

# Overview of the Executive Orders & Agency Responses: Implications for Institutions

February 27, 2025

## Speakers:

 #COGRFeb25



**Deborah Motton**, Exec. Director, Research Policy, Analysis & Coordination, University of California, Office of the President



**Elizabeth Peloso**, Sr. Assoc. Vice Provost & Sr. Assoc. Vice President for Research, University of Pennsylvania



**Michael Vernick**, Partner, Akin Gump Strauss Hauer & Feld, LLP

## Moderator:



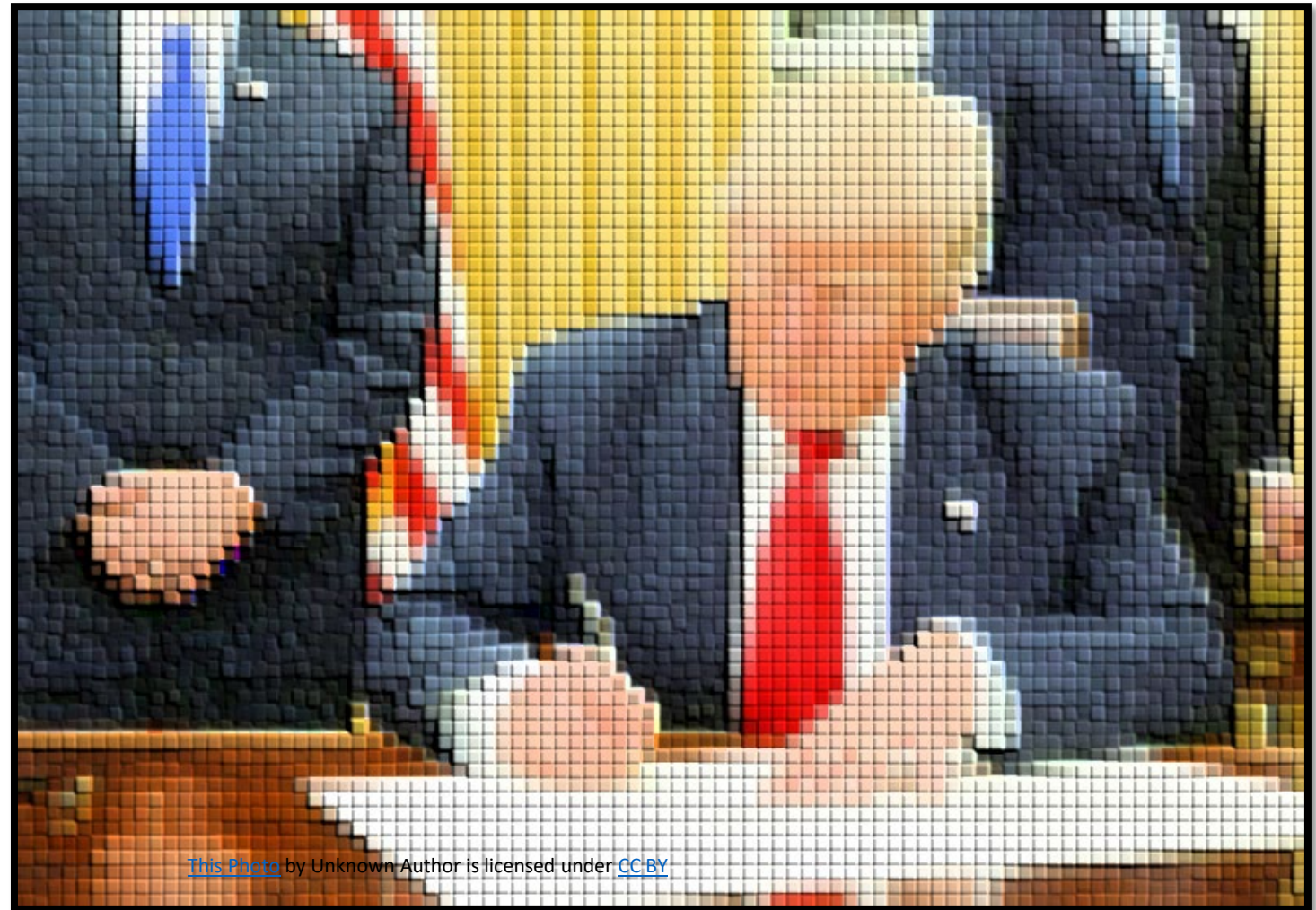
**Kris West**, Director, Research Ethics & Compliance.  
COGR

**COGR**

# Presentation Overview

- Overview of Legal Issues re. EOs – Mike Vernick
- Panel Discussion regarding institutional impact of the following EOs:
  - Ending Radical and Wasteful Government DEI Programs and Preferencing
  - Defending Women from Gender Ideology Extremisms and Restoring Biological Truth to the Federal Government
  - Ending Illegal Discrimination and Restoring Merit-Based Opportunity
  - Reevaluating and Realigning United States Foreign Aid
  - Unleashing American Energy
- Q&A

**Overview of Legal  
Issues re. EOs &  
Impact of  
Preliminary  
Injunction in *Nat'l  
Assoc. of Diversity  
Officers in Higher Ed.  
v. Trump***



[This Photo](#) by Unknown Author is licensed under [CC BY](#)

# Lawsuits Regarding:

- General Funding Freeze
- Dismantling of USAID
- DEI and Gender EOs
- NIH Reimbursement Rates

