

DEI Now: Leading with Integrity and Inclusion

Frameworks, Expert Guidance, and
Recommendations for CEOs in an
Anti-DEI Environment

Introduction

“Leadership teams need to ask themselves: What is their red line on what they are open to enabling? This is not business as usual.... We’ve done this as a society before.”

- **Hanna Naima McCloskey**, founder and CEO of Fearless Futures, focused on transformative DEI initiatives and dismantling systemic inequities

Diversity, equity and inclusion (DEI) are core to building successful companies. Most companies want to build opportunities for everyone to succeed and contribute fully to the workplace. The government’s ongoing attack on DEI is a threat to business success in the United States, and its broader shift to authoritarianism¹ is a threat to the autonomy of individuals, institutions and our democracy. These threats require CEOs to think deeply about the mission of their businesses and what they believe in, so they can focus on reinforcing company values, building stronger cultures, and enabling their companies and workers to thrive in this rapidly changing environment. As DEI practitioners and advisors, we are proposing recommendations for CEOs and leaders to continue using DEI to make a meaningful long-term difference for your business, workers, customers and society.

We share frameworks to ground decisions, even for an unknown future, from leaders who may have different and insightful values and views. We provide an overview of the present moment for DEI based on context, describe the real risks of the changes in our country to your business, and share specific examples of what has and has not worked so far. We interviewed experts in diversity and inclusion, law, and business to formulate our recommendations on a range of actions to take. We know our solutions are not perfect or complete; each company is different and the situation will continue to change in unpredictable ways, and your actions can and will shape the future of your company, our environment and your legacy as a leader.

Grounding Ourselves in the Present Moment

“But the country is quickly becoming minority majority, which is also what's fueling these executive orders and all of the things that we see happening with fascism. It is the idea that the majority group is dying off.”

- **Rachel Williams**, who has spent two decades in the people function and DEI arena and is currently a lecturer at the University of California at Berkeley

In the noise of all the activity around “anti-DEI,” we share what today’s anti-DEI efforts look like and where anti-DEI comes from, what DEI actually is and why it’s still critical in order to ground your knowledge and work towards building a successful company.

We are facing a dramatic escalation in a long-standing anti-DEI movement rooted in a history of systemic discrimination. When Donald Trump took office in January 2025, he began fulfilling his campaign promise to dismantle DEI by quickly signing three sweeping executive orders (EOs) attacking transgender people and DEI programs in the government. Activist investors rode the wave and started pushing for shareholder votes to dismantle DEI efforts.

Companies started cutting DEI teams, removing dedicated roles and leaders, and redirecting funding.² In experiencing this quick shift to redirect government and company priorities, we must be level-headed in understanding what DEI actually is. Executive leaders use DEI programs to prioritize fairness, equity, and opportunity in the workplace for all—not just the privileged few. Many DEI programs recognize that marginalized groups have faced barriers to participation based on class, education, region, race, gender, disability, and more. DEI—when led with rigor, consistency, and measurable outcomes—actually builds systems where everyone has a fair opportunity to thrive. DEI is not the enemy of equity and justice, but in fact it is their foundation; its absence is the real threat to building and sustaining successful businesses—and our democracy. DEI is merit-based and looks at existing data on marginalization to understand and address the systemic barriers that keep individuals from having access to opportunities.

“Think of this work as a cascade that starts with values. What are your organizational values? How do those translate into your culture? As a final step, think about how those values and that culture support your business goals and imperatives. I think about inclusion as the lever for ensuring your values, culture, and goals are carried by invested employees who work together to create the widest opportunity set for your company.”

— **Brickson Diamond, a leadership advisory consultant at Spencer Stuart focused on executive search, leadership succession, and development supported through a lens of inclusion**

“Anti-DEI” advocates call DEI a threat to the freedoms and status of white Americans, despite DEI creating a level playing field for everyone. They view the merit-based actions of DEI that acknowledge and remove barriers for others as unfair to white people, even though DEI benefits white Americans by providing an inclusive environment for all, one that is transparent, results-oriented, and merit-based.

“What we're watching is this attack on DEI. We call it anti-DEI, but it's anti-civil rights... This is anti-free speech, anti-civil rights, anti-Constitutional rights... And that's why using the term DEI solely to describe what is happening today is a risk for our movement, because what people are thinking is, “Okay, let's get rid of DEI programs.” It's not about that. It's not about unconscious bias training or even diversity hiring. It's actually anti-Black, anti-immigration. It's broad swaths of civil rights movements being undone. So being really clear about that being the core of what's happening is super important.”

— **Michelle MiJung Kim, Award Winning Author, Speaker, Host of *I Feel That Way Too***

For them, civil rights are a threat, despite the fact that civil rights are focused on providing equal treatment and freedom from discrimination for all individuals. Today, the administration uses DEI as a scapegoat for everything from airplane crashes to law firm accountability, teaching the public to fear human rights, fair hiring, and equity in power.

Systemic discrimination traces back to chattel slavery in 17th century America. Struggles for civil rights and liberties stretch back generations—from the Civil Rights Movement to labor unions. But the formalization of DEI in organizations didn't begin until the 1990s.³ In 2020, following the murder of George Floyd and the global protests that followed, DEI reached an inflection point, with billions of dollars committed to anti-racism and inclusion. Trump's first term in office unsuccessfully tried to block DEI with a 2020 Executive Order that sought to eliminate DEI training in federal agencies and among contractors,⁴ and gave the Department of Labor authority to investigate bias training programs (a court injunction ended that effort⁵). This year, his renewed assault on DEI reaches further by targeting the private sector, universities, and law firms. It represents a more aggressive and coordinated dismantling of equity initiatives across both governmental and non-governmental organizations.

Understanding Risks With Examples

This report will help you as a business leader understand how to make sure your DEI programs are focused, effective and continue to make meaningful progress in the face of increased anti-DEI efforts. We start and end with examples of how specific groups of marginalized workers are impacted and why it should matter to you. We will share the real-life impacts of changing direction on DEI and how it affects employees, customers, and legal risk. Finally, we share specific recommendations on how to move you and your company forward most successfully.

