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MEMORANDUM

TO: **Interested Parties**
FROM: **Penn Hill Group**
DATE: **April 10, 2026**
SUBJECT: **President Trump's Initial Executive Orders and Presidential Memoranda**

The most recent version of this memorandum was sent on August 13, 2025. Since that time, President Trump has issued additional executive orders that address 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. The summary of the new executive orders appears first in the memorandum below, followed by the executive orders issued prior to August 13. This memorandum will be updated as new executive orders impacting these areas are issued.

Urgent National Action to Save College Sports

In an April 3 [Executive Order](#) titled “Urgent National Action to Save College Sports,” the U.S. President states that rules for pay-for-play, eligibility and other revenue-related collegiate sports issues have been loosened through judicial rulings in ways that undermine fair competition, reduce student-athlete opportunities and threaten less financially lucrative sports. The significant pressure to win football and basketball games has created “an out-of-control financial arms race in these sports” that syphons funds from education and research and drives universities into debt. The President therefore calls for a comprehensive national solution to protect fair competition, including legislative action by Congress.

Beginning August 1, 2026, Federal agencies are directed to determine whether institutions’ policies on sports eligibility limits, transfers between institutions, revenue-sharing agreements between schools and athletes and other financial activities violate laws or intercollegiate rules in order to determine “whether they are a cause so serious or compelling in nature to affect the present responsibility of the recipient.” The Office of Management and Budget (OMB) will issue guidance on contracting and grantmaking to enforce this order. The Order also calls on intercollegiate bodies to update their rules and guidelines to address these issues, and to protect opportunities for scholarships and athletic competition in women’s and Olympic sports. The General Services Administration (GSA) will play a role in data collection and enforcement, and the U.S. Department of Education (ED) will consider rulemaking and collegiate reporting requirements.

The policies the Order encourages collegiate governing bodies to adopt are: age-based eligibility limits; a five-year limitation on student athlete participation (with some exceptions); a prohibition on professional athletes returning to college; a one-time transfer limit within the five-year eligibility period; provision of medical care to student athletes; revenue-sharing that

protects women's and Olympic sports; and a prohibition on financial arrangements between schools and students, such as pay-for-play, established through collective bargaining.

Addressing DEI Discrimination by Federal Contractors

On March 26, 2026, the U.S. President issued an [Executive Order](#) prohibiting diversity, equity and inclusion (DEI) practices in entities that contracts or sub-contracts with the Federal government. The Order states that the Administration has "made significant progress" in ending DEI practices. It further states that DEI practices continue within some entities, and that such practices "impose artificial costs in hiring, promotions, and operations."

To implement this Order, by April 26, 2026, all contracts must include language stating "in connection with the performance of work under this contract," the contractor "will not engage in any racially discriminatory DEI activities," and contractors must provide records, reports and other materials required by the contracting agency on this issue. Violation by the contractor or sub-contractor may result in the termination of all or part of the contract.

To implement this Order, OMB will issue guidance on compliance with this order, including on the cancelation of contracts and the possible actions to suspend or debar contractors for failure to comply. OMB, in consultation with the Attorney General and other Federal entities, will identify economic sectors that pose a particular risk of engaging in DEI activities and issue additional guidance on contracting with such sectors. Within 120 days of this order (July 2026), each agency will ensure that all contracts include the language described above and that they will take steps to ensure compliance. In addition, the Federal Acquisition Regulatory Council (FARC) will amend the Federal Acquisition Regulation (FAR) to reflect compliance with the Order. To do so, the FARC will eliminate regulations that conflict with the Order, and within 60 day (May 2026), issue interim guidance, consistent with applicable law, to ensure implementation of the Order throughout Federal agencies.

Note: The information below was included in the memorandum that was shared on August 13, 2025.

Transparency in Higher Education Admissions

In an August 9 [Presidential Memorandum](#) titled "Ensuring Transparency in Higher Education Admissions," the U.S. President asserted that, although the U.S. Supreme Court has held that consideration of race in higher education admissions is unconstitutional, a lack of data in this area raises issues about whether institutions of higher education continue to use race in practice. He further asserted that the Integrated Postsecondary Education Data System (IPEDS), managed by the National Center for Education Statistics, requires technological upgrades to expand its data collection and fulfill its mission effectively.

The memorandum directs ED to revamp the online presentation of IPEDS data to make those data easily accessible and intelligibly presented for parents and students, and to revise the IPEDS data collection portal in order to remove inefficiencies and more efficiently use the data received from institutions.



The memorandum also directs ED to expand the scope of IPEDS required reporting so as to provide adequate transparency into admissions. This expansion is to be initiated in the 2025-2026 school year. ED is also directed to increase IPEDS accuracy checks and to take action if institutions fail to submit data in a timely manner or they submit incomplete or inaccurate data.

