



DFI Defense of
Freedom Institute

FEDERAL SPENDING ON INTERSECTIONALITY CONTINUES

The Case for Enforcing
Nondiscrimination Law in
Federal Grantmaking

October **2026**

legalinsurrectionfoundation.org

dfipolicy.org

Executive Summary

Despite the Trump Administration's decisive and consequential actions to remove unlawful discrimination from federal grantmaking and policy, restore merit and equal treatment under law, and halt taxpayer funding for programs that conflict with statutory purpose, ongoing analysis of federal spending on projects furthering discriminatory intersectionality ideology indicates that more work remains.

In prior reports, the Equal Protection Project (EPP) of the Legal Insurrection Foundation (LIF) and the Defense of Freedom Institute for Policy Studies (DFI) have provided evidence and analysis demonstrating the need for additional action to address the discriminatory use of intersectionality ideology to evade the Administration's nondiscrimination efforts.

In April 2026, LIF and DFI published [*Intersectionality: The Rise of a Dangerous Anti-American Ideology and How to Stop It*](#). The report exposed intersectionality as an ideology that sorts people by perceived privilege and oppression, compounds the harms of critical race theory and DEI, disregards equal protection and merit, and can fuel political violence.

In August 2026, LIF and DFI followed with [*Federal Spending on Intersectionality: The Case for Executive Action to End Identity-Based Preferences in Federal Grantmaking*](#). It documented how intersectional ideology has driven federal spending and called for executive action to ensure that grant notices, eligibility rules, selection criteria, award conditions, and program administration comply with nondiscrimination law.

This update confirms that federal funding of intersectionality continues—and that urgent action is still required.

Descriptions of recent and active awards do not merely mention intersectionality in passing. They show that awardees use it to shape research design, policy analysis, intervention development, demographic measurement, workforce training, and programs for selected identity groups. The selected awards began between 2023 and 2026 and extend through 2028, 2029, 2030, or 2031. Their implementation, monitoring, payments, renewals, or closeout may therefore still be underway.

A snapshot as of September 24, 2026, of a [*USAspending search for awards containing the keyword “intersectionality”*](#) reveals **\$257,019,995.74 in obligations** and **\$156,344,735.17 in outlays**—up from the approximately \$230 million obligated and \$140 million outlaid identified in the August report.¹

The most compelling evidence is qualitative and forward-looking. Full award descriptions frequently show intersectionality operating as a governing framework, not merely appearing as a stray keyword, and the selected awards include performance dates well into the future. The Department of Health and Human Services (HHS)—principally the National Institutes of Health (NIH)—dominates the selected examples; the National Science Foundation (NSF) also funds significant education and workforce initiatives explicitly described using intersectional terminology. The appendix identifies fourteen entries covering sixteen awards that expressly connect intersectionality to identity

¹ These totals are a dated keyword-search snapshot, not an audit finding. Intersectionality is not necessarily the focus of every returned award; some descriptions may use the term only to describe interacting subjects. Each award must therefore be examined on its own terms.

categories, marginalization, systems of power or oppression, targeted recruitment, institutional practices, policy analysis, or discrimination.

Building on the Administration’s substantial progress, this report recommends a focused executive order extending to federal grantmaking the nondiscrimination principles reflected in Executive Order 14151, Executive Order 14398, and related directives. The order would direct agencies, within sixty days, to update their policies and guidance and then review active and pending awards, while preserving lawful research and legitimate programs administered under neutral criteria. The regulatory language proposed in LIF’s and DFI’s [public comment](#) to the White House Office of Management and Budget (OMB) would provide a complementary clarification.

Findings and Analysis

The Updated Spending Record

Intersectionality has moved beyond academic theory into federal award administration. In August 2026, LIF and DFI identified approximately \$230 million in obligations (government spending commitments) and \$140 million in outlays (completed spending) in the USAspending database for federal awards associated with the keyword “intersectionality.” As of September 24, 2026, those totals had risen to **\$257,019,995.74 in obligations** and **\$156,344,735.17 in outlays**—an increase of approximately 12 percent in less than two months. As the appendix shows, the results include awards with future performance dates that apply a theory of power or oppression involving overlapping identity categories—i.e., intersectionality ideology—in at least one facet of the project. These records indicate that, notwithstanding the Trump Administration’s efforts to eliminate federal support for programs and activities that discriminate on the basis of protected characteristics, additional review and enforcement remain necessary.

Some projects associated with “intersectionality” in the database address serious subjects—including cancer prevention, mental health, rare disease, disability services, violence prevention, and STEM education—and may produce beneficial research or services. The central issue is not the worthiness of those subjects. It is whether federal funds are awarded or administered through criteria that use race, sex, sexual orientation, gender

“

Public benefit does not excuse unlawful discrimination; valuable work must proceed under criteria that are fully consistent with equal protection, civil rights, and program-specific requirements.

