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MEMORANDUM

TO: **Interested Parties**
FROM: **Penn Hill Group**
DATE: **March 4, 2025**
SUBJECT: **President Trump's Initial Executive Orders and Presidential Memoranda**

The most recent version of this memorandum was sent on February 28, 2025. Since that time, President Trump has issued an additional Executive Order that addresses or will have an impact on education and workforce development or will affect the operations of the U.S. Departments of Education and Labor. Therefore, Penn Hill Group has updated this memorandum to include a summary of the new Executive Order signed by President Trump since February 28. The summary of the new Executive Order appears first in the memorandum below, followed by the Executive Orders issued prior to February 28. This memorandum will be updated as new Executive Orders impacting these areas are issued.

English as the Official Language of the United States

On March 1, the President signed an [Executive Order](#) designating English as the official language of the United States.

The Order also revokes [Executive Order 13166](#) (Improving Access to Services for Persons with Limited English Proficiency), signed by President Clinton in 2000.¹ It specifies, however, that agencies are not required, because of this revocation, to change the services they provide or to amend, remove or otherwise stop production of documents, products or other services in languages other than English.

Note: The information below was included in the memorandum when it was shared on February 28, 2025.

Implementing the DOGE Cost Efficiency Initiative

On February 26, the President signed an [Executive Order](#) on several matters related to producing cost savings in the Federal government.

¹ That Order directed Federal agencies to: (1) develop and implement plans for improving access to Federal programs for limited English proficient (LEP) individuals; (2) develop agency-specific guidance regarding the Civil Rights Act Title VI prohibition on national-origin-based discrimination, describing how guidance on services to LEP individuals, issued by the Department of Justice, would apply to the agency's service recipients.

Centralized technological system and written justifications for payments – The Order requires each Federal agency to build a centralized technological system that can “seamlessly” record every payment by the agency pursuant to a covered contract or grant² and will also include a brief written justification submitted by the employee who approved the payment. The system must also include a mechanism that allows the head of the agency to pause and rapidly review a payment if the written justification has not been submitted. Further, agencies are to make the written justifications public, as permitted by law and to the maximum extent practicable.

Review of contracts and grants – The Order requires each agency, through a process that includes consultation with the agency’s Department of Government Efficient (DOGE) Team Lead (the leader of the DOGE Team assigned to the agency), to review all of its covered contracts and grants and, where appropriate and consistent with law, terminate and modify covered contracts and grants in order to reduce overall Federal spending or to promote efficiency and advance the Administration’s policies. Priority is to be given to reviewing (for fraud, waste and abuse) funding provided to educational institutions and foreign entities. Agency reviews are to be completed within 30 days of the issuance of the Order.

Contract process review -- The Order further requires each agency, through a process that includes consultation with the agency’s DOGE Team Lead, to conduct a comprehensive review of its contracting policies, procedures and personnel. These reviews must also be completed within 30 days, and agencies are, in the interim, prohibited from issuing new contracting officer warrants³ unless the agency head determines that an approval is necessary.

Contract approval – The Order directs that, subsequent to an agency’s completion of the review of its contract process, the agency develop and issue (through a process that includes consultation with the DOGE Team Lead) guidance to its employees on signing new contracts or modifying existing contracts so as to promote government efficiency and the Administration’s policies. The Order further implies that, until this guidance is in place, an agency may enter into new contracts only with the approval, on a case-by-case basis, of the agency head.

Non-essential travel – The Order directs each agency, with assistance from the agency’s DOGE Team Lead, to build a technological system that records approval for federally funded travel for conferences and other non-essential travel. Once the system is in place, employees will be prohibited from engaging in such non-essential travel unless an agency travel-approving official has entered a written justification into the system. Justifications will be posted publicly, unless prohibited by law or the agency head grants the agency an exemption.

Credit card freeze – The Order directs that, to the maximum extent permitted by law, all credit cards held by Federal employees are to be treated as frozen for 30 days. The Order exempts

² “Covered contracts and grants” are defined as discretionary spending through contracts, grants, loans and related instruments, but not including direct payments to individuals; expenditures related to immigration enforcement, law enforcement, the military, public safety or the intelligence community, or emergency spending as determined by the agency head.

³ A contracting officer warrant is a document that designates an individual to act as contracting officer in the Federal government.



credit card use related to disaster relief, disaster response or other critical services as determined by agency heads.

