

FY 2024 House Appropriations Bills Take New Steps to Dismantle the Woke and Weaponized Bureaucracy

Connor Semelsberger and Jay W. Richards, PhD

KEY TAKEAWAYS

The House Appropriations Committee has taken steps in all fiscal year 2024 appropriations bills to address the rampant wokeness in the federal government.

From defunding drag shows for children to banning funds from being used to promote racial and gender discrimination, each bill attempts to rein in the woke agenda.

But Congress must insist that these provisions remain in these bills, and that they are enacted; furthermore, the bills have room for improvement.

President Joe Biden has spent the past two years dramatically expanding and weaponizing the woke bureaucracy that he began building as Vice President to President Barack Obama. From promoting critical race theory in the military to flying “progress pride” flags at 99 embassies around the world, the Biden Administration has done more than any other Administration to conform federal policy to radical ideologies that seek to undermine faith, family, and freedom in America and abroad.

Congress has introduced several pieces of legislation aimed at clawing back the bureaucracy. But appropriations bills set the terms and conditions of federal funding and so have the most impact. The House Appropriations Committee has taken steps in all fiscal year 2024 appropriations bills to address wokeness in the federal government.

This paper, in its entirety, can be found at <https://report.heritage.org/ib5327>

The Heritage Foundation | 214 Massachusetts Avenue, NE | Washington, DC 20002 | (202) 546-4400 | heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

As explained in a Heritage Foundation *Backgrounder* on the appropriations package, the House legislation purports to reduce spending to a topline of \$1.471 trillion—but the actual spending is approximately \$1.59 trillion.¹ At the time of this writing, the House’s appropriations legislation seeks to rescind \$115 billion in spending that can then be used to further increase the topline spending levels across all appropriations bills. This represents an unprecedented expansion of rescissions as a budgetary tool to *add* spending within appropriations caps.

Fighting Back Against Gender Ideology

The measures in the House appropriations bills that address radical gender ideology include:

Stopping Taxpayer Funding for Harmful “Gender Transition” Procedures. Gender ideologues claim that cross-sex medical interventions are medically necessary for adults and children with gender discordance because the alleged alternative to hormones or surgeries is suicide.² Thus, the express goal of this so-called care is to improve mental health and to prevent suicide. Despite activists’ claims, evidence of such benefits is in very short supply. For instance, a careful recent study of patients (both adults and adolescents) who have undergone cross-sex surgeries “demonstrated no advantage of surgery in relation to subsequent mood or anxiety disorder-related health care.”³ Further research shows that lowering legal barriers to make it easier for minors to undergo cross-sex medical interventions without parental consent does not reduce suicide rates.⁴

The federal government is actively funding these medical interventions to “affirm” an expressed “gender identity” that is contrary to a person’s biological sex, and is seeking even more ways to expand taxpayer funding of these harmful procedures. A 2021 report by the Defense Health Agency showed that the Pentagon spent \$15 million to treat troops with gender discordance.⁵ The U.S. Department of Veterans Affairs similarly provides cross-sex hormones for veterans, and federal prisons have been ordered to facilitate gender-transition surgeries for inmates.⁶ The appropriations bills covering the Departments of Justice, Defense, Health and Human Services, Homeland Security, and Veterans Affairs explicitly prohibit federal funding for gender-transition procedures. The Financial Services and General Government bill likewise includes language prohibiting the Federal Employees Health Benefits Program from including health plans that provide coverage for transition surgery and cross-sex hormone therapy.

Defunding Drag Shows. Drag shows and drag queen story hours target children to expose them to and normalize sexually obscene behaviors. The U.S. government has been subsidizing these programs in the military and around the globe. In 2021, Nellis Air Force Base hosted its first drag show.⁷ In 2022, the State Department allocated \$20,600 in taxpayer funds to support drag shows in Ecuador.⁸ In a direct response to these actions, both the Defense and State and Foreign Operations bills defund drag queen workshops, performances, and documentaries.