”

identity, ethnicity, disability, or other protected characteristics—alone, through proxies, or in stacked categories—to determine whom to recruit, prioritize, select, train, serve, benefit, burden, or treat differently. Public benefit does not excuse unlawful discrimination; valuable work must proceed under criteria that are fully consistent with equal protection, civil rights, and program-specific requirements.

The USAspending results span several agencies, but the recent and still-active records most clearly warranting review are concentrated in HHS, especially NIH. NSF also supports substantial education and workforce programs expressly invoking intersectionality. A future performance date does not establish that all remaining funds can lawfully be withheld, but it identifies awards for which payments, monitoring, implementation, renewal, or closeout may still be occurring.

The Most Significant New and Active Awards

A **\$3,277,196 Johns Hopkins NIH award**, scheduled from July 2026 through June 2030, identifies the project as an “intersectional mixed methods study” of “structural gendered racism-related policies” across race, ethnicity, and nativity. The narrative invokes “interlocking systems of oppression,” defines “political intersectionality” as a framework for assessing laws and policies, proposes to measure “intersectional social-structural factors,” and responds to an NIH funding announcement calling for analysis of policies that reinforce those factors and for interventions to change them. Intersectionality is therefore integral to the theory, variables, methods, and proposed policy implementation work.

A **\$4,637,432 University of Miami NIH cooperative agreement**, running from September 2025 through August 2030, states that vulnerable populations must navigate “complex, cumulative intersectionality” that constrains access to cancer prevention. A **\$777,437 New York University NIH award**, running from February 2025 through January 2028, expressly focuses on “intersectional stigma among multiply marginalized” populations in HIV prevention. Both use intersectionality as an identity-based explanatory or intervention framework, not merely as a synonym for overlapping subjects.

A **\$251,218 UC Santa Cruz NIH training award**, scheduled from August 2026 through July 2031, seeks to recruit and retain “historically minoritized students” and build a community of “minoritized scholars” with a “focus and celebration of the intersectionality of their identities.” A **\$1,854,907 Emory University NIH award**, running through May 2029, states that racism compounds “heteronormative socio-structural oppression,” applies a Black feminist and intersectional adaptation, and seeks racially specific interventions. A **\$4,343,874 Illinois Department of Public Health CDC award**, running through January 2029, prioritizes LGBTQI+ youth and other “minoritized” populations and expressly treats the “intersectionality” of demographic groups as part of its prevention strategy.

Other still-active examples reinforce the pattern. A Florida State University award maps “intersectional geospatial stigma” among Black and Latino bisexual men. A Georgia State training grant links disparities to “systemic oppression,” examines effects across “intersecting identities,” and seeks to diversify the biomedical research workforce. A tri-university NSF project expressly applies a prominent model of intersectionality and its account of structural, disciplinary, cultural, and interpersonal systems of power to faculty demographics, institutional reports, and workshops.

“

The pertinent question is functional: whether an award merely studies conditions or instead authorizes, rewards, or institutionalizes differential treatment based on protected characteristics or composite identity categories.

”

Why These Records Matter

The grant descriptions make the issue more concrete than an aggregate keyword total. In multiple awards, intersectionality serves as an organizing framework for defining populations, selecting variables, developing interventions, training researchers, measuring institutions, or recommending policy. The appendix identifies several such awards. These features are appropriate signals for review, not automatic findings of wrongdoing. The purpose of identifying them is to help the Administration determine whether otherwise beneficial research is governed by neutral and lawful criteria or whether protected characteristics or proxies affect eligibility, recruitment, scoring, benefits, burdens, or treatment.

A [September 24, 2026, civil rights complaint](#) by LIF’s Equal Protection Project against the University of Maryland’s NIH-funded Lavender Lab illustrates the need for award-specific review. It alleges that a teen advisory board and research-assistant selection practices may use race or ethnicity in violation of Title VI, Section 1557 of the Affordable Care Act, the Equal Protection Clause, and federal grant requirements. The Lab describes its work as informed by intersectionality theory, and one principal NIH-funded project, Grant No. R01AA029989, carries approximately \$3.6 million in obligations through April 30, 2027. The complaint does not challenge research on particular populations; it asks HHS to investigate whether federally funded programs crossed into discriminatory eligibility, recruitment, or selection. As LIF President William A. Jacobson stated, the alleged conduct “calls into question whether HHS should be funding intersectionality-focused research at all,” because programming organized around racial identity can cross into civil rights violations.

