



March 4, 2025

The Honorable Bo Biteman
Senate President, Wyoming State Legislature
State Capitol, 200 West 24th Street
Cheyenne, Wyoming 82002

Re: Veto of Senate Enrolled Act No. 61/Senate File 0103 -Terminating and Defunding
Diversity, Equity and Inclusion

Dear President Biteman,

Wyoming has long upheld principles of responsible governance, educational excellence, and local control. While I appreciate the Legislature's efforts to address concerns related to diversity, equity, and inclusion (DEI) policies within public institutions, I have significant reservations with Senate Enrolled Act No. 61 in its current form. After careful review of this act and House Enrolled Act No. 67, I have determined that HEA No. 67 offers a more effective and legally sound approach to achieving the same policy objectives.

SEA No. 61 attempts to regulate the use of state funds by prohibiting certain DEI-related activities within government entities and restricting curriculum requirements at the University of Wyoming and community colleges. While transparency and accountability in public spending are essential, this bill introduces ill-defined and overly broad restrictions, creates significant legal ambiguities, and risks unintended consequences that could negatively impact Wyoming's higher education institutions and workforce development.

Wyoming's founders were proud to create a University and its heritage is suffused throughout our state. DEI policies and personnel were rolled back last year as the result of our combined actions and yet we did it artfully providing our higher education institutions the flexibility to meet the prohibition on DEI activities in a way that did not compromise institutions' missions. This legislation is an attempt to limit curriculum and course requirements at the University of Wyoming and community colleges with a sledgehammer without regard to what gets smashed. This bill prohibits courses containing "related content" but defines that term in reference to W.S. 9-2-1014.4(b), a section that does not define any concepts—only restrictions on government spending. This circular lack of definition renders the provision legally unclear and difficult – if not impossible – to enforce. Without clear guidance, institutions will struggle to interpret and

comply with the law, potentially leading to unnecessary legal challenges and disruptions to academic programming.

With regard to the appropriation of \$550,000 to fund medical education for Wyoming students under an agreement with the University of Utah, I fully support training the future physicians Wyoming needs, however, this may be a more proper discussion for the Legislature to take up this fall in anticipation of the upcoming Budget Session. It is also worth noting that multiple bills introduced this session seek to address the same concerns regarding DEI activities in public institutions. House Enrolled Act 67 provides a more precise and enforceable policy. Unlike Enrolled Act No. 61, Enrolled Act 67 defines prohibited practices, ensuring consistency and reducing the risk of legal confusion. It also better balances the need for accountability with the practical realities of higher education governance. If the Legislature is committed to addressing DEI policies in state institutions, Enrolled Act 67 is the superior vehicle for achieving that goal.

Of the two bills addressing this issue, Enrolled Act No. 67 provides a more precise, enforceable, and legally sound approach. Its definitions and balanced restrictions ensure accountability without creating unnecessary legal ambiguities or unintended consequences. Ultimately, there is no reasonable need for both acts. Therefore, I must veto this legislation in favor of the more effective policy framework established by Enrolled Act No. 67, which I have so signed.

Sincerely,



Mark Gordon
Governor

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cc: The Honorable Chip Neiman, Speaker of the House
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate
The Honorable Chuck Gray, Secretary of State