Oversight of Federal Grantmaking

In an August 7 [Executive Order](#) titled “Improving Oversight of Federal Grantmaking,” the President claimed that Federal grants have funded activities that have “propagated absurd ideologies” and otherwise have not served American interests. The Order further asserts that the government has paid too little attention to the efficacy of funded projects and that the grant review process itself undermines the interests of taxpayers, resulting in the best proposals not always receiving funding and much support of unfocused research of marginal utility. The Order calls for strengthening oversight and coordination of, and streamlining, grantmaking.

Specifically, the Order requires the following:

- *Review of Agencies’ Grant Opportunity Notices and Discretionary Grants.* – Each Federal agency must review its grant funding opportunity notices and its discretionary grants to ensure that they are consistent with agency priorities and the national interest. This review will be designed, briefly, to ensure that grant notices are written in plain language and include only requirements that are necessary for an adequate evaluation of applications, that there is interagency coordination to promote consistency and eliminate redundancy and that agencies conduct pre-issuance reviews of discretionary awards to ensure that awards are consistent with applicable law, agency priorities and the national interest.

Until the process for these reviews is in place in an agency, the agency, except as required by law, may not issue any grant opportunity announcements without the approval of a senior official designated by the agency head.

- *Grantmaking Considerations* – The Order calls for senior agency officials to use their independent judgment in approving grant awards rather than routinely deferring to other agency staff. Further, in reviewing grant opportunity announcements and grant awards, agencies are to ensure, consistent with applicable law, that discretionary grants: (1) where applicable, demonstrably advance the President’s agenda; and (2) do not fund, promote, encourage, subsidize or facilitate racial preferences or other forms of racial discrimination, the denial by the grant recipient of the “sex binary” in humans or the notion that sex is a chosen or mutable characteristic, illegal immigration or other initiatives that compromise public safety or promote anti-American values.

The Order also calls for: (1) making grants to institutions with lower indirect costs, everything else being equal; (2) providing grants to a broad range of recipients, rather than a select group of “repeat players”; (3) making grants that are likely to produce immediately demonstrable results and recipients with the potential for longer-term breakthrough results; and (3) prioritizing grants to institutions that are committed to, and have demonstrated success in implementing, “Gold Standard Research.”

- *Revision of the Uniform Guidance* – The Order directs OMB to revise the Uniform Guidance¹ and other relevant guidance in order to: (1) streamline grant application requirements; (2) permit discretionary grants to be terminated at the government’s convenience, including when an award no longer advances agency priorities or the national interest; and (3) limit the use of discretionary grant funds for facilities and administration.
- *Additional Agency Actions* – The Order directs each Federal agency to report to OMB, within 30 days, on: (1) whether the agency’s terms and conditions for grantmaking allow it to terminate awards for convenience; (2) whether its terms and conditions for discretionary foreign assistance permit termination based on the national interest; and (3) the agency’s approximate number of discretionary grant awards and the approximate percentage of those awards that the agency may terminate for convenience.

Finally, the Order directs all agencies to take steps, to the maximum extent permitted by law, to revise the terms and conditions of existing grants so as to permit immediate termination for convenience or to clarify that such termination is permitted, and to ensure that provisions for such termination are included in all future discretionary grants.

Note: The information below was included in the memorandum when it was shared on July 29, 2025.

Strengthening College Sports

A July 24 [Executive Order](#) titled “Saving College Sports” depicts college athletics as under unprecedented threat, resulting from litigation and policy changes that have eliminated limits on athlete compensation, pay-for-play recruiting inducements and transfers between institutions. The Order contends that States and universities are in a “chaotic race to the bottom” to offer financial benefits to athletes and gain advantages for their revenue-producing teams. It then asserts that national guardrails are needed to “prevent this situation from deteriorating beyond repair” and protect non-revenue sports, including women’s sports. Toward that end, the Order announces the following policies to “provide the stability, fairness, and balance necessary to protect student-athletes, collegiate athletic scholarships and opportunities, and the special American institution of college sports.”

- *Protecting and expanding women’s and non-revenue sports and prohibiting third-party pay-for-play payments.* In furtherance of a policy that scholarships and athletic competitions in women’s and non-revenue sports should be preserved and, where possible expanded, the Order announces that:

¹ The Uniform Guidance is the set of regulations, promulgated by OMB, that establish rules and principles for grantmaking governmentwide.



- College athletic departments with revenues in excess of \$125 million during the 2024-2025 athletic season should provide *more scholarships* in non-revenue sports than were provided during the 2024-2025 season and should provide the maximum number of roster slots in those sports as are permitted under applicable college athletic rules.
- College athletic departments with revenues in excess of \$50 million during the 2024-2025 athletic season should provide *at least as many scholarships* in non-revenue sports as were provided during the 2024-2025 season and should provide the maximum number of roster slots in those sports as are permitted under applicable college athletic rules.
- College athletic departments with revenues of \$50 million or less during the 2024-2025 athletic season (or that do not have any revenue-generating sports) should not disproportionately reduce scholarships or roster spots based on the revenue that a sport generates.