“The idea of creating equal opportunity, no matter what Trump says, is actually an important thing. The fact is, they want to live in a “colorblind” society, which basically means a society where white people have unfair advantages. Leveling that playing field, even if it's by expanding outreach, making sure that you are still reaching out to a broad set of folks, is critical.”

— **Lisa Gelobter, PhD, founder and CEO of tEquitable, a conflict resolution platform that addresses camouflaged systemic work culture issues before they escalate**

Real-Life Impacts: Employee Immigrants

In 2023, 19% of the U.S. workforce were workers born outside the United States, as were two-thirds of the Silicon Valley tech workforce⁶. Recent executive orders attacking immigrants have been terrifying for workers who are afraid of being targeted and separated from their families and their lives. The fear is heightened by the actual experiences of others:

- Tourists held in solitary confinement, hundreds of Venezuelan men sent to a maximum security prison in El Salvador with no due process.⁷
- A two-year-old toddler born in the United States being separated from their family.⁸
- International students receiving notices that their student visas have been suddenly revoked.⁹
- Academics jailed.¹⁰

And these are just a few of the many examples of how policies described as simply being simply being “tough on immigration” have greatly, negatively and permanently impacted the lives of parents, children, families, employers, workers and more.¹¹

Between January 20 and March 10, under the new administration, the U.S. Immigration and Customs Enforcement arrested more than 30,000 people, doubling the arrest rate of the prior Biden administration.¹²

Notably, one of the many men sent to a camp in El Salvador illegally is Kilmar Ábrego García, a sheet metal apprentice who lived in Maryland with his wife and son.

He had protected legal status since 2019 but was unjustly arrested, detained and deported anyway. The administration has since admitted this was done illegally and although the U.S. Supreme Court has demanded his return, as of May 30, the administration refuses to bring him back.¹³

In addition to the devastating real-life and interpersonal impact on people and communities, in 2024 the Center for Migration Studies published a report on how Trump’s proposed immigration policies would damage the United States dramatically.¹⁴

In a country where the total undocumented population is estimated to be 10.9 million people, undocumented workers make up 5% of the U.S. workforce.¹⁵ Currently, the United States is already facing a significant workforce shortage, and if the administration continues with deportation plans, cumulative gross domestic product would decrease by 2.6% (or nearly \$5 trillion) over ten years. The housing market would also be negatively impacted since 1.3 million mortgages in the country are owned by households with undocumented immigrants.¹⁶

Risk and Example: Employee Backlash

Companies face serious internal and external risks in this environment. Internal risks include employee dissatisfaction, reduced job candidate interest, lower retention and a disconnected company culture. In a 2023 Pew survey, most workers, especially younger (68%), Democratic-leaning (78%) and female (61%), favor increasing DEI at work, as do a majority of Black (78%), Asian (72%), and Hispanic (65%) workers.¹⁷ In a 2025 CultureCon survey, workers gave DEI an average importance rate of 8 out of 10 with nearly 50% of workers rating it a 10, and 77% said their workplace is still investing the same or more in DEI efforts.¹⁸

DEI policies will impact whether a company is able to recruit these workers, with a recent survey revealing that 65% of respondents believe reducing DEI efforts will significantly harm employee retention and 64% saying it will cause workplace morale to decrease.¹⁹ Clearly, building a successful workplace culture consistent with employees' values means incorporating DEI in a significant and effective way.

Basecamp Backlash

The software tools company Basecamp found out the hard way that employees will advocate for and defend DEI initiatives—and will even resign when management implements an anti-DEI approach. In 2021, the company's CEO banned societal and political conversations, which workers viewed as a threatening response to internal conversations about the company's commitment to DEI.²⁰ One third of them—20 out of 57, including the heads of design, marketing and customer support as well as the whole iOS development team—quit the company in response.²¹ (In addition, the company was “criticized relentlessly” on Twitter.²²)

“Companies that prioritize fairness and inclusion and belonging perform better. They attract and retain top talent; they drive innovation. They build more engaged teams that can create the products and solutions they need to not only survive but to be enduring organizations. We all know the backlash against DEI isn't just about policy shifts. It's about who gets to thrive at work and who gets left behind. And so for me, it's about centering on that and understanding that, because the world is diverse. That means your talent pool, your customers, your markets are diverse, and companies that fail to hire, manage and lead in ways that embrace difference risk losing their relevance and their talent and their revenue.”

- **Daisy Auger-Dominguez**, a workplace strategist and executive advisor transforming how leaders manage people, culture, and performance

Risk and Examples:
Consumer Boycotts and Buy-cotts

External company risks include the risk of alienating customers in favor of people who are not your customers, and sparking boycotts of your company’s products and services. As companies have announced decisions to turn their backs on DEI in response to anti-DEI activist lawsuits and the government’s attack on DEI in federal offices, consumers have organized boycotts of their products and stores. Others also organize “buy-cotts,” intentionally shopping at stores that publicly support DEI.

Target Boycotts

Failure to uphold values and meet consumer expectations can have a far-reaching and long-lasting negative impact on a business’s revenues, profitability, sales traffic, growth and longevity. The seriousness and damaging effect of groups organizing boycotts of anti-DEI companies are exemplified in the case of one of the biggest retailers in the world.²³ When Target announced its decision to discontinue its DEI programs on January 31, 2025, consumers organized boycotts supported by prominent activists, faith leaders and celebrities.

Since then the company has had 10 straight weeks of declining foot traffic.²⁴ In February 2025, foot traffic in Target was down 9.5%.²⁵ Since Target’s anti-DEI announcement exacerbated the impact of tariffs, its stock price dropped to a five-year low,²⁶ and on May 9 was 29% lower than its price at the start of 2025—reflecting a \$20 billion drop in company value.

