

President Trump's Initial Executive Orders: Implications for Public Human Services Agencies

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*This is an overview of relevant, significant executive orders (EOs) issued by President Trump and their potential implications for state and county governments and services. Initial analysis and commentary are provided in **bold**.*

Recission of Biden-Era EOs and Regulatory Freeze:

- **Initial Rescissions of Harmful Executive Orders and Actions:** The President, in his first executive action, rescinded 78 executive actions implemented by the Biden administration, including those:
 - Aimed at advancing racial equity and combating gender discrimination
 - Addressing climate change
 - Mobilizing the federal response to the coronavirus pandemic
 - Addressing the root causes of migration
 - Asking the Center for Medicare and Medicaid Innovation to consider new payment and healthcare models to limit drug spending
 - Repealing a ban on transgender personnel serving openly in the U.S. military
 - Managing the federal government's approach to safely deploying artificial intelligence tools in healthcare. Among other policies, that directive asked the HHS to establish an AI task force and develop a strategic plan, which was just released earlier this month.
 - Strengthening the ACA exchanges and Medicaid, which led some states to lengthen enrollment periods and provide more funding to help residents sign up for coverage. **Note that in response to this original Biden EO, the Department of Health and Human Services issued many rulemakings aimed at strengthening both programs, including fixing the "family glitch" to ensure more families could participate in the marketplace exchange if it was cheaper than available employer-sponsored plans. However, the Trump administration would need to go through the formal regulatory process to roll back any regulations finalized before August 2024.**

- **Regulatory Freeze Pending Review:** The President has [directed all federal Agencies](#) to cease proposing or issuing any rulemaking until it has been reviewed and approved by leadership who are political appointees, and to consider postponing the effective date for any rules that have been published in the Federal Register for an additional 60 days. **All non-finalized regulations regarding human services programs were withdrawn by the Biden administration prior to leaving office. These include TANF and SNAP QC proposals.**

EO Regarding Artificial Intelligence (AI):

- **Removing Barriers to American Leadership in AI:** The President rescinded certain Biden policies and directives related to AI. He calls members of his administration to develop an AI Action Plan within 180 days. **While the EO directs multiple agencies to work together to advance AI approaches, the EO lacks clarity on what the incoming priorities will be.**

EOs Addressing Legal and Illegal Immigration:

- **Protecting the American People against Invasion:**
 - Directs the attorney general and DHS to take civil or criminal legal action against sanctuary cities/states and contemplates actions to strip federal funding from their communities. **It is worth noting that Trump issued a similar EO during his first term. In October 2018, U.S. District Court Judge William Orrick issued a nationwide [permanent injunction](#) halting the implementation of the policy to strip federal funding from sanctuary jurisdictions in response to a lawsuit filed by the city and county of San Francisco and Santa Clara County.**
 - In response to the EO, the Justice Department has [created a new Sanctuary Cities Enforcement Working Group](#) that could lay the groundwork for legal challenges to local laws and forcing compliance with the executive branch. DOJ is also partially turning the FBI's Joint Terrorism Task Forces to focus on immigration.
 - Calls for an expansion of 287(g) agreements, which allow DHS to delegate its immigration enforcement authority to local law enforcement.
 - While not an EO, the Department of Justice [issued this memo](#) to DOJ employees noting that *Federal law prohibits state and local actors from resisting, obstructing and*



otherwise failing to comply with lawful immigration-related commands and requests...
(See paragraph three on page three of above link).

- Calls for reviews and audits of federal grants and contracts with non-governmental organizations that support or provide services to undocumented immigrants. **DOJ has reportedly already directed legal services providers who receive federal funding to cease their work on immigration-related cases. These provisions could chill organizations from providing basic services and support to their communities.**
- Directs the Office of Management and Budget (OMB) to ensure that all agencies identify and stop the provision of any public benefits to undocumented immigrants not authorized to receive them under the provisions of the INA or other relevant statutory provisions. **Note that the administration will need to use the rulemaking process to make any changes to public charge affecting immigrants in the U.S who are here legally.**
- [Protecting The Meaning and Value of American Citizenship](#): Seeks to end "birthright citizenship" for those born to undocumented immigrants or if the mother is here with temporary permission, and if the father was not a U.S. citizen or legal permanent resident at the time of the child's birth. This applies only to persons who are born within the United States 30 days from the date of the order (January 20, 2025). **While this EO is already subject to legal challenges and is likely to be struck down, it may add to chilling effects and self-deportation among immigrant communities. [Multiple states have filed a lawsuit challenging this EO.](#)**
- [Designating Cartels And Other Organizations As Foreign Terrorist Organizations And Specially Designated Global Terrorists](#): Designates cartels and gangs such as MS-13 and Tren de Aragua, as foreign terrorist organizations, and uses the Alien Enemies Act of 1798 to use federal and state law enforcement to go after those connected to those groups within the U.S. **Experts warn of [potential unintended economic consequences](#), particularly for American businesses with interests in Mexico.**
- [Realigning the United States Refugee Admissions Program](#): Suspends refugee resettlements for at least four months, including canceling travel plans for refugees already cleared to resettle in the U.S. **Additionally, the U.S. Department of State has [reportedly ordered](#) resettlement agencies to suspend all services and assistance, ranging from**



caseworker support to housing, that is afforded to arrivals in their first three months in the United States. [Evidence](#) shows that resettled refugees contribute to local economies by supporting local businesses, and reducing refugee numbers will have an [adverse impact](#) on the American economy.