Real property disposition – The Order directs: (1) agencies, within 7 days, to update their information in the Federal Real Property Management System; (2) each agency, within 30 days, to identify all agency termination rights under leases of government-owned real property and, in consultation with the DOGE Team Lead and the General Services Administration (GSA), determine whether to exercise those rights; and (3) GSA, within 60 days, to submit a plan to the Office of Management and Budget for the disposition of government-owned real property that agencies deem as no longer needed.

Note: The information below was included in the memorandum when it was shared on February 19, 2025.

Ending COVID-19 Vaccine Mandates in Schools

On February 15, the President signed an [Executive Order](#) titled “Keeping Education Accessible and Ending COVID-19 Vaccine Mandates in Schools.” The Order makes it the policy of the Administration that discretionary Federal funds not be used to directly or indirectly support or subsidize an educational service agency (ESA), State educational agency (SEA), local educational agency (LEA), elementary school, secondary school or institution of higher education (IHE) that requires students to have received a COVID-19 vaccination to attend any in-person education program.

The Order directs the U.S. Department of Education (ED) to:

- Issue guidance, as soon as practicable, to elementary and secondary schools, SEAs, LEAs and IHEs regarding their legal obligations with respect to parental authority, religious freedom, disability accommodations and equal protection under law, as relevant to coercive COVID-19 school mandates; and
- Submit to the President, within 90 days, a plan for ending coercive COVID-19 school mandates consistent with applicable law and including, as appropriate, proposed legislation. The plan must also include: (1) a list of Federal grants and contracts to schools, SEAs, LEAs and IHEs that are out of compliance with the policies enunciated in the new guidance; and (2) each Federal agency’s process for preventing (to the maximum extent allowable under applicable law) Federal funds from being provided to, and for rescinding Federal funds from, schools, SEAs, LEAs and IHEs that are out of compliance.

Note: The information below was included in the memorandum when it was shared on February 14, 2025.

Implementing the DOGE Initiative



On February 11, President Trump signed an [Executive Order](#) titled “Implementing the President’s ‘Department of Government Efficiency Workforce Optimization Initiative.’”

OMB Plan for Reducing Federal Employment -- The Order directs the Office of Management and Budget (OMB) to develop a plan for reducing the size of the Federal workforce through efficiency improvements and attrition. The plan must require that each Federal agency hire no more than one employee for every four employees who depart (except that this requirement would not apply to functions related to public safety, immigration enforcement or law enforcement). The Order does not specify when this plan would be completed or when it would take effect; for now the partial Federal hiring freeze provided for under the “Hiring Freeze” Executive Order (see below) remains in effect.

Agency Hiring of New Career Employees -- The Order further requires each agency to develop a data-driven plan for ensuring that new career appointment hires are in the highest-need areas. Going forward, career positions may not be filled if the Department of Government Efficiency (DOGE) “Team Lead” assigned to the agency disapproves them, unless the agency head overrules such a decision.

Agency Reduction in Force Plans --- The Order directs each agency to prepare for a large-scale layoff (known as a Reduction in Force or “RIF”) of staff, including temporary employees and reemployed annuitants. Agencies are to prioritize for RIFs of employees in offices that perform functions that are not mandated by law (including diversity, equity and inclusion initiatives) or that carry out activities that the Administration has suspended or terminated, as well as employees who are not designated as “essential” during a government shutdown. These requirements also do not apply to functions related to public safety, immigration enforcement or law enforcement.

Revision of Federal Employment Suitability Regulations – The Order directs the Office of Personnel Management (OPM) to revise the regulations governing Federal employment, to add additional criteria that OPM may use in determining whether an individual is suitable for continued employment. The current regulations permit OPM to consider such factors as, among others, criminal or dishonest conduct, illegal drug use and violent behavior. Pursuant to the order, the revised regulations will add as considerations: (1) failure to comply with generally applicable legal obligations, including timely filing of tax returns; (2) failure to comply with “any provision” that would preclude Federal service, including citizenship requirements; (3) failure to certify compliance with and adhere to nondisclosure obligations; and (4) theft, misuse or negligent loss of government resources and equipment.

Agency Reorganization Plans – Finally, the Order directs each agency to submit to OMB a report that identifies statutes that make the agency (or a component of the agency) statutorily required. This report will also discuss whether the agency or any of its subcomponents should be eliminated or consolidated.

Note: The information below was included in the memorandum when it was shared on February 7, 2025.