Costco Boycotts

In contrast, Costco received public support when it embraced DEI publicly with the board stating, “Our commitment to an enterprise rooted in respect and inclusion is appropriate and necessary.”²⁷ It noted that customers like seeing their diversity reflected in the Costco worker base, and questioned the motives of a group making an anti-DEI shareholder proposal.²⁸ A whopping 98% voted against the proposal.²⁹ Same store sales, a key metric for comparing sales in the same stores across different time periods, increased in its first quarter by 5.2%. Organized “buy-cotts” brought customers to Costco stores in New Jersey,³⁰ New York³¹ and Louisiana,³² overpowering conservative-led boycotts.³³ In 2025, Costco stock was up over 13% on May 30 for the year despite tariffs driving decreased consumer spending.³⁴

The Stock Performance of Costco (COST) and Target (TGT) for the Year to Date on May 30, 2025 (via Google Finance)



Understanding Long-Term Risks

For many companies, many business decisions involve balancing short-term business concerns with long-term company values—and also the impact on workers, customers and partners. Experts urge leaders to be more thoughtful about the impact of their work and its impact on society, and to consider how they want to be remembered and what they want their company's legacy to be. When founders and CEOs build companies with missions and visions, they want to leave a mark on the world that endures. They want to avoid leaving a stain behind that overcomes any positive impact and value that they worked to build.

Harvard Professor Frank Dobbin has compared the government's attacks on marginalized groups and institutions to Nazi authoritarianism.

“ I read a lot of memoirs and diaries from people in Germany in the 1930s, and the narratives are very matter-of-fact: Today he did this. Today, he did that. And it kind of feels like that now, Trump keeps doing things to demonize people—especially immigrants and trans people—blaming them for all of our problems, and then systematically attacking the power of the judiciary and the independence of agencies and trying to destroy elites... The authoritarian playbook is to try to destroy elites. ”

- **Professor Frank Dobbin**, an expert on diversity programs, inequality, economic behavior, and public policy, and chair of Harvard University's sociology department

DEI expert Hanna Naima McCloskey urges leaders to consider the broader goals of their actions beyond the specific tasks they are being asked to do.

“ I checked a list of German companies that were actively involved in the Nazi regime's project of extermination. It is a long list that has not aged well; it is a bad list. IBM made punch cards to make extermination camps more efficient. Allianz insured workers in the camps. BMW used forced labour from the camps. There were companies who made the gas. There's a whole ecosystem of all of these companies that were like, ‘Yeah, cool. We're going to get involved in order to “preserve 200 jobs” or whatever their logic and justification was at the time... Somebody had to build the gas chambers too. And the question in all this is, do you want that to be your company? And if you don't, then you need to bring your red line in much closer than you initially thought. ”

- **Hanna Naima McCloskey**

Leaders also need to consider what impact their actions have and how they will be perceived in hindsight.

“Leaders have to really reckon with where they want to stand, how they want to empower and embolden people who are fighting for civil rights and human rights more broadly, and what kind of role they want to play in that movement. It's a really pivotal, historical time that we're living in and defining right now. A lot of people from many years from now are going to look back at this period and be critical about where they stood, and truly, I hope most people will choose to be on the right side of history.”

— **Michelle MiJung Kim**

In a letter to law firm Paul Weiss, former lawyers for the firm wrote of the negative long-term impact of its actions to concede to the government and protect its short-term business, “[F]rom the standpoint of posterity, it is a permanent stain on the face of a great firm that sought to gain a profit by forfeiting its soul.”³⁵

Understanding Legal Risks

Before reacting to anti-DEI executive orders, CEOs should understand the actual legal risk involved, and that means understanding how the orders work, what they actually can do, and what the potential impacts are of compliance and refusal to comply. We provide a framework and some examples of areas where leaders had opposing responses and share the outcomes. In many cases, compliance fails at a surprisingly dramatic level, and refusal to comply has unexpected benefits.

A CEO may consider following an executive order as complying with the law, but often compliance means breaking other laws, federal and state, because executive orders generally do not override or supersede existing laws.³⁶ Actual legal risk involves violating an existing law or statute.

Unfortunately, the executive orders are having an impact because people comply through fear, ignorance or inertia. We call it the tyranny of timewasters, because defending your organization against an executive order, even a legally unfounded one, can require so much effort and resources. Blocking executive orders triggers the checks and balances of the U.S. court system, which require going through an actual legal process. The time and resources to defend civil rights in court has led some to give up on the fight before it has even started—even with full knowledge that they have not broken any federal laws or statutes and would likely win if their case went through a fair judicial process.

“A lot of attorneys are optimistic that the law will prevail, that justice will prevail. Generally, over time it does. It just takes so long, and like these administrations, while we're in it, it seems like it's a million years, but four years is really not that long of a time when it comes to changing laws. The concern is that the courts will step in, but then the administration will just say, ‘Well, that doesn't apply,’ because they have shown that they don't necessarily care what the law says or if they break the law.”

— **Katie Rinkus, Senior Associate Attorney at The Prinz Law Firm, where she provides advice to corporations on business and corporate law, including employment issues**

Despite this context, noncompliance is critical. As our experts noted, we are moving to a more and more authoritarian society where the rule of law is ignored, judges' orders are disregarded, and in April a judge was arrested at a Wisconsin courthouse and charged with two felonies for allegedly aiding an undocumented person trying to evade deportation.³⁷ Executive orders are being used to deport immigrants without due process, including international students and professors with valid visas, and to attack private firms and public institutions.

Many people and organizations who are choosing to fight for human rights—and to go through the long and costly process—have been successful. By May 1, 2025, the administration had been sued three times for every day since inauguration.³⁸ For example, plaintiffs are challenging the administration's efforts to end birthright citizenship, fire federal employees without cause, end government DEI efforts, ban transgender people from serving in the military, freeze foreign aid, reverse the offshore drilling ban.³⁹ And they are succeeding in many cases. On May 9, 2025, nearly 150 court rulings had blocked an administration effort at least temporarily.⁴⁰

These brave challenges against the administration have not stopped it from using executive orders and legal intimidation, and in fact Trump is now targeting corporations. Executive leaders should be aware: Most civil rights do not start with immediate enforcement when new laws get passed. Companies need to be proactive, because this administration seeks to break the rule of law. Executive leaders must demand that their civil rights be protected and regarded—otherwise their rights continue to be violated. Either we work actively to protect our collective human rights, or we should be ready to deal with the legal, economic and societal chaos that follows.