- [Securing our Borders:](#)
 - Instructs DHS to consider actions to cement and expand the use of “expedited removal,” a process created by federal statute that allows DHS to quickly deport people without a day in court unless they express a fear of return and pass a threshold fear screening interview. **Trump officials have told lawmakers they will need billions of dollars in additional funding to meet the president’s deportation goals by ramping up ICE detention capacity, setting the stage for a major funding battle in Congress.**
 - Revokes a humanitarian parole program that benefited Cubans, Nicaraguans, Venezuelans, and Haitians. **It is unclear what will happen to the hundreds of thousands of people currently living with humanitarian parole. Some experts believe that individuals may retain their parole status until its scheduled expiration, at which point they may be subject to deportation absent an adjustment in status.**
- [Declaring a National Emergency at the Southern Border:](#) Declares a National Emergency at the southern border and instructs the Pentagon to support CBP by sending troops, drones and other assets, while resuming border wall construction. **President Trump is preparing to send 10,000 troops to the southern border, including the National Guard, and 1,500 have already been instructed to deploy. National emergency declarations are not intended to serve as a substitute for immigration enforcement authorities and cannot authorize the Trump administration to deploy the military to directly engage in immigration enforcement actions such as arresting and deporting migrants.**
- [Guaranteeing the States Protection Against Invasion:](#)
 - Closes the border to people seeking asylum, without any exceptions for people being trafficked into the United States, unaccompanied children, or those whose deportation would send them back to persecution or torture. In response, Border Patrol agents have been directed to close the border to anyone attempting to exercise the right to seek humanitarian refuge under U.S. law on the nominal justification that the government cannot properly vet them for public health or safety risks. The EO lays out



- a case for understanding the president as having not just statutory but broad inherent constitutional authority to control immigration into the United States. **This may conflict with federal law, which enshrines the right to apply for asylum.**
- Instructs DHS to end the practice of allowing people arriving to seek asylum to reside with their loved ones while their cases proceed, instead requiring that they be jailed for the duration of their cases.
 - Reinstates the "Remain in Mexico" policy for asylum seekers at the U.S.-Mexico border, ending a policy in which they were released into the U.S. while their cases were being considered by immigration courts.
- DHS has also [issued a directive](#) revoking a Biden-era policy that prohibited arrests by U.S. immigration agents at or near schools, places of worship and other places deemed to be "sensitive locations." **We expect this policy change to have a chilling effect on undocumented immigrants' willingness to utilize health care services, access homeless shelters, pick up their children from school, etc.**

Health Related EOs:

- [Withdrawal of the United States World Health Organization \(WHO\)](#): Issues a formal notice of U.S. withdrawal from the World Health Organization (WHO) and recalls and reassigns United States Government personnel or contractors working in any capacity with the WHO. **Public health experts say the withdrawal from the WHO could put the U.S. at a disadvantage when it comes to responding to health crises at home and abroad, costing us the ability to collaborate on disease preparedness and response, as well as the ability to exchange information about emerging threats to public health.**

Diversity, Equity, and Inclusion (DEI) EOs:

- [Defending Women From Gender Ideology Extremism And Restoring Biological Truth To The Federal Government](#):
 - Proclaims that the U.S. Government will only recognize two sexes.
 - Prevents taxpayer funds from being used to "promote gender ideology," directing agencies to assess grant conditions and grantee preferences to ensure compliance.
 - Mandates "privacy in intimate spaces" to ensure that single-sex spaces, such as prisons and rape shelters, are designated by sex and not gender identity.



- Agencies must report out within 120 days on their imposition of requirements on federally funded entities, including contractors, to achieve the policy of this order.

While this effort is primarily focused on federal agencies, programs and contractors, it will likely implicate existing grant programs, policy guidance and regulations. Some changes — such as the way agencies handle health care for transgender Americans or the way the Department of Housing and Urban Development protects trans tenants from being evicted by landlords — could take longer to implement because agencies will have to go through a process that takes months or even years to change the rules governing them.

- **Ending Radical And Wasteful Government DEI Programs And Preferencing:**
 - Ends the federal government's DEI policies, positions, programs and offices within 60 days, singling out environmental justice programs and equity-related grants.
 - Revokes Equal Employment Opportunity requirements for federal contractors
 - Orders federal agencies to compile lists of public companies, universities and large foundations for investigations and possible civil action over their DEI programs.