The Order further states that it is the policy of the Administration that: (1) revenue-sharing between universities and college athletes should be designed and implemented in a manner that preserves or expands scholarships and athletic opportunities for women's and non-revenue sports; and that (2) third-party pay-to-play payments to college athletes are improper and should not be permitted by universities.

The Order then directs the U.S. Department of Education (ED) to develop, within 30 days, a plan for advancing the above policies through all available and appropriate regulatory, enforcement and litigation mechanisms, including, among other things, Federal funding decisions and enforcement of Title IX of the Education Amendments of 1972.

- *Student-athlete status.* The Order directs the U.S. Department of Labor (DOL) and the National Labor Relations Board (NLRB) to determine and implement the appropriate measures (including guidance, rules or other actions) for clarifying the status of college athletes, in order to maximize the educational benefits and opportunities provided by colleges through athletics.
- *Legal protections for college athletics from lawsuits.* The Order directs the U.S. Department of Justice (DOJ) and the Federal Trade Commission (FTC) to work (through litigation, guidelines, policies or other actions) to protect the rights and interests of student-athletes and the long-term availability of college athletic scholarships and opportunities when they are unreasonably challenged under antitrust or other legal theories. Toward that end, the order gives DOL and the FTC 60 days to review, and as necessary revise, existing litigation positions, guidelines, policies and other actions and to develop a plan for further actions.

- *Protecting development of the U.S. Olympic Team.* The Order directs the White House Domestic Policy Council and the White House Office of Public Liaison to consult with the U.S. Olympic and Paralympic Committee and other organizations of American athletes about safeguarding the “integral role and competitive advantage” that collegiate athletics provide in developing athletes to represent the U.S. in international athletic competitions.

Note: The information below was included in the memorandum when it was shared on June 13, 2025.

Addressing Risks related to Foreign Students at Harvard University

In a June 4 [Presidential Proclamation](#) titled “Enhancing National Security by Addressing Risks at Harvard University,” the President charged Harvard University with: (1) failing to discipline some perpetrators of conduct violations on campus; (2) failing to respond sufficiently to requests from the U.S. Department of Homeland Security (DHS) for information on foreign students’ activities; (3) developing extensive entanglements with foreign countries, including China; and (4) flouting the civil rights of its students and faculty, including by admitting students from non-egalitarian nations in place of “hardworking Americans.” The proclamation concludes that the entry of foreigners who seek to enter the U.S. to participate in a course of study or exchange visitor program at Harvard is thus detrimental to American interests.

Under the proclamation, the President then announced that the entry into the U.S. of alien non-immigrant students through the Student Exchange Visitor Program, for the purpose of pursuing a course of study or participating in an exchange visitor program at Harvard, is suspended for six months. The suspension will not apply to students whose entry into the U.S. the U.S. Department of State or DHS determines would be in the national interest. The proclamation further directs the State Department to consider whether the visas of foreign students currently attending Harvard should be revoked.

The proclamation also directs the U.S. Departments of Justice (DOJ) and Health and Human Services (HHS) with, within 90 days, making a recommendation on whether the suspension should be extended beyond six months.

Note: The information below was included in the memorandum when it was shared on May 6, 2025.

Corporation for Public Broadcasting

In a May 1 [Executive Order](#) titled “Ending Taxpayer Subsidization of Biased Media,” the President directed the Corporation for Public Broadcasting (CPB) and all Federal agencies to cease Federal funding for National Public Radio (NPR) and the Public Broadcasting Service (PBS).

More specifically, the Order directs CPB to:



- Cancel existing direct funding to NPR and PBS, to the maximum extent allowed by law, and decline to provide future funding; and
- Cease to provide indirect funding, including by ensuring that licensees and permittees of public radio and television stations, and other recipients of CPB funds, do not use Federal funds for NPR and PBS. Toward that end, the Order directs CPB to revise, by June 30, the 2025 eligibility criteria for television and radio Community Service Grants and seek to prevent parties subject to the 2024 criteria from funding NPR and PBS at any time after the date of the Order.

The Order also:

- Directs all Federal agencies to terminate, to the maximum extent possible under the law, any direct or indirect funding of NPR and PBS;
- Directs agencies to then determine whether remaining grants, contracts or other funding instruments are in compliance with the terms of those instruments and, if they are not, to take appropriate actions; and
- Directs the U.S. Department of Health and Human Services (HHS) to determine whether NPR and PBS are in compliance with the statutory requirement that no person be subjected to discrimination in employment on the basis of race, color, national origin or sex and, if they are not in compliance, to take appropriate corrective action.