**HOT OFF THE PRESS:**  
Supreme Court allows  
foreign aid funding freeze to  
remain in effect for now.



# Panel Discussion



[This Photo](#) by Unknown Author is licensed under [CC BY-NC-ND](#)

# Hot Off the Press: “DOGE Cost Efficiency Initiative” (2/26/25)

- “This order commences a transformation in Federal spending on contracts, grants, and loans to ensure Government spending is transparent and Government employees are accountable to the American public.”
- Encompasses discretionary spending via federal contracts, grants, loans and related instruments; excludes direct assistance to individuals and expenditures for immigration enforcement, law enforcement, military, public safety, intelligence, and “other critical, acute, or emergency spending.”
- Calls for a system in which a gov. employe must submit “a brief, written justification” for any approval of a payment under a contract or grant that the agency head must review and which will be posted publicly.
- Calls for the review **over the next 30 days** of all existing contracts and grants by each agency head to determine which contracts/grants should be terminated or modified to reduce federal spending or reallocate spending to promote efficiencies and advance Trump admin. priorities. **Prioritizes review of funds disbursed under covered contracts and grants to educational institutions and foreign entities for waste, fraud, and abuse.** and No new contracts may be issued/approved during this 30-day period.
- Halts federally-funded travel for federal employees for conferences or other non-essential purposes absent sufficient justification which will be publicly posted and freezes credit cards issues to fed. Employees for 30 days.
- Calls for cancellation/sale of non-essential government leases/property.

# Ending Radical and Wasteful Government DEI Programs and Preferencing

- Issued: 1/20/25
- “The Director of the Office of Management and Budget (OMB), assisted by the Attorney General and the Director of the Office of Personnel Management (OPM), shall 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, under whatever name they appear. “
- “Each agency, department, or commission head, in consultation with the Attorney General, the Director of OMB, and the Director of OPM, as appropriate, shall take the following actions within sixty days of this order:
  - (i) terminate, to the maximum extent allowed by law, all DEI, DEIA, and “environmental justice” offices and positions (including but not limited to “Chief Diversity Officer” positions); all “equity action plans,” “equity” actions, initiatives, or programs, “equity-related” grants or contracts; and all DEI or DEIA performance requirements for employees, contractors, or grantees. . . .
- 1/24/25: DOGE announces via Twitter that \$420M in current or impending contracts (mostly DEI related) have been cancelled.

# Ending Illegal Discrimination and Restoring Merit-Based Opportunity

- Issued: 1/21/25
- “Executive Order 11246 of September 24, 1965 (Equal Employment Opportunity), is hereby revoked. For 90 days from the date of this order, Federal contractors may continue to comply with the regulatory scheme in effect on January 20, 2025.”
- “To further inform and advise me so that my Administration may formulate appropriate and effective civil-rights policy, the Attorney General, within 120 days of this order, in consultation with the heads of relevant agencies and in coordination with the Director of OMB, shall submit a report to the Assistant to the President for Domestic Policy containing recommendations for enforcing Federal civil-rights laws and taking other appropriate measures to encourage the private sector to end illegal discrimination and preferences, including DEI.”
- “Within 120 days of this order, the Attorney General and the Secretary of Education shall jointly issue guidance to all State and local educational agencies that receive Federal funds, as well as all institutions of higher education that receive Federal grants or participate in the Federal student loan assistance program under Title IV of the Higher Education Act, 20 U.S.C. 1070 et seq., regarding the measures and practices required to comply with Students for Fair Admissions, Inc. v. President and Fellows of Harvard College, 600 U.S. 181 (2023).”



# Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government

- Issued: 1/20/25
- “Within 30 days of the date of this order, the Secretary of Health and Human Services shall provide to the U.S. Government, external partners, and the public clear guidance expanding on the sex-based definitions set forth in this order.”
- “Within 30 days of the date of this order, the Assistant to the President for Legislative Affairs shall present to the President proposed bill text to codify the definitions in this order.”
- “Within 120 days of the date of this order, each agency head shall submit an update on implementation of this order to the President, through the Director of the Office of Management and Budget.”

# Reevaluating and Realigning United States Foreign Aid

- Issued: 1/20/25
- State Dept stop-work order
  - Issued 1/24/25
- “90-day pause in United States foreign development assistance for assessment of programmatic efficiencies and consistency with United States foreign policy.”
- “The responsible department and agency heads, in consultation with the Director of OMB, will make determinations within 90 days of this order on whether to continue, modify, or cease each foreign assistance program based upon the review recommendations, with the concurrence of the Secretary of State.”
- “New obligations and disbursements of foreign development assistance funds may resume for a program prior to the end of the 90-day period if a review is conducted, and the Secretary of State or his designee, in consultation with the Director of OMB, decide to continue the program in the same or modified form.”

# Unleashing American Energy

- Issued: 1/20/25
- Revokes Biden Administration EOs re. climate change, sustainability, and environmental justice initiatives AND mandates that any assets, funds, or resources allocated to any entities or programs established under the revoked EOs be redirected or disposed.
  - Additionally, any contract or agreement between the US government and any third party on behalf of such entities/programs be terminated for convenience as soon as possible.
- Terminates the “Green New Deal” and instructs agencies to immediately pause the disbursement of funds appropriated through the Inflation Reduction Act of 2022 and the Infrastructure Investment and Jobs Act and to review all processes/policies for issuing grants, loans, contract of or other disbursements of such appropriate funds for consistency with this EO.