Risk Mitigation and Example: Collective Action

Coalitions work. Companies banding together, whether formally or informally, can push policy changes and effect—or prevent—change. Managing in this moment will not only require the support and collaboration of executive teams within an organization but will also require executives across companies and organizations to band together and strategize for the benefit of their workers, their roles and the future of business in the United States.

Professor Dobbin compared the current anti-DEI situation with Ronald Reagan's anti-DEI efforts in the 1980s. When corporations pushed back, Reagan's attempts to end anti-discrimination efforts failed.

“When Ronald Reagan came to the White House in 1980, he was elected on a platform of cutting the red tape in Washington, which seemed to mean, more than anything, cutting anti-discrimination measures, litigation, regulations. But at that point, corporate America was not going to oppose those programs. Most CEOs thought the programs were a good idea. Reagan didn't have a white nationalist social movement behind him at that moment. He was just a center right politician, so he didn't go nearly as far; he wanted to cut affirmative action and equal employment opportunity more than he did in the end. Some of his lieutenants stopped him, and some corporate executives stopped him from getting rid of affirmative action. But it was really the corporations that stood up and said, ‘Let's not do this’ that stopped him from going further.”

— **Professor Frank Dobbin**

Nonprofit Collective Action

Recently, nearly 3,000 nonprofits banded together after rumors surfaced that the White House was going to end tax exemption for nonprofits.⁴¹ They signed a letter that criticized the anticipated changes, writing, “Efforts by the president of the United States to defund, discredit, and dismantle nonprofit groups he disagrees with are reprehensible and dangerous—a violation of a fundamental freedom in America. This Administration is trying to bully people into silence.”⁴² While the May 2025 budget bill in Congress proposes taxing large foundations and universities and allowing the Treasury to attack nonprofits it considers terroristic, many have criticized these two provisions publicly.⁴³

Concurrently, universities have started collective pacts, stating shared values and banding together, citing strength in numbers. Hundreds of school heads signed a statement by the American Association of Colleges and Universities, saying they “must oppose undue government intrusion in the lives of those who learn, live, and work on our campuses.... The price of abridging the defining freedoms of American higher education will be paid by our students and our society.”⁴⁴ The Big Ten school senates and faculty members signed an agreement that calls for member schools to share resources with any school in the pact that gets targeted by the government.⁴⁵

Michelle MiJung Kim, activist, describes the urgency of the moment as requiring companies to stand up—and for their employees to collectively demand change.

Risks and Examples: Compliance and Noncompliance

Complying with the executive orders has generally not been successful for law firms and universities, and these real-life examples show the impact of complying when it contradicts core values. In March, the White House issued executive orders targeting three law firms; the orders suspended security clearance for the firms’ attorneys and banned them from federal buildings, and also terminated their federal contracts.⁴⁶ Paul Weiss, a target, has a former partner who joined the Manhattan DA’s office and investigated Trump. Perkins Coie, another target, said the government action was “retaliation” for its work for the Democrats, including Trump’s 2016 opponent Hillary Clinton.⁴⁷ Some view the orders as part of the attack on institutions designed to make it harder for the judicial branch to balance executive power; if no law firm is willing to go against the government in court, the executive branch will be able to go after individuals, companies, and institutions with fewer obstacles.⁴⁸ In April 2025, the administration’s battle with the judicial branch escalated when the FBI arrested a sitting judge, accusing her of illegally protecting an undocumented immigrant.⁴⁹

Compliant Paul Weiss

Paul Weiss was compliant; its leaders negotiated with the White House on an agreement, including a requirement to perform \$40 million of pro bono work for Trump issues. A wave of negative employee responses focused on the impact of the firm’s actions.

“At this moment, while some people are calculating the risk to the organization standing in terms of their legality, what we should be thinking about more broadly is: If we don't stand up now, the risk is to all of us and our most basic fundamental human rights. We need to take more risk today, because there's so much at stake.... For us to fight this full-blown version of fascism, we need to become bolder and more emboldened to grow grassroots power. That power lies with employees, that power lies with contractors, that power lies with overseas workforce that have been leveraged without adequate pay. And the more people understand that we as a collective hold more power than those at the top, then the tide will shift, and I think we're building towards that.”

— Michelle MiJung Kim

Former Paul Weiss lawyers wrote of their outrage that the firm “has cowardly allowed itself to become instead a poster child for the administration's efforts to silence dissent and impose a loyalty test on attorneys.”⁵⁰

A deceased partner’s grandchildren criticized the use of their late grandfather’s name, “[T]he situation in which you found yourself was not, as you suggested, simply a ‘bet the company’ dispute between two adversaries... Nothing short of the integrity of the entire legal system is at stake... We are confident that our grandfather would have recognized in this delicate moment, when the country hovers between a new authoritarianism and its longstanding freedoms, that what is good for the nation and rule of law is good for Paul, Weiss, not the other way around.” They also took issue with the firm citing their grandfather’s statement of principles for the firm as support, stating that they were “stunned... taking action to stay off an enemies list undercuts [the rule of law] and emboldens those who seek to dismantle it.”⁵¹

The widespread criticisms spread to op-eds⁵² and social media.⁵³ Repercussions in the firm continue as well, with four top partners at the firm leaving in May to start their own competitive firm.⁵⁴ The head of pro bono practice⁵⁵ and the former Homeland Security Secretary under President Obama⁵⁶ left separately in April and May.