Not every use of the term in a federal grant is unlawfully discriminatory. Some awards use “intersectionality” loosely to describe interacting variables, and research may lawfully examine disparities or collect demographic data. Government may also target objective need through neutral criteria such as income, geography, disease burden, service gaps, or legally required disability accommodations. The pertinent question is functional: whether an award merely studies conditions or instead authorizes, rewards, or institutionalizes differential treatment based on protected characteristics or composite

identity categories. Grant descriptions that identify intersectionality as a governing framework do not, by themselves, establish illegality. They should, however, prompt the Administration to examine whether otherwise beneficial research is governed by neutral and lawful criteria or whether protected characteristics or proxies affect eligibility, recruitment, scoring, benefits, burdens, or treatment in violation of civil rights law. The White House and each agency should ensure that federal grantmaking complies with the nondiscrimination requirements governing each applicable program.

Proposed Executive Action and Agency Implementation

The Executive Branch should act to address this remaining gap. A narrowly focused executive order could extend to federal grantmaking the nondiscrimination principles reflected in Executive Order 14151, Executive Order 14398, and related directives against unlawful identity-based preferences. The order should address function rather than vocabulary: it would not prohibit the lawful study of overlapping conditions but would prevent intersectionality or substantially similar formulations—including but not limited to “intersectional equity” and “communities with intersecting forms of marginalization”—from being used to reintroduce identity-based classifications, preferences, or burdens contrary to merit, statutory purpose, equal protection, and applicable law. This would reinforce, not displace, the Administration’s existing policy. LIF’s and DFI’s public comment on OMB’s pending rulemaking would support that broader executive action.

The executive order could direct department and agency heads, within sixty days, to review and update their policies, guidance, and compliance frameworks as necessary. Agencies could then identify active and pending awards requiring closer examination, prevent unlawful eligibility or scoring criteria in new solicitations, remove unlawful preferences from funding notices, and take appropriate corrective action where the governing statute, award terms, and factual record warrant it. Implementation should preserve the lawful authority of agency heads and OMB, remain subject to applicable law and available appropriations, and leave case-specific judgments to responsible officials under the President’s direction.

The order should require guidance from grantmaking agencies translating its directives into clear operational standards for program planning, funding notices, eligibility, recruitment, merit and risk review, cost allowability, award conditions, recipient certifications, monitoring, reporting, audits, corrective-action plans, training materials, technical-assistance contracts, and closeout. It should focus on function, identifying uses of intersectionality as an eligibility condition, scoring preference, reporting mandate, training requirement, consultant deliverable, or proxy for protected-characteristic decision-making. A keyword match alone is not enough, and ambiguous language does not establish illegality. Agencies should examine the full record, preserve beneficial scientific and public work carried out under neutral criteria, and correct only those practices that conflict with governing law or fail to carry out statutory purpose.

Conclusion

The updated evidence in this report shows that federal spending on intersectionality is not merely historical. Selected awards made since 2023 expressly incorporate “complex, cumulative

intersectionality,” “political intersectionality,” “intersectional stigma,” “interlocking systems of oppression,” and the “intersectionality” of selected identities. Several remain active through 2028, 2029, 2030, or 2031, and some report little or no outlay to date.

This evidence presents a practical opportunity for the Trump Administration to strengthen its record of civil rights enforcement by closing a remaining loophole. A supplemental executive order addressing “intersectionality,” followed by agency guidance and award-specific review, would prevent identity-based preferences from persisting under intersectional terminology while preserving lawful research and legitimate need-based programs. The OMB clarification already proposed by LIF and DFI would reinforce that effort, but presidential direction is essential to removing this dangerous, discriminatory ideology from federal grantmaking.

About the Organizations

The Legal Insurrection Foundation

The Legal Insurrection Foundation (LIF) is a nonprofit organization recognized as one of the leading national free speech and free expression investigative and media organizations. We research and report on some of the most important issues facing our country on school campuses, universities, businesses, and government. In addition to its Intersectionality Project, LIF’s other projects include The Equal Protection Project (EqualProtect.org), which has legally challenged several hundred discriminatory programs and scholarships at over 275 institutions of higher education, and CriticalRace.org, which documents through interactive maps and databases the spread of DEI and CRT at over 700 educational institutions.

The Defense of Freedom Institute for Policy Studies, Inc.

The Defense of Freedom Institute for Policy Studies, Inc. (DFI) is a nonpartisan, nonprofit organization focused on providing thoughtful, conservative solutions to challenges in the areas of education, workforce, labor, and employment policy. Through a unique blend of policy and legal expertise, we fight to expand school and work opportunities for all Americans; to limit the power of federal agencies and government-sector unions; and to defend the civil and constitutional rights of all Americans in the classroom and the workplace.

