedes, draws its distinctions based on viewpoint—the most pernicious of dividing lines under the First Amendment. But the state insists that ordinary First Amendment review does not apply because the law restricts conduct, not speech.

This is not the first era in which Americans have held widely divergent views on important areas of morality, ethics, law, and public policy. And it is not the first time that these disagreements have seemed so important, and their airing so dangerous, that something had to be done. But now, as before, the First Amendment keeps the government from putting its thumb on the scale.

We reject this latest attempt to control speech by recharacterizing it as conduct. Florida may be exactly right about the nature of the ideas it targets. Or it may not. Either way, the merits of these views will be decided in the clanging marketplace of ideas rather than a codebook or a courtroom.

Honeyfund.com v. Governor of Florida 94 F.4th 1272 (11th Cir. 2024)

Intellectual and cultural tumult do not last forever, and our Constitution is unique in its commitment to letting the people, rather than the government, find the right equilibrium. Because the Individual Freedom Act's mandatory-meeting provision, Fla. Stat. § 760.10(8), undermines that basic principle, it must be enjoined. We therefore **AFFIRM** the district court's order preliminarily enjoining the operation of that provision.



HR Grapevine - 2024

The way corporate America talks about diversity shifted last year. Nearly one-third of 125 major corporations surveyed earlier in 2024 by the Association of Corporate Citizenship Professionals have adjusted their language describing DEI projects. The report also found that 17% of those companies have reduced external communication on diversity initiatives.

Citigroup Inc. and Uber Technologies Inc. removed language including “anti-racist” from their corporate filings last year.

Nevertheless, many vocal and influential executives are continuing to tell investors that having an inclusive workforce is essential for their business to prosper.

EMPLOYMENT LAW

Harley-Davidson Inc., under fire for its diversity, equity and inclusion policies, told employees that it began a review of its “stakeholder and outreach activities” earlier this year. Email sent to staff that the outcome of that evaluation will inform its stakeholder initiatives in the future. The email sought to communicate with staff “regarding the recent online media that you may have seen relating to Harley-Davidson’s corporate policy.”

DEI opponents blitzed social media for more than two weeks with criticism of the company’s programs, including those designed to promote greater inclusion of LGBTQ communities. Accused Harley-Davidson of adopting “the woke agenda of the very far left.” Campaign continues a broader backlash against diversity initiatives that have included peppering a range of companies with lawsuits, boycotts and complaints to the federal government.

IBM Settles DEI Case for \$17,000,000

IBM reached a settlement with the federal government on Friday, agreeing to pay roughly \$17 million to resolve allegations of illegal diversity, equity and inclusion (DEI) practices.

The DOJ had alleged that the New York-based technology firm "knowingly" made "false claims" about its hiring and employment practices in its federal contracts, according to [the settlement](#). IBM allegedly identified "diverse" candidates for hiring or promotions, while developing race and sex demographic goals.

"IBM is pleased to have resolved this matter," an IBM spokesperson told CNN over email. "Our workforce strategy is driven by a single principle: having the right people with the right skills that our clients depend on."

CNN Digital, 4/10/26

IBM Settles DEI Case for \$17,000,000

The Trump administration last year cracked down on DEI practices in public and private sectors, including in federal hiring and contracting. Four days into President Donald Trump's second term, federal agencies were told to terminate all DEI offices and positions.

The DOJ in May 2025 began using the False Claims Act to target diversity initiatives at colleges and alleged that IBM, as a contractor, violated the act by maintaining "practices that the United States contends were discriminatory employment practices," according to the announcement on Friday.

The False Claims Act dates back to the Civil War era and allows the government to recover funds up to three times the damages it incurs, in addition to penalties, according to the DOJ.

HR Grapevine - 2024

Costco has become an unlikely flag-bearer for DEI against the continued right-wing assault on inclusion policies, with its board of directors taking a firm stand to defend and expand diversity initiatives despite shareholder pressure.