Noncompliant Perkins Coie

Perkins Coie, and several other law firms, took a noncompliant approach filing suit against the government⁵⁷ even after losing seven clients.⁵⁸ And in contrast to Paul Weiss, Perkins Coie has received growing support from the legal community. As of April 8, more than 500 law firms have signed or filed amicus briefs, along with more than 360 law school professors and 360 former judges, and nonprofits like the Electronic Frontier Foundation and the ACLU.⁵⁹ On May 2, a judge ruled that the executive order targeting Perkins Coie was unconstitutional.⁶⁰ Another law firm fighting a similar executive order, Jenner & Block, recently gained a client, winning Microsoft’s business away from Simpson Thacher & Bartlett, a law firm whose recent deal with the White House commits it to donate \$125 million in legal services for the Trump administration’s causes.⁶¹

At least 11 large companies are switching from law firms that complied to law firms that did not comply, and a general counsel told a reporter that if firms facing pressure from the administration “‘don’t have a hard line,’ they don’t have any line at all.”⁶²

Risks and Examples: Higher Education

The White House is also attacking higher education, using federal funding, including for medical research, to demand that universities change how they handle protests, admissions, Middle Eastern studies, and more.⁶³

Compliant Columbia

In March, Columbia agreed to a list of conditions that included putting its Middle Eastern studies department under receivership after \$400 million in federal funding was canceled.⁶⁴ The funding has not restarted, and the White House in April reportedly plans to bind the university legally to its commitments through a consent decree with federal oversight.⁶⁵ Columbia has since had its interim president resign, and some of its faculty protest in a public rally, where Nobel Prize-winning economist Joseph Stiglitz said, “For democracy to work, there have to be critics of what the government does... Antidemocratic governments always try to shut down the universities first.”⁶⁶ Columbia has been described as a poster child for what universities should not do.⁶⁷

Noncompliant Harvard

Harvard has settled into a noncompliance approach. In March, more than 600 faculty members signed a letter,⁶⁸ more than 500 alumni signed a second letter,⁶⁹ and more than 200 Harvard affiliates protested, all calling for Harvard to push back against the administration.⁷⁰ On April 20, 2025, Harvard chose to sue the government for blocking \$2.2 billion in funding, citing the First Amendment and writing, “The Government has not—and cannot—identify any rational connection between antisemitism concerns and the medical, scientific, technological, and other research it has frozen that aims to save American lives, foster American success, preserve American security, and maintain America’s position as a global leader in innovation.”⁷¹ On April 17, 2025, Harvard’s alumni magazine published a group of letters under the heading, “Alumni Praise Harvard's Response to Government Demands.”⁷²

Real-Life Impacts: Transgender Workers

A second example of the harm and impact of Trump's executive orders is the attack on the rights of transgender, intersex and nonbinary people. Executive orders deny their existence, including at work, in the military, in schools, at home, when traveling, in prisons, in medical care, and in the arts. These executive orders specifically attempt to:⁷³

- direct government agencies to only recognize staff as men or women,
- ban gender markers for nonbinary or genderqueer people, including for passports,
- move trans women in federal prisons to men's housing,
- ban transgender people in the military,
- defund critical gender-affirming medical care for trans youth,
- block support for students in school who are socially transitioning, including for trans affirming curriculum and policies encouraging or requiring teachers to refer to trans students by the name and gender that align with their identity,
- prohibit federal contractors from respecting transgender identities and applying "DEI" principles,
- prevent transgender students from competing in sports, and
- defund and remove research and information about LGBTQIA+ health care and gender identity, including from public websites and datasets.

Several organizations, including the ACLU, GLAD, NCLR and three state attorney generals, are challenging these anti-trans orders in state and federal lawsuits; several courts have issued preliminary injunctions and temporary restraining orders to prevent these actions as the cases work their way through the legal system.⁷⁴

This administration has defined itself as an opponent of civil rights, bullying and harassing people who have already been forced to the margins. The harm done will be felt for decades after Trump's term has ended. There is potential for even greater harm as data is weaponized to find, track and attack members of marginalized groups.

“ If you've been able to build up a workforce that represents many different backgrounds and includes a fairly young population, they're looking for you to express your values pretty publicly. If you can't, you have to be able to have internal conversations that allow for them to understand where you stand, what risk measures you're taking and why... Look inward and really make sure that you are attentive to the culture, to the people of your organization, your business objectives, and how you're going to operate together. ”

— **Brickson Diamond**

In these times, it might be tempting for executive leaders with little to no lived experience with marginalization and are not feeling the direct pressure of these executive orders to lay low and stick to business as usual. However, each day brings three more executive orders attacking civil rights with no signs of slowing down. Even if you are not affected directly or concerned, you should think about the negative impact on your workers and customers, many of whom are detrimentally impacted and possibly traumatized by these actions, and ways you can manage in an environment and political climate is not at all business as usual. If just one person out of 100 people can have rights that are supposed to be guaranteed by the Constitution taken away, the rest are likely to have their rights stripped from them eventually as well.

Recommendations

Leading means taking ownership of your actions. In the face of rising authoritarianism, leading is even more critical. Prepare for different scenarios, understand the environment, make each action more impactful, band together with others, and take time to understand your actual risks.

The foundation for actions should be your company values. They will ground your decision-making and help your employees, customers and the public understand them.

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Be ready in advance. Formulate your values, boundaries and red lines of what you are not willing to do or stop doing. Plan for different scenarios, and know what you do not want to do and what you want to continue or start to do.

One part of planning and boundary-setting is defining your support for employees under attack (immigrant, trans, ones who have spoken up, etc.). Do you feel an obligation to protect your workers from government harm? If not, do your workers understand the risks? Consider the following scenarios in which you must decide whether to protect your workers:

- Would you share their medical records with the government?
- Would you provide a list of transgender workers?
- Would you reveal their immigration status or provide a list of undocumented workers?
- Would you allow ICE to enter your workplace to arrest workers, even if it was likely they would be sent to a prison outside the U.S. with a reputation for violating human rights?⁷⁵
- Would you share a list of employees who express support for Palestinians?