Appendix: Selected Recent and Active Awards

This appendix identifies fourteen entries from the USAspending database covering sixteen recent awards or awards with future end dates. Their descriptions expressly connect “intersectionality” to identity categories, marginalization, systems of power or oppression, targeted recruitment, institutional practices, ideological policy analysis, or discrimination. The appendix excludes awards in which the term appears to mean only interaction, co-occurrence, or statistical overlap. Thirteen entries are HHS awards, principally through NIH; the remaining entry comprises three related NSF awards. Some selected projects may support beneficial research or services; their funding and administration nevertheless must comply fully with applicable nondiscrimination law. Each table entry provides the obligated amount and period of performance reflected in the linked USAspending award record.

Award / Institution / Agency	Obligations; period	Express ideological use and significance
R01NR021773 Johns Hopkins University NIH	\$3,277,196 7/1/2026– 6/30/2030	“Intersectional mixed methods study”; “political intersectionality”; “interlocking systems of oppression”; and “intersectional social-structural factors.” Uses the framework in policy analysis, measurement, and implementation strategies.
T34GM159590 University of California Santa Cruz NIH	\$251,218 8/1/2026– 7/31/2031	Recruits “historically minoritized students” and builds a community of “minoritized scholars” centered on the “intersectionality of their identities.”
U54CA302465 University of Miami NIH	\$4,637,432 9/5/2025– 8/31/2030	States that vulnerable populations navigate “complex, cumulative intersectionality” constraining access to cancer prevention; applies the concept to racial and ethnic population groups.
R34MH136914 New York University NIH	\$777,437 2/1/2025– 1/31/2028	Expressly targets “intersectional stigma among multiply marginalized” populations in an HIV-prevention intervention.
R01DA059240 Florida State University NIH	\$2,055,002 7/15/2024– 8/31/2029	Maps “intersectional geospatial stigma” among Black and Latino bisexual men, including binegativity, racism, substance-use stigma, and HIV stigma.
R01HD114116 Emory University NIH	\$1,854,907 9/20/2024– 5/31/2029	States that racism compounds “heteronormative socio-structural oppression” and applies a Black feminist, intersectional framework to develop racially specific interventions.
NUF2CE002605 Illinois Department of Public Health CDC	\$4,343,874 2/1/2024– 1/31/2029	Prioritizes LGBTQI+ youth and other “minoritized” populations, acknowledges the “intersectionality” of demographic groups, and targets community-level structural factors.

T32AA031818		
Georgia State University	\$655,696 8/15/2024– 7/31/2029	Links disparities to “systemic oppression,” trains researchers to examine effects across “intersecting identities,” and seeks to diversify the biomedical research workforce.
NIH		
2400386/		
2400387/		
2400388		
University of Michigan, Virginia Polytechnic Institute and State University (Virginia Tech), University of Georgia	\$1,498,908 8/15/2024– 7/31/2029	Applies a dominant model of intersectionality and its account of structural, disciplinary, cultural, and interpersonal systems of power to faculty demographics, reports, and workshops.
NSF		
K23MH133979		
The Trustees of Columbia University in the City of New York	\$590,425 9/1/2024– 8/31/2029	Invokes “race-class-gender intersectionality” as part of the project’s analytical framework.
NIH		
R25GM154351		
Research Foundation of the City University of New York	\$743,530 6/20/2024– 4/30/2029	Teaches an “intersectionality approach to data” to student cohorts in a health-disparities research and biomedical-workforce pathway.
NIH		
R25GM150166		
Oregon Health & Science University	\$808,514 8/17/2023– 1/31/2029	Develops inclusive demographic measures to identify excluded, marginalized, or improperly aggregated groups and support recruitment and retention in STEM and biomedical research training.
NIH		
K01MH134764		
Whitman-Walker Institute Inc.	\$624,880 9/15/2023– 12/31/2028	Studies “intersectional discrimination,” including HIV stigma, racism, and classism, and applies intersectionality in qualitative, quantitative, and intervention-development training.
NIH		
K23AA030339		
Brown University	\$734,090 9/1/2023– 8/31/2028	Adapts an intervention around “intersectional forms of discrimination” and an “LGBTQ affirming perspective.”
NIH		

Source for the report and appendix: [USAspending federal-awards search with keyword “intersectionality”](#), reflecting data available as of **September 24, 2026**. Award amounts, outlays, descriptions, agencies, and periods of performance remain subject to reporting, revision, and reconciliation.

During manuscript preparation, Microsoft Copilot was used to polish, edit, proofread, and streamline the text. All AI-generated suggestions were reviewed, revised as needed, and approved by the authors to ensure accuracy and maintain the integrity of the scientific content.