Eradicating Anti-Christian Bias

A February 8 [Executive Order](#) asserts that the Biden Administration “engaged in an egregious pattern of targeting peaceful Christians, while ignoring anti-Christian offenses.” Among the specific assertions is that ED sought to repeal religious-liberty protections for faith-based organizations on college campuses. The Order states that it is the policy of the U.S. to protect the religious freedom of Americans and “end the anti-Christian weaponization of government.”

The Order establishes a Task Force to Eradicate Anti-Christian Bias, housed within the U.S. Department of Justice, chaired by the Attorney General and composed of 16 other agency and office heads, including the Secretaries of Education and Labor. The Task Force is charged with:

- Reviewing the actions taken by all agencies, specifically including Education and Labor, by the Biden Administration and identify anti-Christian policies, practices or conduct;
- Recommending to agency heads actions to revoke or terminate such policies, practices or conduct;
- Sharing information and developing strategies to protect religious liberty;
- Soliciting information and ideas from a broad range of individuals and groups in order to ensure that the work of the Task Force is informed by a broad spectrum of ideas and experiences;
- Identifying deficiencies in laws and regulations that have contributed to unlawful anti-Christian governmental or private conduct, and recommending to the appropriate agency head, or the President, actions to remedy such policy failures; and
- Recommending to the President any additional Presidential or legislative action needed to rectify past improper anti-Christian conduct and protect religious liberty.

The Task Force will submit three reports to the President (after 120 days, one year and two years) and terminate after two years.

Participation of Transgender Athletes in Women’s Sports

A February 5 [Executive Order](#), titled “Keeping Men Out of Women’s Sports,” makes it the policy of the U.S. to “rescind all funds from educational programs that deprive women and girls of fair athletic opportunities, which results in the endangerment, humiliation, and silencing of women and girls and deprives them of privacy.” It further enunciates a policy of opposing “male competitive participation in women’s sports more broadly, as a matter of safety, fairness, dignity, and truth.”

The Order directs ED to:

- Comply with the cancellation of the Biden Administration’s Title IX regulations and take other steps to ensure that those regulations do not have effect;



- Take all appropriate action (including enforcement actions, revision of regulations and policy guidance and resolution of pending litigation) to affirmatively protect all-female athletic opportunities and all-female locker rooms; and
- Prioritize Title IX enforcement actions against educational institutions (and the athletic associations composed of or governed by those institutions) that require women to compete against or appear unclothed before males.⁴

The Order also directed all Federal agencies to review their grants to education programs and rescind those that do not comply with these policies.

The Order further directs:

- The Domestic Policy Council, within 60 days, to: (1) convene representatives of major athletic organizations, as well as women harmed by policies that allow trans-identifying athletes to compete in women sports, so as to promote policies that are fair, safe, and in the best interest of female athletes; and (2) convene State Attorneys General for the purpose of identifying best practices in defining and enforcing equal opportunities for women to participate in sports and for educating those Attorneys General about the harm caused to women and girls by male participation in women's sports;
- The State Department and the U.S. Representative to the United Nations (UN) to: (1) rescind support for and participation in sports exchanges and other sports programs in which the female sports category is defined by gender (and not sex); and (2) promote international rules and norms to protect a sex-based female sports category and, at the State Department's discretion, convene international athletic organizations, as well as female athletes harmed by policies that allow male participation in women's sports, so as to promote sporting policies that are fair, safe, and in furtherance of the best interests of female athletes;
- The Departments of State and Homeland Security to: (1) review and adjust policies permitting admission to the U.S. of males seeking to participate in women's sports; and (2) issue guidance to protect such entry, to the extent permitted by law; and
- The State Department to use all appropriate and available measures to see that the International Olympics Committee amends its standards so as to ensure that eligibility for participation in women's sporting events is based on sex (and not on gender identity or testosterone reduction).

⁴ Note that this Executive Order is covered by the same definitions used in the Executive Order on "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," which declared that there are two sexes, male and female, with an individual's sex based on immutable biological classification established at the time of birth.

Expanding Educational Freedom for Families

The President signed an [Executive Order](#) making it the policy of his Administration to support parents in choosing and directing the upbringing and education of their children.