“Leadership teams need to ask themselves: What is their red line on what they are open to enabling? This is not business as usual.... We’ve done this as a society before. Connect the dots. When you follow the path, where does this go for those 200 lives? It’s not even lives or jobs; how much are you willing to do? You’ve got 200 members of staff who are thrilled to work for fascism; or maybe they don’t want to do that. Are you seriously telling me you can’t reallocate those people? Or can you explain to them that we don’t want to support fascism so our federal contract is no longer viable. They might be pissed, but you know what? In a few years, they might also understand that was the right thing to do. Otherwise we’re just going down the same path and that isn’t very courageous or in solidarity with any of the communities that you also allege to care for who are being harmed actively by this regime.”

— Hanna Naima McCloskey

Some of this hard decision making could be avoided if you delete company data that might compromise employees. Know your rights around what you are required to share, whether you would be willing to protect the data, and how much effort and cost you are willing to spend to defend your rights if you decide to collect and keep the data. Understand that individual employees with access to data could potentially share it without your permission. Understand the risks of having lists of employees categorized by identities that are under attack; even ERG email lists create risk. Secrecy could provide privacy, but also could generate feelings of inadequacy from concealing identities or operating in secret. Ask employees whether they prefer working on such issues in private groups or organizing in a more public fashion.

2

Understand the context. Analyze the long-term impacts of compliance and the precedent it creates for your future decisions and actions. Is a specific concession going to have broader effects beyond the short-term returns you are considering? How are employees and customers affected? What is the impact on society? Does it enable or otherwise contribute to harming others? Is your involvement going to require you to do harm in the future? If you comply, what else will you be further asked and expected to do? Do you think the government will meet its commitments in any agreements it enters with you? In hindsight, will your actions be perceived as supporting and enabling authoritarianism? Is a government contract or funding worth going against your company and personal values? Princeton University president Christopher Eisgruber, PhD warned about the slippery slope of compliance in an interview with PBS in March, stating: “I think once you make concessions once, it's hard not to make them again.”⁷⁶

3

Make DEI more effective. Focus on inclusion and teamwork: Make it company-wide, with everyone responsible, fund it, take a comprehensive approach across the whole organization and all activities, include everyone, and be sure to have real metrics, and include it in performance reviews. Communicate your values and your efforts in a way that employees understand and can aid them in making decisions.

“The CEOs who I see panicking are ones that just kind of knew they were doing DEI but didn't know what their programs were or why they were doing them, or why they were important. When there were all these fears of social media attacks by online anti diversity activists, I thought, 'if a mean tweet can really derail your full corporate strategy you didn't have enough conviction to begin with.’”

- **Joelle Emerson, cofounder and CEO of Paradigm, a platform focused on building better company cultures**

Know that DEI leaders are tired and burned out, so consider what you can offer proactively to support them in their work. Standing up also means working together at a time when DEI leaders are feeling pressure from anti-DEI measures, which are leading to cuts in DEI funding and economic uncertainty for DEI workers.

“For those of us that have been doing this work a long time; we care and we see it under attack. We see people who genuinely got into this work because they care about it. It's hard to watch people struggle. It's hard to be on the sidelines. I get calls fairly almost daily from other DEI leaders that just need support and help navigating.”

- **Justin Reyes, belonging and inclusion expert with 20 years of experience in human resources**

Leading with Integrity

In the high-pressure world of DEI work, practitioners are often forced to constantly prove the value of their roles. This pressure can lead to burnout—and sometimes, to turning against each other at a time when DEI leaders need each other the most. In *Movement-Killing Behaviors*, NIJMIE writes:⁷⁷

“We must be able to live by the principles that we set for others and for the society that we are in the process of transforming. If we are to help everyday people come into greater activity, leadership and collectivity then we must cultivate the utmost integrity individually and collectively, we must be trustworthy and cultivate mastery of “movement-building” practices while minimizing “movement-killing” practices. Otherwise we follow in the footsteps of all that have abused their power and applied a double standard to their own behavior while harming others.”

NIJMIE defines “movement-killing behaviors” as actions like speaking negatively about peers in the work, spreading information dishonestly, making accusations and attacking fellow colleagues in the work instead of seeking clarity, rejecting constructive feedback, clinging to rugged individualism, and maintaining constant negativity towards other practitioners while touting oneself as having the one true approach to DEI that works. These harmful behaviors often reflect the very conditions that DEI workers are subjected to every day.

Without care and intention, even well-meaning practitioners can begin to reproduce these same behaviors—often toward one another—including many who are also doing their best to lead with integrity. This behavior is especially present in environments where the values and principles DEI workers bring to the table are not fully understood, appreciated, or genuinely supported by the companies employing them.

“As long as you've got human beings working for you, you've got to continue to focus on, do people work together effectively? How do people work across cultural and other differences? How do we create psychological safety in the workplace? How do we create an environment where people can do their best work? It all seems so frustratingly logical to me and so totally counterintuitive that people are trying to do away with DEI, but it's not the DEI that they're trying to do away with. It's that they really would like workplaces to be predominantly white and male again, and by the way, the C suite is still pretty much 80% white male.”

— **Angela Vallot**, a consultant who advises boards and executives on inclusion with 30 years of experience in DEI

4

Understand your actual legal risk and frameworks. The impact of this administration can be disorienting and destabilizing. It can create an environment where executive leaders assume that an order must be followed or has become law.

Work with your legal teams to ascertain your actual risk based on the law versus the risks of time required to defend your rights and the rights of your employees and contractors in court.

- Know your rights and current law
- Understand the actual legal changes and their impact on your work and teams
- Understand your state laws and protections around HR and for groups of employees, especially immigrants and transgender people
- Understand whether you are aligned with existing laws in the states you operate in and have employees, and possibly in other countries where you employ people or operate
- Understand when you are not aligned. If you make changes, do they appear to admit that I did something wrong before that I needed to change? If you need to change your core values to move into alignment, are there other options? What risks are you willing to take and are there ways to change the impact of the legal changes?

5

Build coalitions: Do not underestimate the combined impact you and your workers can have. A coalition does not have to be formal. Having a shared strategy or planning to work together in red-line situations like the group of Big Ten Schools is one way to provide greater cover in the face of being targeted by the administration.