It is unclear which of those programs will be specifically targeted and what kind of litigation might ensue should the Administration freeze spending that Congress has already appropriated. This week the Trump Administration [distributed a memo](#) to federal agencies warning federal workers of “adverse consequences” if they continue diversity, equity and inclusion-related work and calling on employees to report any colleagues who continue it.

Government Efficiency and Accountability EO's:

- **Implementing the President's “Department of Government Efficiency”:**
 - Establishes the Department of Government Efficiency (DOGE) intended to modernize “Federal technology and software to maximize governmental efficiency and productivity.”
 - This is a temporary organization dedicated to advancing an 18-month agenda. It will end on July 4, 2026.
 - Directs each agency to establish a DOGE team of at least four employees to typically include one engineer, one human resource specialist, and one attorney.
 - Directs the creation of a Software Modernization Initiative. Among their focus includes the promotion of inter-operability between agency networks and system, ensure data integrity, and facilitate responsible data collection and synchronization.



- **Restoring Accountability For Career Senior Executives:**

- Seeks to ensure that the Constitutional power of the Executive, “vested in a President” provides the President the power to remove subordinates and clarifies that Senior Executive Service (SES) employees must “serve at the pleasure of the President”
- Directs the issuance of new SES Performance Plans that agencies must follow
- Prioritizes “accountability” in SES system
- Directs agency heads to “reassign agency SES members to ensure their knowledge, skills, abilities, and mission assignments are optimally aligned to implement my agenda”.

Energy and Environment EOs:

- **Unleashing American Energy:** Directs all federal agencies to “immediately pause the disbursement of funds appropriated through the Inflation Reduction Act of 2022 (Public Law 117-169) or the Infrastructure Investment and Jobs Act (Public Law 117-58).” Agencies have three months to report to the White House on whether the paused funds align with the President’s stated policy objectives. According to the EO, if the funds do not align, they cannot go out the door. The EO cites electric vehicle charging infrastructure, but the language explicitly says “including but not limited to.” **This EO could block money states and localities expecting to finish work like road repairs, bridges, broadband expansions, water infrastructure, and many more highly visible projects. Substantively, this EO means withholding money legally owed to people who have completed work for the federal government, including state and local governments, private businesses, nonprofits, and federal employees whose paychecks come from the Inflation Reduction Act (IRA) or Infrastructure Investment and Jobs Act (IIJA). This is illegal -- Congress approved this funding, and the President does not have the power to impound it. Courts have affirmed this repeatedly.** House Appropriations Committee Ranking Member Rosa DeLauro has a [fact sheet](#) with more background. However, we are unaware of any formal legal challenges at this juncture. Once it is clear what accounts the Trump Administration are targeting through these executive orders, opponents will able to determine who is being “harmed” and has legal standing to challenge the President’s orders in court.

Tariffs and Trade EOs:

- **America First Trade Policy:** Directs various agencies to study a wide variety of trade issues with an eye toward future tariffs but stops short of imposing specific levies. By April 1,



officials must provide reports assessing unfair trade practices, currency manipulation, U.S. technology controls and discriminatory foreign taxes, as well as flows of migrants and drugs from Canada, China and Mexico to the United States, and the compliance of those three countries and others with their existing trade agreements with the United States. Officials must investigate the causes of large and persistent trade deficits and “recommend appropriate measures, such as a global supplemental tariff or other policies, to remedy such deficits.

In recent public remarks, President Trump has said that he plans to impose a 25 percent tariff on products from Canada and Mexico on Feb. 1 and might impose levies on most American imports. While managing trade is technically the domain of Congress, various trade laws have given the president wide-ranging powers to issue tariffs. The president can use them to defend U.S. national security, answer unfair trade practices and counter various types of international emergencies. Canada has said it planned to retaliate with tariffs and other trade restrictions if President Trump went ahead with his plan, and Mexico has also threatened its own tariffs on American exports.

Other Notable Actions:

- **Communications Freeze at HHS:** While not an EO, news surfaced this week that Employees of the U.S. Department of Health and Human Services were told to halt all public communications. This includes external communications, such as issuing documents, guidance or notices, until such documents can be approved by a presidential appointee. Some exceptions may be made for communications affecting "critical health, safety, environmental, financial or nation security functions." The National Institutes for Health has also stopped approving money for research grants through its review groups. It is unclear whether this is connected to the communications pause. **Last week, APHSA was notified by ACF officials that communication with APHSA will need to pause because of this directive. We've no information on the anticipated length of this communication freeze.**
- **Suspension of Civil Rights Investigations:** The Justice Department has ordered an immediate halt to all new civil rights cases or investigations and signaled that it might back out of Biden-era agreements with police departments that engaged in discrimination or violence.



- **Firing of Inspectors General**: On Friday, Jan. 23, the White House fired the independent inspectors general of at least 14 agencies, including the U.S. Department of Health and Human Services and U.S. Department of Agriculture. Gov

If you have questions or concerns, please reach out to the American Public Human Services Association (APHSA) at policy@aphsa.org.