At the center of the debate is Jeff Raikes, a Costco board member and vocal proponent of DEI, who has urged businesses to resist scaling back their inc efforts. Raikes, also co-founder of the Raikes Foundation and former CEO of the Bill & Melinda Gates Foundation, has been outspoken on social media, emphasizing the economic and innovative benefits of diverse workplaces.

In a November post, Raikes argued: “Attacks on DEI aren’t just bad for business - they hurt our economy. A diverse workforce drives innovation, expands markets, and fuels growth.”

DEI and Hostile Work Environment

Besides hostile work environment, employees also have challenged employers under the First Amendment for forcing them to listen to and affirm DEI concepts.

Conversely, employers that support DEI training used the First Amendment to challenge a Florida law restricting certain workplace diversity training concepts, winning at the Eleventh Circuit in March: *Honeyfund.com v. Governor of Florida*, 94 F.4th 1272 (11th Cir. 2024)

More straightforward job bias lawsuits also have increased under Title VII as majority-group employees target DEI programs to mixed results.

A former Honeywell International Inc. engineer lost the appeal of his Title VII retaliation claims to the US Court of Appeals for the Seventh Circuit in July, after he was fired for refusing to participate in mandatory DEI training. Three Trump-appointed judges said he wrongly assumed the video-based training would be anti-White without watching it.

DEI Today After *Students for Fair Admissions, Inc. v. Harvard and UNC*

Take-aways

DEI litigation will likely increase

Anti-DEI pressure campaigns will continue

Polarization and Politicization will continue

Watch for enforcement and related actions by new admin.

Review client DEI programs, policies, and activities



Nat'l Ass'n of Diversity Officers in Higher Educ. v. Trump , D. Md., No. 8:26-cv-01532

President Donald Trump's March 26, 2026 executive order directing agencies to cancel federal contracts and subcontracts with businesses that engage in "racially discriminatory" diversity, equity, and inclusion activities violates the First Amendment, a new lawsuit alleges.

The March 26 order chills free speech and association rights of federal contractors and subcontractors who could lose federal business opportunities and face civil and criminal prosecution for failing to comply with the administration's demands to end lawful DEI efforts, according to the complaint filed in federal court in Maryland on April 20.

Trump and other DEI foes claim that initiatives intended to support historically underrepresented groups are biased against White individuals and provide preferential treatment based on race and gender. The new litigation was brought by a group representing university professors, contractors, and subcontractors.

Bloomberg Law News

IRS v. AMA

The primary trade association representing U.S. doctors offers race-based scholarships through its philanthropic arm, something a conservative medical group argues could disqualify it from holding a tax-exempt status.

Do No Harm filed a complaint with the IRS on Tuesday detailing a number of scholarships offered by the American Medical Association Foundation that are racially exclusive. One such scholarship is available only to black medical students, another was available only to students who aren't Asian or white, and a third was offered only to applicants of "Eastern European descent."

According to Do No Harm and its lawyers at Consovoy McCarthy, these scholarships run afoul of "established public policy and thus renders [the AMA Foundation] ineligible for tax-exempt status."

Washington Examiner, 4/8/26

A crossroads for DEI in legal profession: Why it still matters *Distinct, 2025*

According to Angela Vallot, co-founder of VallotKarp Consulting, the business case for diversity is often clear in law firms, as corporate clients increasingly expect diverse legal teams.

Moreover, many Fortune 500 companies have recently reaffirmed their DEI commitments, leading some legal industry observers to note that client priorities may continue to shape law firm **strategies**.

Harvard Business Review

Many common diversity and inclusion practices involve **debiasing the workplace**. In a canonical example, several decades ago, women composed only 5% of musicians in the top five orchestras in the United States. As of 2016, they were more than 35%.

Researchers attribute this dramatic increase in part to a simple design fix: The orchestras obscured the gender of musicians by requiring them to audition behind a screen.

Many employers adopt similar initiatives to debias their environments, such as purging stereotypical language from job advertisements, conducting structured interviews with consistent questions, and refining promotion processes to make them more transparent and merit-based.

DEI: Legal or Illegal?

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