The Executive Order directs:

- The Secretary of Education to: (1) issue, within 60 days, guidance on how States can use Federal formula funds to support K-12 educational choice initiatives; and (2) include education freedom as a priority in discretionary grant programs, as appropriate and consistent with applicable law;
- The Secretaries of Labor and Education to review their discretionary grant programs and, within 90 days, submit a plan to the President on using those programs to expand education freedom for families and teachers;
- The Secretary of Health and Human Services (HHS) to issue, within 90 days, guidance to States on using HHS block grants, including the Child Care and Development Block Grant (CCDBG), to expand educational choice and support families who choose educational alternatives to government entities, including private and faith-based options;
- The Secretary of Defense to identify mechanisms through which military-connected families may use U.S. Department of Defense funds to place their children in schools of their choice (including private, faith-based and charter schools) and, within 90 days, submit a plan to the President describing those mechanisms and the steps that would be necessary to implement them beginning in the 2025-2026 school year; and
- The Secretary of the Interior to identify mechanisms under which families of children eligible to attend Bureau of Indian Education (BIE) schools may use their Federal funding for educational options of their choice (including private, faith-based and charter schools) and, within 90 days, submit a plan to the President describing those mechanisms and the steps that would be necessary to implement them beginning in the 2025-2026 school year. The Secretary must also report on the current performance of BIE schools and identify educational options in nearby areas.

Ending “Radical Indoctrination” in K-12 Schooling and Promoting Patriotic Education

The President signed an [Executive Order](#) on issues related to indoctrination in elementary and secondary education, parental rights, gender identity and patriotic education.

Ending Indoctrination Strategy -- The Executive Order directs the Secretaries of Education, Defense and HHS, within 90 days, to submit to the President an “Ending Indoctrination Strategy” for: (1) eliminating Federal funding and support for “illegal and discriminatory

treatment and indoctrination in K-12 schools, including based on gender ideology⁵ and discriminatory equity ideology⁶; and (2) protecting parental rights consistent with the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). It further specifies that this plan must summarize and analyze:

- All Federal funding sources and streams, including grants or contracts, that directly or indirectly support or subsidize the instruction, advancement or promotion of gender ideology or discriminatory equity ideology in K-12 curriculum, instruction, programs or activities or in K-12 teacher education, certification, licensing, employment or training;
- Each agency's process to prevent or rescind Federal funds, to the maximum extent consistent with applicable law, from being used by an ESA, LEA, SEA or elementary or secondary school to directly or indirectly support or subsidize the instruction, advancement or promotion of gender ideology or discriminatory equity ideology in K-12 curriculum, instruction, programs or activities or in K-12 teacher education, certification, licensing, employment, or training;
- Each agency's process to prevent or rescind Federal funds, to the maximum extent consistent with applicable law, from being used by an ESA, LEA, SEA or elementary or secondary school to directly or indirectly support or subsidize the social transition⁷ of a

⁵ "Gender ideology," in this Executive Order," is defined as in the Executive Order on "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government."

⁶ "Discriminatory equity ideology is defined as follows: "'Discriminatory equity ideology' means an ideology that treats individuals as members of preferred or disfavored groups, rather than as individuals, and minimizes agency, merit, and capability in favor of immoral generalizations, including that:

- (i) Members of one race, color, sex, or national origin are morally or inherently superior to members of another race, color, sex, or national origin;
- (ii) An individual, by virtue of the individual's race, color, sex, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
- (iii) An individual's moral character or status as privileged, oppressing, or oppressed is primarily determined by the individual's race, color, sex, or national origin;
- (iv) Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to their race, color, sex, or national origin;
- (v) An individual, by virtue of the individual's race, color, sex, or national origin, bears responsibility for, should feel guilt, anguish, or other forms of psychological distress because of, should be discriminated against, blamed, or stereotyped for, or should receive adverse treatment because of actions committed in the past by other members of the same race, color, sex, or national origin, in which the individual played no part;
- (vi) An individual, by virtue of the individual's race, color, sex, or national origin, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion;
- (vii) Virtues such as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin; or
- (viii) the United States is fundamentally racist, sexist, or otherwise discriminatory."

⁷ The Order defines "social transition" as follows: "'Social transition' means the process of adopting a "gender identity" or "gender marker" that differs from a person's sex. This process can include psychological or psychiatric counseling or treatment by a school counselor or other provider; modifying a

minor student, including through school staff or teachers or through deliberately concealing the minor's social transition from the minor's parents;

- Each agency's process to prevent or rescind Federal funds, to the maximum extent consistent with applicable law, from being used by an ESA, LEA, SEA or elementary or secondary school to directly or indirectly support or subsidize: (1) interference with a parent's rights to information under FERPA or PPRA; or (2) violations of Title VI of the Civil Rights Act of 1964 (Title VI) or Title IX of the Education Amendments of 1982.
- The agencies' tools for enforcing the policies of the Executive Order.

