

January 14, 2026

To the House Executive Departments and Administration Committee  
107 North Main Street  
Concord, NH 03301

Re: Opposition to HB 1788

Dear Members of the Committee:

We are writing to express our concern with, and ask you to vote to “Inexpedient to Legislate” on, HB 1788.

This bill amends portions of 2025’s HB 2 (RSA 21-I:112–16 and RSA 186:71–77), which purport to prohibit the implementation or “promot[ion]” of, or engagement in, “initiatives, programs, training, or policies” in public entities and “public schools” that are “related” to “diversity, equity, or inclusion.” In October 2025, in Case No. 1:25-cv-00293-LM, *National Education Association-New Hampshire et al v. John M. Formella et al*, the United States District Court for the District of New Hampshire issued a preliminary injunction against RSA 21-I:112–16 and RSA 186:71–77 in HB2 for almost all public school districts in New Hampshire. This injunction was issued because the Court (on page 2) **“determined that plaintiffs are likely to be successful in arguing that the anti-DEI laws are unconstitutional.”**

Critically, the Court explained (on page 32): “The breadth of the anti-DEI laws’ prohibition is startling. The definition of ‘DEI’ contained therein is so far-reaching that it prohibits long-accepted—even legally required—teaching and administrative practices. It is hard to imagine how schools could continue to operate at even a basic level if the laws’ prohibitions were enforced to their full extent.”

HB1788 does not address these fundamental concerns—concerns which can only be addressed with a full repeal of these provisions. Indeed, even with HB1788, these provisions would continue to contain ambiguous language that will cause **confusion and lead to harm for many Granite Staters**, including those served by organizations represented below. Collectively, groups included here serve hundreds of thousands of Granite Staters and Granite State businesses and share broad-ranging concerns with the bill that include:

- Risks harm to many groups, including **older adults, women, and families**
- Does not allow the kind of **tailored solutions** that NH needs to meet different needs
- Threatens voter-approved programs at the local level, such as property **tax relief** for low-income elderly residents, by imposing restrictions to **municipalities**

In addition to these impacts to Granite Staters, HB1788—like HB 2—likely will continue to expose the State to legal liability. In short, the language in HB1788 has the same ambiguities and concerns of HB2’s provisions, and, therefore, this bill should not continue in the legislative process. Instead, these provisions in HB2 should be repealed.

Prohibitions like these are wrong for New Hampshire. One-size-fits-all approaches are contrary to the practical solutions required for communities and the state to meet a wide array of needs; in many instances, these approaches also violate federal and state laws. Thoughtful programs exist for good

reason. Again, prohibiting the creation of programs and initiatives tailored to different communities based on their specific needs does not make sense for the Granite State.

Thank you for your time and consideration of this matter.

Respectfully,

*ABLE New Hampshire*

*AFT - New Hampshire*

*Carisa Corrow*

*Disability Rights Center*

*Engage NH*

*Kent Street Coalition*

*Mary Sullivan Heath*

*Misty Crompton*

*MomsRising*

*Monadnock Diversity, Equity and Inclusion Coalition*

*New Hampshire Alliance for Healthy Aging*

*NH Association of Special Education Administrators*

*NH Center for Justice and Equity*

*NH Center for Nonprofits*

*NH Legal Assistance*

*NH Outright*

*NH School Fair Funding Fairness Project*

*Organizational Ignition, LLC*

*Patricia Savage*