Banning “Pride” Flag Displays. The Obama Administration was the first Administration to grant blanket permission to embassies overseas to fly “gay pride” flags. In 2022, the Biden Administration upped the ante by flying “Progress Pride” flags—representing radical gender ideology—at 99 embassies around the world. It has even gone so far as to display such flags more prominently than the American flag, in violation of the flag code, at the White House during a Pride Day celebration in 2023.⁹ The appropriations bills covering the Departments of Agriculture, Defense, the Interior, Veterans Affairs, State, and Transportation directly address this by prohibiting any flag other than the American flag from being flown or displayed on federal buildings. The only exceptions are for state flags and flags honoring the military.

Removing Gender Ideology from Foreign Assistance. One of the signature policy goals for the Biden Administration is to export radical gender ideology around the globe as laid out in President Biden’s National Strategy on Gender Equity and Equality.¹⁰ As a result, the State Department has already rewritten international programs designed to help women and girls abroad into a politically charged gender equity and equality action fund.

The State and Foreign Operations bill tackles this ideology head on by defunding the Gender Equity and Equality Action Fund and removing all references to gender ideology in foreign aid programs for women. It also eliminates the Special Envoy for Advancing the Human Rights of LGBTQI+ persons that was first instituted under the Obama Administration.

This bill also includes strong language to prohibit federal funds from going to any organization or governmental agency that performs or promotes “gender-affirming” drugs or surgeries for minors. This policy is modeled after the Protecting Life in Global Health Assistance Policy (formerly known as the Mexico City Policy) which similarly prohibited foreign aid to groups promoting abortion abroad.

Rooting Out the “Diversity, Equity, and Inclusion” Bureaucracy

The measures in the House appropriations bills to end the diversity, equity, and inclusion (DEI) bureaucracy include:

Defunding Critical Race Theory. Critical race theory (CRT) as an academic discipline rests on a neo-Marxist analysis that treats statistical differences among different ethnical groups as proof of implicit bias and “systemic racism.”¹¹ The precepts of CRT have long been taught in colleges and universities, and now affect K–12 schools, workplaces, state and federal governments, and even the military.¹² These same principles also manifest themselves in DEI initiatives that pervade the federal bureaucracy.

In his first act as President on January 20, 2021, Biden signed Executive Order 13985. This required all federal agencies and departments to root out policies that could have a “disparate impact” (determined not through evidence of discrimination but through statistics) on members of the different racial and sexual population categories that are deemed “underserved.”¹³ Since then, executive orders and agency policies have been issued to implement these controversial policies by indoctrination and by requiring “reverse-discrimination” in federal programs.

The House appropriations bills take direct action to rid the federal government of this harmful ideology:

- Each bill prevents funds from being used to implement, enforce, or carry out Executive Order 13985 as well as subsequent executive orders promoting racial and sexual preferences;
- Each bill prohibits funding for any program, project, or activity that promotes or advances CRT;
- The appropriations bills covering the Departments of Energy, Health and Human Services, and Veterans Affairs include specific language defunding DEI training; and
- The Defense bill prohibits funding for the Deputy Inspector General for Diversity, Inclusion and Extremism in the Military.

Prohibiting Environmental, Social, and Governance (ESG) Investments. The ESG agenda is a set of parameters that activist investors use to push companies to promote radical leftist policies throughout their

business practices.¹⁴ It reshapes business practices away from maximizing profits and toward maximizing ESG scores. Companies achieve high scores by promoting leftist agendas like abortion, gender ideology, climate alarmism, and CRT.

In December 2022, the Department of Labor published a rule that will allow ESG investing in federal pension plans. Retirement savings will now be used as leverage to force companies to reduce their carbon emissions and establish racial and gender quotas and other social justice fads unrelated, and even detrimental, to securing a high return on workers' lifetime savings.¹⁵

The Labor appropriations bill includes language defunding this regulation and the Commerce appropriations bill contains language prohibiting any contributions to ESG investments.

Protecting First Amendment Freedoms

The measures in the House appropriations bills to protect First Amendment freedoms include:

Introducing Language from the First Amendment Defense Act. First introduced in response to the *Obergefell vs. Hodges* Supreme Court decision, the First Amendment Defense Act (FADA) would prohibit the federal government from discriminating against individuals and organizations based on their belief that marriage is the union of one man and one woman. The FADA has renewed importance with the passage of the Respect for Marriage Act that codified same-sex marriage into federal law. Senator Mike Lee (R-UT) offered an amendment to the Respect for Marriage Act including this language but it was ultimately defeated by two votes.¹⁶

The House has introduced FADA language into nearly all appropriations bills introduced so far, to make clear that the government cannot deny grants, revoke the tax status, or otherwise discriminate against individuals or organizations because of their beliefs about marriage.