Directive to the U.S. Department of Justice (DOJ) -- The Executive Order also directs DOJ to coordinate with State attorneys general and local district attorneys in efforts to enforce the law and file appropriate actions against K-12 teachers and school officials who: (1) sexually exploit minors; (2) unlawfully practice medicine by offering diagnoses or treatment without the requisite license; or (3) otherwise unlawfully facilitate the social transition of a minor student.

Reestablishing the 1776 Commission and Promoting Patriotic Education – The Order reestablishes the President's Advisory 1776 Commission (which was created by then-President Trump in 2020 but terminated by President Biden) and gives the Commission the objectives of: promoting patriotic education⁸; and (2) advising and promoting the work of the White House Task Force on America's 250th Birthday and the United States Semiquincentennial Commission. It places the 1776 Commission in the U.S. Department of Education (ED).

Briefly, the Executive Order directs the Commission to: (1) facilitate the development and implementation of a "Presidential 1776 Award" to recognize student knowledge of the American founding; (2) coordinate bi-weekly lectures on the semiquincentennial that are grounded in patriotic education principles and that are to be broadcast throughout 2026; (3) upon request, advise Federal agencies on ensuring that patriotic education is provided to the public at national parks, battlefields, museums and other places important to the American founding and American history; and (4) facilitate, advise upon and promote private and civic activities nationwide to increase public knowledge of and support patriotic education surrounding the 250th anniversary of American Independence.

person's name (e.g., 'Jane' to 'James') or pronouns (e.g., 'him' to 'her'); calling a child 'nonbinary'; use of intimate facilities and accommodations such as bathrooms or locker rooms specifically designated for persons of the opposite sex; and participating in school athletic competitions or other extracurricular activities specifically designated for persons of the opposite sex. 'Social transition' does not include chemical or surgical mutilation."

⁸ The Order defines "patriotic education" as follows: 'Patriotic education' means a presentation of the history of America grounded in:

"(i) an accurate, honest, unifying, inspiring, and ennobling characterization of America's founding and foundational principles;

"(ii) a clear examination of how the United States has admirably grown closer to its noble principles throughout its history;

"(iii) the concept that commitment to America's aspirations is beneficial and justified; and

"(iv) the concept that celebration of America's greatness and history is proper."



The Executive Order also includes information on the membership, funding and operations of the Commission.

Additional patriotic education measures – Finally, the Executive Order directs “all relevant agencies” to: (1) monitor compliance with the Federal requirement that educational institutions receiving Federal funds hold an event on the Constitution on September 17 of each year; and (2) prioritize Federal resources in order to promote patriotic education, including through the: (a) U.S. Department of Education American History and Civics program, (b) the U.S. Department of Defense education program and its Pilot Program on Enhanced Civics Education and (c) the Department of State’s Bureau of Educational and Cultural Affairs, its Fulbright, U.S. Speaker and International Visitor Leadership programs and its American Spaces network.

Combatting Antisemitism

The third [Executive Order](#) signed on January 29 makes it the policy of the United States to combat antisemitism vigorously, using all available and appropriate tools to prosecute, remove or otherwise hold accountable the perpetrators of unlawful antisemitic harassment and violence.

Toward that end, the Executive Order directs each Executive Branch agency to submit to the President, within 60 days, a report identifying: (1) the civil and criminal authorities or actions within the jurisdiction of the agency that might be used to combat antisemitism; and (2) an inventory and analysis of all pending administrative complaints against or involving institutions of higher education (IHEs) and alleging civil rights violations related to or arising from post-October 7, 2023 campus antisemitism.

The report submitted by DOJ must also include an inventory and analysis of all court cases against or involving IHEs and alleging civil rights violations related to or arising from post-October 7, 2023 campus antisemitism, and indicating whether the DOJ intends to or has taken action with respect to those cases.

The report submitted by ED must also include an inventory and analysis of all Title VI complaints and administrative actions (pending or resolved after October 7, 2023) within the Department’s Office for Civil Rights, including those involving alleged antisemitism in K-12 education.