“The idea that corporations are these passive entities that have no influence and no power in society, when some of them have the revenues of small countries, is foolishness. Where is the corporate block of CEOs against fascism? We need to start seeing corporations as having real power in society for the people they hire, the taxes they pay, the infrastructure that they establish in towns and so on, and not see them as a poor company, poor multi billion dollar company that doesn't know what to do. I don't believe that.”

— **Hanna Naima McCloskey**

Conclusions

Building inclusion, equity and thus diversity into your company is the right thing to do in every environment. We know the business reasons, we know the moral reasons, and we know employees and customers demand it. As the pendulum swings back and forth, how do you want to be remembered today and in the future? When the environment gets harder to do what is right, do you want to be known for giving up or stepping up? Are you willing to take the risk that your company will be boycotted or shut down? Revisit your DEI programs. Focus on what Project Include has always recommended: inclusion of everyone, comprehensive measures, and metrics that matter. Protect your employees and build for posterity.

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Angela Vallot is a nationally recognized consultant, lawyer, and thought leader who serves as a trusted adviser to boards and C-suite executives on leveraging inclusion to drive greater engagement, innovation and revenue growth. She has been a leading diversity, equity and inclusion advisor for more than 30 years, serving first as Chief Diversity Officer for two major corporations, Texaco and Colgate Palmolive, and then as co-founder of VallotKarp Consulting. Angela was recruited by the CEO of Texaco in 1997 to become the firm’s first Chief Diversity Officer. While there she led the company’s diversity efforts following the settlement of a landmark \$176 million racial discrimination lawsuit. Under her leadership and working in close collaboration with the CEO and the board, Texaco became known as a model for corporate diversity. She was recruited by the CEO of Colgate Palmolive in 2001 to serve as that company’s first Global Chief Diversity Officer and Head of Business Continuity Planning.

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Brickson Diamond is a leadership advisor working with clients across a range of industries and functions, infusing the tenets of inclusion into executive search, leadership succession, and development. He is based in Spencer Stuart’s Los Angeles office and is a member of the firm’s Telecommunications, Media & Technology and Education and Social Impact Practices. Brickson brings 20 years of experience engaging with boards and C-level executives to build and transform businesses across industries. He is also a well-respected thought leader and practitioner in discovering, developing, and connecting leadership talent from historically underrepresented groups, and advancing DE&I in corporations and nonprofit entities across multiple industries.

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Daisy Auger-Domínguez is a trailblazing voice in transforming how we work and lead—building more human, high-performing teams and organizations. A global C-suite executive, workplace strategist, and trusted advisor, she helps leaders and teams do the hard, human work of driving impact without losing their humanity. With a career spanning Google, Disney, Moody’s, and Vice Media—as well as extensive nonprofit board leadership—Daisy brings clarity, creativity, and practical insight to the complexities of today’s workplace. From end-to-end people operations and risk management to career growth, burnout, and organizational effectiveness, she helps leaders meet the moment and lead with courage, clarity, and care.

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Felicia Medina (she/her) is nationally acclaimed plaintiff side attorney, having secured some of the largest class and individual settlements in employment discrimination cases on record. With a passion to address systemic oppression by holding powerful corporations and interests accountable, Felicia specializes in employment discrimination, equal pay, sexual harassment, wage and hour, wrongful termination and whistleblower retaliation cases. She has successfully represented clients from all walks of life, including C-Suite executives, working mothers and parents, scientists and engineers, and sales employees. Her expertise extends to a variety of industries, including STEM, entertainment, legal services, pharmaceuticals, biotech, finance, energy, and transportation.

Frank Dobbin, PhD

Frank Dobbin received his BA from Oberlin College in 1980 and his PhD from Stanford University in 1987. He is Henry Ford II Professor of the Social Sciences at Harvard University. Dobbin studies organizations, inequality, economic behavior, and public policy. His 2009 book *Inventing Equal Opportunity* shows how corporate personnel managers defined what it meant to discriminate. His 2022 *Getting to Diversity: What Works and What Doesn't* (with Alexandra Kalev) provides an evidence-based view of corporate diversity programs, showing that mentoring programs, diversity taskforces, and special recruitment programs have helped to promote diversity by engaging managers, while diversity training and diversity performance evaluations have thwarted progress by stigmatizing managers. These findings have been covered by *The New York Times*, *The Washington Post*, *The Boston Globe*, *Le Monde*, *CNN*, and *National Public Radio*.

Hanna Naima McCloskey

Of proud Algerian-British heritage, Hanna Naima McCloskey has dedicated over a decade to advancing and implementing DEI strategies and equitable outcomes for marginalised communities. As the Founder and CEO of Fearless Futures, she has spearheaded transformative DEI initiatives, partnering with organisations globally to dismantle systemic inequities. With experience at the UN, NGOs, and the Royal Bank of Scotland, her expertise spans communications, research, and finance. Hanna has lived, studied, and worked in diverse environments, including Israel-Palestine, Italy, the USA, Sudan, Syria, and the UK. She holds a BA in English from the University of Cambridge and an MA in International Relations from Johns Hopkins University. Hanna's global perspective and deep commitment to DEI equip her with unique insights to drive meaningful change through innovative strategies, thoughtful advisory and immersive inclusive leadership development.

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Joelle Emerson is Co-Founder and CEO of Paradigm, a platform that helps companies build high-performance cultures capable of attracting, engaging, and retaining the best people from all backgrounds. She partners with leaders of some of the world's most innovative companies to consult and advise on diversity and inclusion strategies. She has written extensively about diversity, inclusion, and unconscious bias, and her work has been featured in *The New York Times*, *The Wall Street Journal*, *NPR*, *The Harvard Business Review*, *Fortune*, and on the cover of *The Atlantic*. She has been named to Recode's list of the 100 most influential people in business, *Marie Claire's* "New Guard" list of 50 women changing the world, and *The New York Times'* Groundbreakers. Before founding Paradigm, Joelle was a civil rights lawyer. Joelle's legal background highlighted the consequences that can result from companies failing to consider diversity and inclusion early, and inspired her to found Paradigm. Joelle is a graduate of Stanford Law School.