Note: The information below was included in the memorandum when it was shared on May 1, 2025.

New Policies Regarding Undocumented Individuals and Sanctuary Jurisdictions

An April 28 [Executive Order](#) titled “Protecting American Communities from Criminal Aliens” criticizes States and localities for asserted violation, obstruction and defiance of Federal immigration law and announces actions intended to “restore” the enforcement of Federal law in this area. Specifically, the Order:

- Directs the U.S. Department of Justice (DOJ) to publish, within 30 days, a list of “sanctuary jurisdictions” (States and localities that obstruct the enforcement of Federal immigration laws) and then to update the list as necessary;
- Directs DOJ and the U.S. Department of Homeland Security (DHS) to notify each such jurisdiction of its defiance of immigration law and of any potential violations of Federal criminal law;
- Directs all Federal agencies to identify, for suspension or termination, Federal funds flowing to the identified sanctuary jurisdictions;

- Directs DOJ and DHS to pursue all necessary legal remedies and enforcement measures in order to bring into compliance any sanctuary jurisdictions that remain in defiance of Federal law after they have been notified that they are on the list;
- Directs DHS to develop guidance, rules or other mechanisms for ensuring that appropriate eligibility verification is conducted for individuals receiving Federal benefits in a sanctuary jurisdiction; and
- Directs DOJ to identify, and take appropriate action to stop the enforcement of, State and local laws, policies and practices that favor “aliens” over American citizens and that are unlawful preempted by Federal law or otherwise unenforceable. The Order specifically mentions, in this regard (1) State laws that offer in-State tuition to aliens but not to out-of-State Americans (where such law may violate [8 U.S.C. 1623](#)); and (2) policies favoring aliens in criminal charges or sentencing. This is the only provision of the Order that specifically references education.

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

Transparency Regarding Foreign Influence at American Universities

In an April 23 [Executive Order](#), the President directed the U.S. Department of Education (ED) to take “all appropriate actions” to enforce Section 117 of the Higher Education Act (HEA), which requires institutions of higher education (IHEs) to report significant sources of foreign funding they receive. More specifically, the Order directs ED to: (1) require IHEs to report more specific details on their foreign funding, including its sources and purposes; (2) provide the public with greater access to information on that funding; and (3) along with DOJ and other agencies, hold IHEs accountable for failing to comply with the Section 117 reporting requirements, including by conducting audits and investigations and through DOJ enforcement actions.

Further, the Order directs Federal agencies to take action to prospectively ensure that compliance with Section 117 and other foreign funding disclosure requirements is “material” for purposes related to the Foreign Claims Act and for receipt of Federal funds and directs agencies not to provide funds in cases of noncompliance.

Reforming Postsecondary Accreditation

In an April 23 [Executive Order](#), the President:

- Directs ED, as appropriate and consistent with applicable law, to hold accountable (including through denial, monitoring, suspension, or termination of accreditation recognition) postsecondary education accrediting agencies that fail to meet the criteria for Federal recognition of those agencies, including accreditors that “engage in unlawful discrimination in accreditation-related activity under the guise of ‘diversity, equity, and inclusion’ initiatives.”

- Directs DOJ and ED to investigate and take appropriate action to terminate the unlawful discrimination by law schools that the Order asserts is advanced by the American Bar Association’s Council of the Section of Legal Education and Admissions to the Bar (the Council), including unlawful accreditation standards related to DEI. The Order claims that the Council’s DEI-related requirements violate the Supreme Court’s decision in the *Students for Fair Admissions v. Harvard* case.) The Order also directs ED to assess whether to suspend or terminate the Council’s status as an accreditor under Federal law.
- Similarly, directs DOJ and ED to investigate and take appropriate action to terminate unlawful discrimination by medical schools and providers of graduate medical education that the Order asserts is advanced by the Liaison Committee on Medical Education (the Committee), the Accreditation Council on Graduate Medical Education (the Accreditation Council) and other accreditors of graduate medical education, including unlawful accreditation standards related to DEI. The Order directs ED to assess whether to suspend or terminate the status of the Committee or the Accreditation Council as accreditors, so as to ensure lawful conduct by medical schools and providers of graduate medical education.