Finally, the reports submitted by ED, the State Department and the Department of Homeland Security must include recommendations for familiarization of IHEs with the Federal law that, briefly, makes inadmissible to the United States aliens who DOJ knows, or has reasonable reason to believe, are seeking to enter the country solely or incidentally to engage in illegal activity. The purpose of this familiarization would be to encourage IHEs to monitor and report on relevant activities by alien students and staff and to help ensure that those reports lead to investigations and, if warranted, to removal of those aliens.

Gender Identity

An [Executive Order](#) titled “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government” declares that it is the policy of the United States that there are two sexes, male and female, with an individual’s sex based on “immutable



biological classification” established at the time of birth. It directs all Federal agencies to enforce sex-based rights, policies, opportunities and accommodations so as to protect men and women as biologically distinct sexes and to use the term “sex,” rather than “gender,” in policies and documents. Further, it orders agencies not to fund or promote gender ideology⁹ and to “remove” agency statements, policies, regulations, forms and communications that promote or otherwise inculcate gender ideology.

Diversity, Equity and Inclusion (DEI)

An [Executive Order](#) titled “Ending Radical and Wasteful Government DEI Programs and Preferencing” orders OMB to coordinate the termination of “all discriminatory programs, including illegal DEI and ‘diversity, equity, inclusion, and accessibility’ (DEIA) mandates, policies, programs, preferences, and activities in the Federal Government”. It also directs OPM to review and revise Federal employment practices, union contracts and training programs to ensure that they are consistent with the purposes of the order.

Further, the order directs all Federal agency heads to:

- Terminate all DEI, DEIA and environmental justice offices and positions, as well as all equity action plans and initiatives, equity-related grants or contracts, and DEI or DEIA-related performance requirements for employees, contractors, or grantees;
- Provide OMB with a list of all: (1) agency DEI, DEIA, or environmental justice positions, committees, programs, services, activities, budgets and expenditures in existence on November 4, 2024, and an assessment of whether any of these have been relabeled in an attempt to preserve their pre-November 4 function; (2) Federal contractors that have provided DEI training or training materials to the agency; and (3) grantees that have received Federal funding to provide or advance DEI, DEIA or environmental justice programs, services or activities since January 20, 2021;
- Direct the deputy agency head to: (1) assess the operational impact (e.g., number of new DEI hires) and cost of the Biden Administration’s DEI, DEIA and environmental justice programs and policies; and (2) recommend actions to align the agency’s programs, activities, policies, regulations, guidance, employment practices, enforcement activities, contracts, grants, consent orders and litigating positions with the policy of “equal dignity and respect” set forth in this Executive Order.

The Order also directs the Assistant to the President for Domestic Policy to convene monthly meetings of agency heads in order to hear reports on the prevalence and costs of DEI, DEIA

⁹ The Executive Order defines “gender ideology” as follows: “Gender ideology” replaces the biological category of sex with an ever-shifting concept of self-assessed gender identity, permitting the false claim that males can identify as and thus become women and vice versa, and requiring all institutions of society to regard this false claim as true. Gender ideology includes the idea that there is a vast spectrum of genders that are disconnected from one’s sex. Gender ideology is internally inconsistent, in that it diminishes sex as an identifiable or useful category but nevertheless maintains that it is possible for a person to be born in the wrong sexed body.

and environmental justice policies, programs, etc., in agency programs; discuss barriers to compliance with the Executive Order; monitor and track agency compliance with the Order; and identify potential areas for additional legislative action.

Note that the Order does not define the terms “Diversity, Equity, and Inclusion,” “Diversity, Equity, Inclusion, and Accessibility” and “environmental justice.”

A related but separate [Executive Order](#), titled “Ending Illegal Discrimination and Restoring Merit-Based Opportunities” also criticizes DEI and DEIA policies and orders agencies to terminate all “discriminatory and illegal preferences, mandates, policies, programs, activities, guidance, regulations, enforcement actions and requirements.” It further directs agencies to combat private-sector DEI preferences, mandates, policies, programs and activities.