Defunding Government Censorship. In May 2022, the Department of Homeland Security announced plans for a now-abandoned Disinformation Governance Board to determine which speech is true and false.¹⁷ Last December, the FBI Twitter files revealed new evidence demonstrating how the Biden Administration had colluded with Big Tech companies to censor speech, interfere in elections, and undermine probes into Biden family business dealings.¹⁸

The House appropriations bills directly address President Biden's censorship regime:

- The Homeland Security bill prohibits funding for a Disinformation Governance Board and for any entity that recommends that any U.S. citizen’s lawful speech be censored on social media platforms.
- The appropriations bills covering the Departments of Defense, Justice, Homeland Security, and State prohibit any funding from being used to classify any communications as disinformation or to collaborate with organizations that pressure private companies to censor lawfully protected speech.
- The Financial Services and General Government bill prohibits the IRS from targeting groups for regulatory scrutiny based on ideological beliefs.

Room for Improvement

Congress should:

- **Amend** the language prohibiting funds for “gender-affirming” procedures to make clear that taxpayer funding for social transitioning and puberty blockers is also prohibited.
- **Expand** the policy riders addressing funding for gender procedures, drag queen performances, and pride flag displays to every relevant appropriations bill. This would ensure that no tax dollars promote this pervasive ideology.
- **Strengthen** the language defunding CRT by clarifying that CRT teaches that statistical variations among black and white Americans are the result of white discrimination against blacks that can only be rectified by black discrimination against whites. This language can also be improved by directly prohibiting the promotion of “intersectionality,” which promotes hierarchies of victimization based on race, sexual orientation, and “gender identity.”
- **Expand** the language defunding DEI initiatives to all 12 appropriations bills.
- **Amend** the language prohibiting federal funds from classifying speech as disinformation to make clear that no funds may be used to pressure

private companies, directly or indirectly, to censor, remove, or downgrade lawful and constitutionally protected speech.

- **Fully rescind** funding in the Financial Services and General Government bill for all 87,000 new IRS agents so that middle-class families and conservative organizations are not ideologically targeted.

Conclusion

The appropriations process is the most effective place for Congress to reign in the woke and weaponized bureaucracy championed by the Biden Administration. The appropriations bills introduced so far are a start. However, unless Congress insists on these the provisions, the lawlessness of the Biden Administration will only continue.

Connor Semelsberger is Government Relations Manager at The Heritage Foundation. **Jay W. Richards, PhD**, is Director of the Richard and Helen DeVos Center for Life, Religion, and Family, and William E. Simon Senior Research Fellow, at The Heritage Foundation.