Further, the Order directs ED to, briefly:

- Take appropriate steps to ensure that: (1) IHEs provide high-quality, high-value academic programs that are free from unlawful discrimination or other violations of Federal law; (2) barriers are reduced that limit institutions from adopting practices that advance credential and degree completion and spur new models of education; (3) accreditors require IHEs to support and prioritize intellectual diversity among faculty; (4) accreditors do not use their role under Federal law to encourage or force IHEs to violate State laws; and (5) accreditors do not engage in practices that result in credential inflation that burdens students with unnecessary costs;
- Resume recognizing new accreditors, so as to increase competition and accountability in postsecondary education;
- Mandate that accreditors require member institutions to use data on program-level outcomes so as to improve outcomes, without reference to race, ethnicity or sex;
- Promptly provide to accreditors any findings, issued by ED’s Office for Civil Rights (OCR), relating to member institutions’ noncompliance with Title VI of the Civil Rights Act of 1964 (Title VI) or Title IX of the Education Amendments of 1972 (Title IX);
- Launch an “experimental site” (under HEA Section 487A) to accelerate innovation and improve accountability by establishing new flexible and streamlined quality assurance pathways for IHEs;

- Increase the consistency, efficiency and effectiveness of ED’s accreditor recognition process, including through the use of technology;
- Streamline the process through which IHEs can change accreditors, to ensure that institutions are not forced to comply with standards that are antithetical to their values and mission; and
- Update ED’s Accreditation Handbook so as to ensure that the accreditor recognition and reauthorization process is transparent, efficient and not unduly burdensome.

Promoting Excellence and Innovation at Historically Black Colleges and Universities

An April 23 [Executive Order](#) establishes the White House Initiative on Historically Black Colleges and Universities to work with Federal agencies, private employers, educational associations, philanthropic organizations and other partners on increasing the capacity of Historically Black Colleges and Universities (HBCUs) to provide the highest-quality education to an increasing number of students. The Initiative will be housed in the Executive Office of the President and will have two primary missions, which are, briefly:

- Increasing the private-sector role in strengthening HBCUs, including in upgrading their infrastructure and by providing professional development opportunities to their students; and
- Enhancing HBCUs’ capacity to serve young adults by, among other things, fostering private-sector initiatives and public-private and philanthropic partnerships so as to promote centers of academic research and program excellence at HBCUs, addressing efforts to promote student success and retention at HBCUs, sharing administrative and programmatic best practices within the HBCU community, establishing a framework for addressing the barriers that HBCUs encounter in accessing Federal funding and convening an annual White House Summit on HBCUs.

The Order also establishes, in ED, the President’s Board of Advisors on Historically Black Colleges and Universities, composed of representatives from a variety of sectors and tasked with advising the President on matters set forth in the HBCU PARTNERS Act (a 2020 statute focused on increasing the capacity of HBCUs to participate in Federal programs).

The Order revokes President Biden’s Executive Order on “Advancing Educational Equity, Excellence, and Economic Opportunity through Historically Black Colleges and Universities” and terminates the Environmental Protection Agency’s Historically Black Colleges and Universities Advisory Council.

Preparing Americans for High-Paying Skilled Jobs of the Future



An April 23 [Executive Order](#) tasks the Departments of Labor, Commerce and Education with reviewing Federal workforce development programs and developing, within 90 days, strategies for helping the American worker. The report will identify, briefly:

- Opportunities for integrating systems and realigning resources so as to address critical workforce needs (including through administrative reforms, process improvements and the restructuring and consolidation of programs);
- Federal workforce development and education programs that are ineffective or otherwise fail to achieve their desired outcomes (with recommendations for program reform or elimination, or the redirection of funding);
- Available statutory authorities for promoting innovation and system integration;
- Opportunities for investing in the upskilling of incumbent workers so as to meet evolving skill demands;
- Strategies for identifying alternatives to the four-year college degree that can be mapped to the specific skill needs of prospective employers; and
- Opportunities to streamline information collections, including by harmonizing performance measures, reducing the reporting burden on grantees and ensuring that performance measures are collected using the best available data.

The Order also tasks the same three agencies with developing, within 120 days, a plan for generating one million new active apprenticeships, including by expanding Registered Apprenticeships to new industries and occupations; scaling of the Registered Apprenticeship model across the country, while improving its efficiency and providing consistent support to participants; and enhancing connections between the education system and Registered Apprenticeships.

Finally, the Order directs the three agencies with improving the transparency of performance data (including data on earnings and employment) for all Federal workforce development programs.

Reinstating “Common Sense School Discipline Policies”

An April 23 [Executive Order](#) criticizes guidance packages on school discipline that were issued by the Obama and Biden Administration and announces that “The Federal Government will no longer tolerate known risks to children’s safety and well-being in the classroom that result from the application of school discipline based on discriminatory and unlawful ‘equity’ ideology.”