In furtherance of those objectives, this second Order, among other things:

- Revokes four Executive Orders, and one Presidential Memorandum, issued between 1965 and 2016 and dealing with diversity and inclusion, environmental justice and equal employment opportunity;
- Directs the Office of Federal Contract Compliance Programs in the U.S. Department of Labor (DOL) to cease promoting diversity, holding Federal contractors responsible for taking “affirmative action”; and allowing contractors to practice workforce balancing based on race, color, sex, sexual preference, religion or national origin;
- Prohibits Federal contractors and subcontractors from having employment, procurement and subcontracting practices that consider race, color, sex, sexual preference, religion or national origin in a manner that violates the nation’s civil rights law;
- Requires the deletion of references to DEI, DEIA and similar terms and principles from Federal processes, guidance and acquisition and grant-making procedures;
- Directs all agencies to take actions to end the use of “illegal discrimination and preferences, including DEI” in the private sector. Toward that end, the Order directs the U.S. Department of Justice (DOJ) to prepare, in consultation with relevant agencies, a “strategic enforcement plan” that: (1) identifies key “sectors of concern” within each agency’s jurisdiction; (2) identifies the most “egregious and discriminatory DEI practitioners” in each sector; (3) sets forth a plan for deterring DEI programs or principles that constitute illegal discrimination or principles, including, for each agency up to nine potential civil compliance investigations of corporations, large nonprofit organizations, foundations with assets of at least \$500 million, State or local bar and medical associations and institutions of higher education (IHEs) with endowments of over \$1 billion; (4) potential litigation, regulatory action and subregulatory guidance; and
- Requires the Departments of Justice and Education to jointly issue, within 120 days, guidance to all SEAs and LEAs, and all IHEs that receive Federal grants or whose

students receive Federal loans, regarding measures and practices required to comply with the Supreme Court's *Students for Fair Admissions v. President and Fellows of Harvard College* decision.

Free Speech and Censorship

In an [Executive Order](#) titled, "Restoring Freedom of Speech and Ending Federal Censorship," the President declares that it is the policy of the United States, briefly, to: (1) secure the right of the American people to engage in constitutionally protected free speech; (2) ensure that no Federal employee or agency engages in or facilitates conduct abridging constitutionally protected free speech; (3) ensure that no taxpayer resources are used to abridge free speech; and (4) identify and correct any past Federal misconduct related to censorship of free speech. The Order further directs the Attorney General to investigate and report on any activities of the Federal government over the last four years that were inconsistent with that policy.

Suspension of Refugee Admissions

An [Executive Order](#) suspends the admission of refugees into the United States effective January 27, with the Department of State and the Department of Homeland Services (DHS) jointly authorized to admit refugees on a case-by-case basis. Otherwise, the admission of refugees will be resumed when the President determines that doing so would be in the national interest. The order also directs DHS to determine the extent to which, consistent with applicable law, State and local officials can be more involved in determining the placement or resettlement of refugees in their jurisdiction.

Illegal Immigration

An [Executive Order](#) titled "Protecting the American People Against Invasion" declares that it is the policy of the United States to "faithfully execute the immigration laws against all inadmissible and removable aliens" and "to achieve the total and efficient enforcement of those laws, including through lawful incentives and detention capabilities." The order focuses mainly on law enforcement, detention and deportation issues. Activities carried out pursuant to the order could have an impact on schools and colleges, but there are no provisions that specifically address education or workforce development.

Other Executive Orders and Policy Memoranda Affecting the Departments of Education and Labor (along with Other Federal Agencies)

The following documents include directives to all Federal agencies, including the Departments of Education and Labor.

- An [Executive Order](#) titled "Return to In-Person Work" orders all agencies to take all necessary steps to terminate remote work arrangements and require employees to return to in-person work on a full-time basis (with exemptions as necessary).
- A [Presidential Memorandum](#) titled "Regulatory Freeze Pending Review" orders agencies not to issue any proposed or final regulations until they are reviewed by agency heads appointed by the new Administration (with OMB authorized to grant exemptions in

emergency situations). It also orders agencies to consider delaying (for the purpose of further review) the effective date of any rule that has been published in the Federal Register but has not yet taken effect.