Endnotes

1. David A. Ditch, "FY 2024 Appropriations: Budget Gimmicks Masquerading as Spending Cuts," Heritage Foundation *Backgrounder* No. 3778, July 17, 2023, <https://www.heritage.org/budget-and-spending/report/fy-2024-appropriations-budget-gimmicks-masquerading-spending-cuts>.
2. Yasemin Nicola Sakay, "The 'Life-Saving' Science Behind Gender-Affirming Care for Youth," *Medical News Today*, March 29, 2022, <https://www.medicalnewstoday.com/articles/the-life-saving-science-behind-gender-affirming-care-for-youth> (accessed June 25, 2023).
3. Richard Bränström and John E. Pachankis, "Corrections to Reduction in Mental Health Treatment Utilization Among Transgender Individuals After Gender-Affirming Surgeries: A Total Population Study," *The American Journal of Psychiatry*, August 1, 2020, <https://ajp.psychiatryonline.org/doi/10.1176/appi.ajp.2020.1778correction> (accessed August 2, 2023).
4. Jay P. Greene, "Puberty Blockers, Cross-Sex Hormones, and Youth Suicide," Heritage Foundation *Backgrounder* No. 3712, June 13, 2022, https://www.heritage.org/gender/report/puberty-blockers-cross-sex-hormones-and-youth-suicide/#_ftnref5.
5. Patricia Kime, "Here's How Much the Pentagon Has Spent So Far to Treat Transgender Troops," *Military.com*, June 18, 2021, <https://www.military.com/daily-news/2021/06/18/heres-how-much-pentagon-has-spent-so-far-treat-transgender-troops.html> (accessed July 14, 2023).
6. Matt Lavietes, "Court Orders First Gender-Affirming Surgery for a Transgender Federal Prisoner," *NBC News*, April 21, 2022, <https://www.nbcnews.com/nbc-out/out-news/federal-court-orders-first-gender-affirming-surgery-trans-prisoner-rcna25377> (accessed July 13, 2023).
7. Kristina Wong, "Nellis Air Force Base Hosts First-Ever Drag Queen Show: 'Essential to the Morale, Readiness,'" *Breitbart*, June 21, 2021, <https://www.breitbart.com/politics/2021/06/21/exclusive-nellis-air-force-base-hosts-first-ever-drag-queen-show-essential-morale-cohesion-readiness/> (accessed July 27, 2023).
8. Haris Alic and Jessica Chasmar, "US-Funded Drag Shows in Ecuador Draw GOP Scrutiny: 'Wokified' State Department," *New York Post*, October 28, 2022, <https://nypost.com/2022/10/28/us-funded-drag-shows-in-ecuador-draw-gop-scrutiny-wokified-state-department/> (accessed July 27, 2023).
9. Arielle Del Turco and Chris Gacek "Exporting LGBT Ideology: The Biden Administration's Foreign Policy Priority," *Family Research Council Issue Analysis* No. IS23F01, June 2023, <https://downloads.frc.org/EF/EF23F21.pdf> (accessed August 10, 2023).
10. Grace Melton, "Biden USAID's Radical Gender Policy Is Exporting Cultural Colonialism," *The Daily Signal*, September 26, 2022, <https://www.dailysignal.com/2022/09/26/biden-usaids-radical-gender-policy-is-exporting-cultural-colonialism/> (accessed July 18, 2023).
11. Mike Gonzales, "The Five Lies of CRT," Heritage Foundation *Commentary*, November 29, 2021, <https://www.heritage.org/education/commentary/the-five-lies-crt> (accessed August 6, 2023).
12. Jonathan Butcher and Mike Gonzales, "Critical Race Theory, the New Intolerance, and Its Grip on America," Heritage Foundation *Backgrounder* No. 3567, December 7, 2020, <https://www.heritage.org/civil-rights/report/critical-race-theory-the-new-intolerance-and-its-grip-america>.
13. The White House, "Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government," January 20, 2021, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/> (accessed July 15, 2023).
14. Stephen Moore, "New Biden Rule Permits Money Managers to Play Politics with Trillions in Retirement Savings," *The Daily Signal*, January 17, 2023, <https://www.dailysignal.com/2023/01/17/bidens-esg-investment-rules-threaten-your-retirement-savings/> (accessed July 15, 2023).
15. Employee Benefits Security Administration, Department of Labor, "Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights," Final Rule, *Federal Register*, Vol. 87, No. 149 (December 1, 2022), pp. 73822–73886, <https://www.federalregister.gov/documents/2022/12/01/2022-25783/prudence-and-loyalty-in-selecting-plan-investments-and-exercising-shareholder-rights> (accessed August 10, 2023).
16. "'Profound Consequences': Sen. Mike Lee Outlines How Respect for Marriage Act Will Affect People of Faith," *The Daily Signal*, November 29, 2022, <https://www.dailysignal.com/2022/11/29/sen-mike-lee-outlines-how-respect-for-marriage-act-will-affect-people-of-faith/>.
17. Jarrett Stepman, "Now Abandoned Disinformation Board Was Insult to Free Society," *The Daily Signal*, May 18, 2022, <https://www.dailysignal.com/2022/05/18/now-abandoned-disinformation-board-was-insult-to-free-society/> (accessed July 18, 2023).
18. Tyler O'Neil, "FBI Twitter Files Corruption Is 'Tip of the Iceberg,' Warns GOP Senator," *The Daily Signal*, December 29, 2022, <https://www.dailysignal.com/2022/12/29/gop-senator-urges-dems-to-join-probe-of-fbi-politicized-federal-law-enforcement-after-twitter-files-expose/>.