The Order directs:

- ED, within 30 days, to issue new guidance to local and State educational agencies (LEAs and SEAs) regarding school discipline and their obligations not to engage in racial discrimination (under Title VI) in all contexts, including student discipline;



- ED to take appropriate action with respect to LEAs and SEAs that fail to comply with Title VI protections against racial discrimination in the application of school discipline;
- ED and DOJ, within 60 days, to coordinate with Governors and State Attorneys General on the prevention of racial discrimination in the application of school discipline;
- The U.S. Department of Defense (DOD), within 90 days, to issue a revised school discipline code that appropriately protects and enhances the education of children in military families; and
- ED, within 120 days, to prepare a report on the status of “discriminatory-equity-ideology-based discipline” and behavior modification techniques² in American public schools. The report is to include: (1) an inventory and analysis of the nature and consequences of all Title VI discipline-related investigations since 2009; (2) an investigation of the role of non-profit organizations that are Federal grant recipients in promoting discriminatory-equity-ideology-based discipline and behavior modification techniques (including recommendations for ensuring that Federal funds do not support activities and programs, including those of such organizations, that promote such discipline and techniques); (3) an assessment of discipline-related policies and curricular options that do not promote discriminatory equity ideology; and (4) model school discipline policies that promote common sense, protect student safety and the educational environment, do not promote unlawful discrimination and are rooted in American values and traditional virtues.

Disparate-Impact Liability

An April 23 [Executive Order](#) titled “Restoring Equality of Opportunity and Meritocracy” describes disparate-impact liability as a key tool of a “pernicious movement seeking to transform America’s promise of equal opportunity into a divisive pursuit of results preordained irrelevant immutable characteristics.” It further describes disparate-impact liability as holding that a near insurmountable presumption of unlawful discrimination exists where there are any differences in outcomes, in certain circumstances, among different races, sexes or similar groups even if there is no racially discriminatory policy or practice and everyone has an equal opportunity to succeed. It declares that the policy of the United States will be to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible.

The Order:

- Revokes previous Presidential approvals of DOJ regulations on disparate-impact liability;

² “Behavior Modification Techniques” are defined in the Order as “any school discipline policies or practices that incorporate or are based on discriminatory equity ideology.” See the summary of the January 29 Executive Order on “Ending Radical Indoctrination in K-12 schooling,” below, for the definition of “discriminatory equity ideology.”

- Directs DOJ to take action to coordinate the repeal or amendment, government-wide, Title VI-related regulations that provide for disparate-impact liability;
- Orders agencies to deprioritize the enforcement of statutes and regulations that provide for disparate-impact liability;
- Directs DOJ and certain other agencies to review pending investigations, civil suits and positions on ongoing matters (such as with respect to equal employment opportunity, fair housing and equal credit opportunity) and take appropriate action consistent with the policy of the Order;
- Directs DOJ to determine whether Federal authorities preempt State laws, regulations and practices in this area, and then to take appropriate action; and
- Directs DOJ and the Equal Employment Opportunity Commission to issue guidance to employers on appropriate methods for promoting equal access to employment regardless of whether an applicant has a college education.

Advancing Artificial Intelligence Education

An April 23 [Executive Order](#) proclaims that it is the policy of the United States to promote artificial intelligence (AI) literacy and proficiency among Americans by promoting the appropriate integration of AI into education, providing comprehensive AI training for educators and fostering early exposure to AI concepts and technology in order to develop an AI-ready workforce and the next generation of American AI innovators. The Order then directs agency heads to carry out the following actions.

AI Education Task Force – The Order establishes the White House Task Force on Artificial Intelligence Education, chaired by the Director of the White House Office of Science and Technology Policy and composed of various agency heads, including the Secretaries of Education and Labor. The Task Force will be responsible for coordinating Federal efforts related to AI education, including for specific activities described below.

Presidential AI Challenge – The Order directs the Task Force to establish, within 90 days, plans for a Presidential Artificial Intelligence Challenge, which is to be launched within one year of completion of the plan. The Challenge will: (1) encourage and highlight student and educator achievements in AI; (2) promote wide geographic adoption of technological advancements; (3) foster collaboration between government, academia, philanthropy and industry; and (4) feature multiple age categories, distinct geographic areas for competition and a variety of topical themes.

Improving K-12 Education – The Order directs the Task Force to seek to establish public-private partnerships so as to collaboratively develop online resources focused on teaching K-12 students foundational AI literacy and critical thinking skills, with the goal of making those

resources ready for instructional use within 180 days of announcement of the initial partnerships. Further, the Task Force is to make use of industry commitments and to identify Federal funding mechanisms that can be used to support K-12 AI education, and agencies are to make it a priority, where appropriate, to provide funding in support of this effort.

In addition, the Order directs: (1) the Task Force to identify, within 90 days, existing Federal AI resources on which agencies may rely on supporting partnerships with SEAs and LEAs to improve AI education; (2) ED to issue, within 90 days, guidance on using formula and discretionary funds to improve educational outcomes using AI; and (3) ED to identify and implement, within 90 days, ways to use existing research programs so as to assist State and local efforts to use AI for improved student achievement, attainment and mobility.