- A [Presidential Memorandum](#) orders a hiring freeze, covering all Federal agencies but exempting military personnel and positions related to immigration enforcement, national security, and public safety and any actions that would affect the provision of Social Security, Medicare or veterans' benefits. Further, the Order directs OMB to prepare and submit, within 90 days, a plan to reduce the size of the Federal workforce through efficiency improvements or attrition. Once that plan is submitted, the hiring freeze will end, except with respect to the Internal Revenue Service.¹⁰
- A [Presidential Memorandum](#) titled "Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis" directs all agencies to "deliver emergency price relief, consistent with applicable law, to the American people and increase the prosperity of the American worker." This Memorandum lists types of actions that agencies might take, one of which is to "create employment opportunities for American workers, including drawing discouraged workers into the labor force."
- An [Executive Order](#) titled, "Restoring Accountability to Policy-Influencing Positions within the Federal Workforce" reinstates the "Schedule F" hiring authority that was initiated late in the first Trump Administration and terminated under President Biden. Under these policies, Federal positions of a "confidential, policy-determining, policy-making, or policy-advocating character" are not covered by Civil Service employment protections. The new Order makes some changes to the original provisions, including replacing the term "Schedule F position" with "Policy/Career position" and stating:

"Employees in or applicants for Schedule Policy/Career positions are not required to personally or politically support the current President or the policies of the current administration. They are required to faithfully implement administration policies to the best of their ability, consistent with their constitutional oath and the vesting of executive authority solely in the President. Failure to do so is grounds for dismissal."

- An [Executive Order](#) titled "Establishing and Implementing the President's 'Department of Government Efficiency'": (1) renames the existing United States Digital Service¹¹ as the United States DOGE Service (USDS) within the Executive Office of the President; and (2) establishes, within the USDS, a U.S. DOGE Service Temporary Organization, terminating on July 4, 2026 and charged with advancing the DOGE agenda, which the

¹⁰ The IRS freeze will end when the Secretary of the Treasury determines that it is the national interest to lift it.

¹¹ The United States Digital Service, prior to this action, provided consulting services to Federal agencies on improving their use of information technology.

Order describes as modernizing Federal technology and software so as to maximize government efficiency and productivity..

The Order also directs each Federal agency to establish a DOGE Team of at least four members (which the order says will “typically” include a team lead, an engineer, a human resource specialist and an attorney) to advise the agency head on implementing the President’s DOGE agenda. Agencies are to take all necessary steps, consistent with law, to ensure that the USDS has full and prompt access to all unclassified agency records, software systems and information technology systems.

- An [Executive Order](#) titled “Reforming the Federal Hiring Practice and Restoring Merit to Government Service” directs the Assistant to the President for Domestic Policy to, within 120 days, develop and send to the agencies a Federal hiring plan that, briefly:
 - Prioritizes the recruitment of individuals who are committed to improving the efficiency of the Federal government, passionate about the ideals of the American republic and committed to upholding the law;
 - Prevents the hiring of individuals based on their race, sex, or religion;
 - Implements, to the greatest extent possible, technical and alternative assessments;
 - Decreases the “time to hire,” government-wide, to under 180 days;
 - Improves communication with job candidates;
 - Integrates modern technology into the recruitment and selection process; and
 - Ensures that agency leaders are active participants in implementing the new processes.

This Executive Order also calls for: (1) the Federal hiring plan to include specific agency plans to improve the allocation of Senior Executive Service positions; (2) the plan to provide specific best practices for the human resources function in each agency, which the agencies are to implement; and (3) OPM to establish performance metrics to evaluate the success of the changes provided for in the Order.

Rescission of Previous Executive Orders and Presidential Memoranda

In an [Executive Order](#) titled “Initial Rescissions of Harmful Executive Orders and Actions,” the President rescinded 78 Executive Orders and Presidential Memoranda signed by President Biden. The rescinded actions related to or affecting education and workforce development include:

- Executive Order (EO) 13985: Advancing Racial Equity and Support for Underserved Communities through the Federal Government
- EO 13988: Preventing and Combatting Discrimination on the Basis of Gender Identity or Sexual Orientation
- EO 14000: Supporting the Reopening and Continuing Operation of Schools and Early Childhood Education Providers
- EO 14021: Guaranteeing an Educational Environment Free From Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity
- EO 14031: Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders
- EO 14045: White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Hispanics
- EO 14049: White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities
- EO 14050: White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans
- EO 14075: Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals
- EO 14084: Promoting the Arts, the Humanities, and Museum and Library Services
- EO 14091: Further Advancing Racial Equity and Support for Underserved Communities through the Federal Government
- EO 14094: Modernizing Regulatory Review
- EO 14124: White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity Through Hispanic-Serving Institutions

The Order also provides that, in order to effectuate these rescissions, “the heads of each agency shall take immediate steps to end Federal implementation of unlawful and radical DEI ideology.”