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Justin is an accomplished HR professional with over 20 years of experience driving business impact through expertise in strategic change management, organizational effectiveness, HR strategy, learning & development, talent acquisition, employee relations, supplier diversity, client engagement, and diversity, equity, and inclusion. He has a proven track record of designing, leading, and executing transformative initiatives that enhance leadership capabilities and deliver measurable business results across Financial Services, Media and Advertising, Sports and Entertainment.

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Lisa Gelobter is the CEO and Founder of [tEquitable](#)—an independent, confidential platform for employees to resolve interpersonal conflict and for companies to uncover camouflaged systemic culture issues before they escalate. Lisa has worked on products that have been used by billions of people and pioneered several Internet technologies, including Shockwave, Hulu, and the ascent of online video. Previously, she worked at the Obama White House, as the Chief Digital Service Officer for the Department of Education. Prior to that, Lisa served as the Chief Digital Officer for BET Networks.

Michelle MiJung Kim

Michelle MiJung Kim is one of today's most compelling voices on courage, complexity, and connection. She is the award-winning author of *The Wake Up*, a globally recognized speaker, and the producer and host of [I Feel That Way Too](#), a podcast that dares to ask life's trickiest questions so we can feel less alone—and more alive—together. As a queer Korean American woman and former CEO of Awaken, Michelle has spent years supporting people and organizations move with greater honesty, alignment, and intention. Whether on stage, on the page, or behind the mic, Michelle's presence is a mirror and a call to courage—to live our lives more fully, to build resilient relationships, and to believe in the possibility of our personal transformation and collective liberation.

Rachel Williams

Known for her unapologetic realness, cross-cultural competency, and record in the game, Rachel Williams has spent two decades in the people function and DEI arena. She currently serves as an inclusion and belonging strategist and a lecturer at the University of California at Berkeley. Beyond her professional titles, Williams continues to play the role of bridge by coaching, consulting, and speaking around the country. She feels most connected to her purpose when contributing advice, resources, and stories that paint a vision of possibility with the colors of cultural curiosity and inclusive, equitable action. A U.C. Berkeley grad and proud Alpha Kappa Alpha sister, Williams resides in the Bay Area.

Resources

Continuing the Work

On moving forward with DEI work beyond titles and language (Joelle Emerson) | [Continuing the Work of DEI, No Matter What Your Company Calls It](#) | Harvard Business Review

Compiled insights from over 20 Diversity, Equity and Inclusion (DEI) leaders and consultants across 15 companies, spanning at least 159,000 employees around the world, offering 16 concrete recommendations to DEI practitioners | [DEI Disrupted: The Blueprint for DEI Worth Doing](#) | Fearless Futures

DEI Tracker

A tracker following the evolution of DEI efforts being rolled back, re-branded and re-imagines | [DEI tracker: How employers' diversity efforts are evolving](#) | HR Brew

Legal Risk Management and Impacts

An explainer from Prinx Law Firm on how to best manage legal risk in these times | [The New Do's & Don'ts of DEI in the Workplace](#) | Prinx Law Firm

Empirical research of how anti-transgender laws impact communities and society | [The Impacts Of Anti-Transgender Laws](#) | ACLU

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Empirical research of how anti-transgender laws impact communities and society | [The Impacts Of Anti-Transgender Laws](#) | ACLU

How banning DEI damages U.S. futures, people's health, and scientific advancement | [Banning DEI Is Catastrophic for U.S. Science](#) | Inside Higher Ed

Case Trackers

A public resource that tracks legal challenges to the Trump administration's actions | [Litigation Tracker: Legal Challenges to Trump Administration Actions](#) | Just Security

A visualization and overview of the 320+ lawsuits against the administration's use of executive power | [In Court, Trump Is Losing More Than He's Winning](#) | Bloomberg Law

Progress from advocates across the country challenging the Trump's administration's anti-LGBTQ executive orders in court | [Legal Challenges to Trump's Anti-LGBTQ+ Executive Orders](#) | GLAD Law

Facts on recent litigation in favor of trans rights | [Trump's Assault On Transgender Rights](#) | ACLU

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Facts on recent litigation in favor of trans rights | [Trump's Assault On Transgender Rights](#) | ACLU

Movement-Killing Behaviors

Behaviors and attitudes that weaken the possibility and power of collective resistance | [Movement-Killing Behaviors](#) | Unleashing Human Possibilities

Workers

American tech workers have liberal and anti-establishment attitudes | [Liberal and anti-establishment: An exploration of the political ideologies of American tech workers](#) | Sage Journals

Skadden Arps fellows write letter criticizing the firm for not standing up to Trump | [The People Who Want Institutions to Stand Up to Trump](#) | The New York Times

Customers

Tech companies are losing their European markets by aligning with Trump | [The Brewing Transatlantic Tech War](#) | Foreign Affairs

Why and how to take a stand:

Opinion on how universities should fight anti-DEI | [How Education Leaders Should Respond to the Anti-DEI Crowd](#) | Ed Week

Obama calls for universities to take a stand | [Obama calls on citizens, colleges and law firms to resist Trump agenda](#) | Washington Post

Playbook for universities and law firms to fight back | [A Playbook for Standing Up to President Trump](#) | New York Times

Support for LGBTQIA Families

Explanation of legal rights around child care, fertility treatment and other protections along with resources for queer parents and their families | [LGBTQ+ families don't always feel safe. Here's where they can find support](#) | The 19th

Three steps philanthropy coalitions and philanthropists can take to stand with each other and the people and communities we serve | [Unite in Advance: Philanthropy Coalition Launches Solidarity Campaign](#) | Nonprofit Quarterly

A resource from a law firm on what to do if you encounter ICE agents at work | [What to Do if ICE Shows Up](#) | Arnold & Porter

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