Educator Training – The Order directs ED to take steps, within 120 days, to prioritize the use of AI in discretionary teacher training programs authorized by the Elementary and Secondary Education Act (ESEA) and Title II of HEA, with the goals of reducing time-intensive administrative tasks, improving teacher training and evaluation and providing professional development on teaching AI effectively. Further, the Order directs the National Science Foundation, within 120 days, to prioritize research on the use of AI in education and directs the U.S. Department of Agriculture to prioritize research, extension and education on the use of AI through 4-H and the Cooperative Education System.

Registered Apprenticeships and Other Workforce Development Initiatives—The Order assigns DOL a number of tasks related to preparation of workers for AI-related occupations. Specifically, DOL is tasked with:

- Establishing specific goals for increased Registered Apprenticeships in AI-related occupations across industries.
- Engaging industry organizations and employers to facilitate the development of Registered Apprenticeships in AI-related occupations. The Order instructs that this effort be undertaken using apprenticeship intermediary contracts and existing discretionary funds, as appropriate and allowable under the law. Further, the Order directs that the effort support the creation of industry-developed program standards that are registered on a national basis, enabling employers to adopt those standards without the need for individual registry.
- Within 120 days, encouraging States and grantees to use Workforce Innovation and Opportunity Act (WIOA) funds to develop AI skills and to support work-based learning opportunities within occupations that use AI. DOL is to carry out this mission by: (1) issuing guidance to State and local workforce development boards that encourages the use of WIOA youth formula funds to help youth develop AI skills; (2) clarifying that States may use WIOA Governors set-aside funds to integrate AI learning opportunities into youth programs across a State; and (3) as allowable under the law, making AI skills training and work-based learning a priority under all DOL Employment and Training Administration youth-focused discretionary grant programs.

- Within 120 days, engaging with relevant State and local workforce development boards, industry organizations, education and training providers and employers to identify and promote high-quality AI skills education and certifications. This effort is to include: (1) identification of funding opportunities that can expand access to such coursework and certifications; (2) setting performance targets for youth participation through any grants awarded as part of the effort; and (3) making use of industry and philanthropic partnerships where practicable.
- Within 120 days, supporting the creation of opportunities for high school students to participate in AI classes and certification programs by giving priority, in awarding grants, to providers that commit to using funds to develop or expand those courses and programs. The Order also directs DOL and ED to encourage grant recipients to build partnerships with States and with LEAs so as to encourage those entities to consider offer dual-enrollment opportunities in AI.

Finally, the Order directs all Federal agencies that offer educational grants to, within 120 days, consider AI as a priority area within existing Federal fellowship and scholarship-for-service programs, as appropriate and consistent with applicable law.

Note: The information below was included in the memorandum when it was shared on April 11, 2025.

Repeal of “Unlawful Regulations”

In an April 9 [Presidential Memorandum](#), President Trump referenced 10 recent U.S. Supreme Court decisions that “recognize appropriate constitutional boundaries on the power of unelected bureaucrats and that restore checks on agency actions” and claimed that unlawful regulations, often promulgated in reliance on now-superseded Supreme Court decisions, remain on the books.

The Memorandum then references the President’s February 19 [Executive Order](#) on “Ensuring Lawful Governance and Implementing the President’s ‘Department of Government Efficiency’ Deregulatory Initiative,” which directed Federal agencies, within 60 days, to identify their regulations that, among other things, are unconstitutional, raise significant constitutional difficulties or are based on an unlawful delegation of legislative power, and then take steps to repeal or modify those regulations. The new Memorandum further directed that this effort prioritize evaluating each regulation’s lawfulness under the 10 Supreme Court decisions.

The Memorandum then directs agencies to repeal “unlawful” regulations without taking and responding to public comment, by making use of the “good cause” exception under the Administrative Procedure Act (APA). This provision of the APA allows an agency to dispense with notice-and-comment rulemaking when doing so would be “unnecessary, impracticable, or contrary to the public interest.” The Memorandum asserts that use of that exception will be appropriate with respect to these regulations because “Retaining and enforcing facially unlawful

regulations is clearly contrary to the public interest” and because taking public comment is unnecessary where repeal is needed to ensure consistency with Supreme Court rulings.

Note: The information below was included in the memorandum when it was shared on March 21, 2025.

Closing the US Department of Education

On March 20, the President signed an [Executive Order](#) titled “Improving Education Outcomes by Empowering Parents, States, and Communities.” The Order directs the Secretary of Education, to the maximum extent appropriate and permitted by law, take all necessary steps to facilitate the closure of ED and to “return authority over education to the States and local communities while ensuring the effective and uninterrupted delivery” of ED services, programs and benefits. It also directs the Secretary to ensure that the allocation of ED funds is subject to rigorous compliance with Federal law and Administration policy, including the requirement that “any program or activity receiving Federal assistance terminate illegal discrimination obscured under the label ‘diversity, equity, and inclusion’ or similar terms and programs promoting gender ideology.”³

Note: The information below was included in the memorandum when it was shared on March 17, 2025.

