Chaos at the Stroke of a Pen

A look at Trump's controversial executive orders—all signed during his first 14 days.

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President Trump, looking to fulfill campaign promises and assert himself early on in his tenure as POTUS, has been prolific with executive action in the first 14 days of his administration. The past two weeks have seen the administration issuing a series executive orders and presidential memoranda, each largely designed to fulfill campaign promises or respond to mounting resistance to the administration's immigration policies.

On his very first day in office, Trump signed an order laying the foundation for the repeal of the Affordable Care Act. This was followed by a memorandum to pull the US out of the Trans-Pacific Partnership – a deal Trump railed against throughout his campaign – a memorandum to reinstitute the Mexico City Policy, or so-called "Gag Rule", barring federal aid funds from going to Non-Governmental Organizations who discuss abortion services in the context of family planning, regardless of whether they provide those services themselves, and a memorandum implementing a hiring freeze of Federal civilian employees, with exceptions for the military.

By the end of his first week, Trump had signed a series of additional memoranda and executive orders. The first set directed the Keystone XL and Dakota Access Pipeline projects to move forward, reversing stays implementing under President Obama. The second ordered the construction of Trump's infamous "border wall" along the US-Mexico border – a project that Trump has since suggested would be financed by a 20% tariff on Mexican imports into the US, effectively shifting the cost burden onto US consumers despite adamant promises that Mexico would "pay for the wall". In retaliation against a wave of cities across the country refusing to cooperate with Trump's immigration policies, this order also contained provisions that so-called "Sanctuary Cities" would be barred from receiving federal funds, except where mandated by law. A third memorandum called for an immediate buildup of the US military, including the potential overhaul of US nuclear deterrent and missile defense systems. The impact such a buildup would have on parity between defense and non-defense spending remains to be seen. The executive order which has been by far the most controversial implemented an immediate and draconian travel ban on immigration from seven Muslim-majority countries; namely, Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. Finally, fulfilling yet another campaign promise, Trump signed an order demanding that any new federal regulation be offset by repealing two existing regulations – a heavy handed and mostly arbitrary approach to implementing broad deregulations.

The response to these orders has been widespread grass roots and opposition protest – the

"Muslim Ban" alone saw lawyers and protesters flocking to airports across the country once it became known that hundreds of immigrants had been detained and left in limbo as the order went into effect immediately upon receiving Trump's signature. The ban has been widely condemned by advocacy groups, faith communities, many of the lay public, and by Democratic lawmakers. Acting Attorney-General Sally Yates refused to enforce it and was quickly relieved of duty and replaced by a more pliant interim attorney general. The irony of this act was not lost on members of the media, happening concurrently with Jeff Session's confirmation hearings. Sessions has remarked repeatedly throughout his testimony that the head of the Department of Justice must exist somewhat independently of the White House and be willing to tell a President "No" when ordered to do something they deem to be illegal, and in 2015 even told Yates as much during questioning for her confirmation hearings. Several court orders have been issued by Federal Courts blocking some of the provisions within the ban, and legal advocates have already begun to bring lawsuits against the federal government in response.

Rumors of administration plans to repeal LGBT job protections for federal contractors – issued under Obama – or to issue an executive order implementing broad religious exemptions to that order have persisted throughout Trump's second week, and drafts of such an exemption order have appeared in the press. Such an order has not yet been signed. It appears that not all campaign promises stand on such firm ground, however: Trump's oft-repeated promise to allow Medicare to negotiate bulk discounts for prescription drug prices appears to have been discarded following a meeting with industry lobbyists and executives. In its place, Trump promises lower taxes and deregulation as a means to address rising drug costs.

Internal strife also appears to be plaguing the new administration as well. Well-publicized leaks have plagued the administration since nearly their first day amidst rumors of infighting between various factions within the West Wing. Communication with department heads and congressional leaders has been almost non-existent. Secretary of Homeland Security Gen. John F. Kelly was reportedly not briefed on the implementation of the immigration ban, and was still seeking guidance with administration leadership while watching President Trump sign the order live and Secretary of Defense James Mattis reportedly not seeing a finalized copy of the order until only a few hours before Trump signed it. The resulting confusion among agency officials leaves many wondering how these various orders and sweeping policy changes can possibly be implemented without further chaos.All-in-all, it has been a tough first two weeks for the new President of the United States.

AIDS United is strongly concerned about the impact of many of these executive orders on HIV/AIDS policy. In particular, the order seeking to limit the ACA's financial impact has the potential to undermine insurance markets that people living with HIV rely on for care. AIDS United is also concerned that the reinstitution of the Mexico City Policy may set the stage for similar gag orders on other issues. We also continue to oppose executive orders that would impact LGBT rights and on immigration issues that may make it more difficult for people living with HIV to seek care regardless of their status.

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