Reducing the Activities of Additional Federal Entities

On March 14, the President signed an [Executive Order](#) titled, “Continuing the Reduction of the Federal Bureaucracy.” The Order calls for elimination of the non-statutory components of seven governmental entities and for those entities to reduce the performance of their statutory functions and associated personnel to the minimum presence and function permitted by law. Those entities are:

- The Federal Mediation and Conciliation Service
- The United States Agency for Global Media
- The Woodrow Wilson International Center for Scholars in the Smithsonian Institution
- The Institute of Museum and Library Services
- The United States Interagency Council on Homelessness
- The Community Development Financial Institutions Fund
- The Minority Business Development Agency

³ See discussion of the Executive Order on gender identity for the definition of “gender ideology.”

The Order requires the head of each of these entities to submit, within seven days, a report to the Office of Management and Budget (OMB) describing its compliance with the Order and requires OMB and other agencies to reject funding requests from the entities if they are inconsistent with the Order.

Rescission of Additional Biden Executive Orders

On January 20, President Trump rescinded 78 Executive Orders and actions of President Biden. (See below.) On March 14, the President signed a new [Executive Order](#) rescinding 18 additional Executive Orders, Presidential Memoranda and other actions. The rescinded items relating to education or workforce development are:

- Executive Order 14112 of December 6, 2023 (Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination)
- Executive Order 14119 of March 6, 2024 (Scaling and Expanding the Use of Registered Apprenticeships in Industries and the Federal Government and Promoting Labor-Management Forums)
- Executive Order 14126 of September 6, 2024 (Investing in America and Investing in American Workers).

Note: The information below was included in the memorandum when it was shared on March 10, 2025.

Public Service Loan Forgiveness

On March 7, President Trump signed an [Executive Order](#) calling for changes in the Public Service Loan Forgiveness (PSLF) authority, which enables borrowers to have their Federal student loans forgiven after they engage in full-time public service employment in the public sector or for a nonprofit organization and have made at least 120 qualifying monthly payments on their loans. The Order asserts that “the PSLF program has misdirected tax dollars into activist organizations that not only fail to serve the public interest but harm our national security, sometimes through criminal means.”

The Order directs ED to propose revisions to the PSLF regulations so as to ensure that the definition of “public service”⁴ excludes organizations that engage in activities that have a

⁴The current regulations define “non-governmental public service” as “services provided by employees of a non-governmental qualified employer where the employer has devoted a majority of its full-time equivalent employees to working in at least one of the following areas (as defined in this section): emergency management, civilian service to military personnel, military service, public safety, law enforcement, public interest law services, early childhood education, public service for individuals with disabilities or the elderly, public health, public education, public library services, school library, or other school-based services. Service as a member of the U.S. Congress is not qualifying public service employment for purposes of this section.” It is presumably this section that will be amended pursuant to the Executive Order.

“substantial illegal purpose,” including: (1) aiding or abetting the violation of Federal immigration laws; (2) engaging in terrorism; (3) child abuse, “including the chemical and surgical castration or mutation of children or the trafficking of children to so-called transgender sanctuary States for the purpose of emancipation from their lawful parents, in violation of applicable law”; (4) engaging in a pattern or aiding or abetting illegal discrimination; and (5) engaging in a pattern of violating State tort laws, including laws against trespassing, disorderly conduct, public nuisance, vandalism and obstruction of highways.

Note: The information below was included in the memorandum when it was shared on March 4, 2025.

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 2000.⁵ 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.

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 grant⁶ 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

⁵That 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.

⁶“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.

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 warrants⁷ 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 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 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.

⁷ A contracting officer warrant is a document that designates an individual to act as contracting officer in the Federal government.

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), SEA, LEA, elementary school, secondary school or IHE that requires students to have received a COVID-19 vaccination to attend any in-person education program.

The Order directs 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 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.⁸

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).

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:

⁸ 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.

- 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 ideology⁹ and discriminatory equity ideology¹⁰”; and (2) protecting parental rights consistent with the Family

⁹ “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.”

¹⁰ “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

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 transition¹¹ of a minor student, including through school staff or teachers or through deliberately concealing the minor's social transition from the minor's parents;

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."

¹¹ 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 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."

- 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 education¹²; 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.

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

¹² 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.”

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 ideology¹³ and to

¹³ 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

“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 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.”

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.



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 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.¹⁴

- 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 Service¹⁵ 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 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

¹⁴ The IRS freeze will end when the Secretary of the Treasury determines that it is the national interest to lift it.

¹⁵ The United States Digital Service, prior to this action, provided consulting services to Federal agencies on improving their use of information technology.

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.”