#HIVResists January Monthly Policy Update

Content Warning: many of these updates include information about harmful attacks on Black, Indigenous and people of color (BIPOC) and LGBTQ+ folx.

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Hot Topic: Shifts in Immigration

Since Trump has taken office, we have seen a surge of cruel and inhumane policies that directly threaten the lives, safety, and dignity of immigrants. There are too many changes to cover in this hot topic, though you can consult these sources for a more thorough account.
Few executive orders change policy immediately. Some were implemented within 48 hours; others require additional steps, have no practical

impact, and/or will be challenged in court. It will take time to fully understand the scope, impact and timeline of these policy changes; in the meantime, we will share information and resources about what is happening and how you can protect yourself and your community. Here, we focus on changes with the most immediate impact.

Executive Actions

Effective immediately, Trump has expanded "expedited removal" processes. The ACLU has already issued a legal challenge to this expansion. These processes allow Department of Homeland Security (DHS) officers to deport people without a court hearing. Previously, expedited removal could only be enforced against people found within 100 miles of the U.S. border who could not prove they had been present in the United States for 14 days. Under Trump's new rule, any noncitizen found anywhere in the United States is at risk for expedited removal if they can't prove to the satisfaction of an ICE agent that they have been in the country for more than two years.

As immigration enforcement ramps up, regardless of your current immigration status, you can help your community by knowing your rights and the rights of others during an encounter with ICE.

- This resource includes guides for immigrants and nonimmigrants in protecting their communities from ICE.
- You can print or distribute "red cards" in your community, which describe the rights and protections all people have regardless of immigration status.

With respect to immigration enforcement, Trump has ordered DHS reinstate partnerships with state and local law enforcement to expand the reach of federal immigration enforcement. Trump has revoked all Biden policies narrowing the scope of immigration enforcement, including the "sensitive locations" policy, which prohibited immigration enforcement in schools, religious establishments, and hospitals. There has been a surge in ICE raids across multiple major U.S. cities. As of January 24th, the White House claims to have arrested 538 people and deported an unspecified "hundreds" more.
Additionally, Trump has introduced a myriad of policies hostile to refugees and asylum seekers. Trump has eliminated the use of the "CBP One" app, which allowed people to make asylum appointments at ports of entry. An estimated 270,000 people who made or were waiting on appointments are now stranded. Additionally, Trump has suspended the refugee resettlement program, forcing an estimated 10,000 people to cancel their immediate travel plans to the U.S.

Finally, Trump has instituted punitive policies against sanctuary cities and nonprofits that support immigrants. Similar efforts were largely unsuccessful during Trump's first term. He has ordered the Attorney General (AG) and the DHS secretary to condition cities' eligibility for federal funds on cooperation with immigration enforcement. Finally, Trump is targeting nonprofits that provide legal and social services to immigrants and asylum seekers. Their federal contracts and grants will be reviewed and suspended if they are found to be "promot[ing] or facilitat[ing]" violations of immigration law.

Legislative Actions

The U.S. House and Senate passed the Laken Riley Act, legislation that directs federal officers to detain and deport undocumented immigrants who have been charged or arrested for minor theft. Under the Act, convictions are not required to institute removal proceedings. Given that racial profiling and other forms of bias drive arrests, the Laken Riley Act is likely to be particularly devastating to communities of color.
The Act also requires "no-bond" detention solely on the basis of charge or arrest. No bond detention indicates that the person being detained won't have access to individualized bail or a bond hearing. This is incredibly severe. People accused of nearly every crime on the books – including murder – are entitled to individualized bail hearings. Additionally, the bill passed without proposed provisions to protect survivors of domestic violence and human trafficking. People in these situations are often coerced to commit crimes, with their family or person at risk. Experts on gender-based violence argue that the legislation heightens and will likely expand the use of this coercive tool.
Twelve Senate Democrats enabled the passage of the bill. Their names can be found here.
Reminder: We are seeing an influx of unclear, chaotic and cruel anti-immigrant policies rooted in racism and xenophobia. Some of the Trump administration orders are in effect; others are not. We can support our communities by sharing timely, accurate information and "Know Your Rights" resources, including from We Have Rights, the Immigrant Defense Project, United We Dream, and the National Immigrant Justice Center.

Top News Roundup

LGBTQ+ Health, Rights, and Justice

• In the early hours of Trump's presidency, he issued a virulently anti-trans executive order which, among other things: ceases the issuance of gender-corrected U.S. passports, bars gender-affirming care for incarcerated trans people, and redefines the word "gender" at the federal level to exclude trans people. Families with trans and gender diverse children have already filed suit against the order. Furthermore, advocacy groups have started recommending action items trans people and other members of the LGBTQ+ community can take to protect themselves.
• The Montana state House of Representatives has passed the first anti-trans bathroom bill of 2025, which claims there are only two sexes, and restricts access to bathrooms, changing rooms, and sleeping areas based on this definition. If you or people you know live in Montana, the ACLU of Montana has a list of action items you can take to resist the final passage of this bill. It's more important now than ever to keep an eye on the anti-LGBTQ+ bills moving in your state, which you can do using this tracker.

• More recently, Trump has signed an executive order to ban trans girls from participating in women's sports. If schools receive federal funding, they are at risk of losing it if they do not comply with the order.

Access to Healthcare

• The Trump administration attempted to halt funding for the United States President's Emergency Plan for AIDS Relief (PEPFAR), but the program has been granted a limited waiver, allowing it to restart some services for 90 days (starting February 1st). The future of the program is unclear, but is likely intertwined with the Trump administration's ongoing effort to dissolve the United States Agency for International Development (USAID), the world's single largest supplier of humanitarian aid.
• Since taking office, Trump has rescinded many of Biden's executive orders, including proposed models to lower drug costs and accelerate Food and Drug Administration approval for new drug testing. Additionally, Trump has announced a 60-day freeze on rulemaking for the Department of Health and Human Services. During this period, he will decide which Biden-era regulations to rescind, and which to keep and likely modify.
• The Supreme Court is set to rule on Braidwood v. Becerra, a case deciding whether health insurance companies are required to provide the HIV prevention drug, PrEP, under the Affordable Care Act. Currently, the ACA requires that insurers cover PrEP and other preventive services – including lung cancer screenings and prenatal supplements – at no additional cost. You can read more about the lower court rulings in Braidwood here and here.
• A leaked document from Politico reveals that House Republicans are considering an appropriations package which would make $2.3 trillion in cuts to Medicaid, which represents a ⅓ reduction in projected federal Medicaid spending. If these cuts were passed, states would likely be forced to raise new revenue for Medicaid or reduce Medicaid spending by eliminating coverage for more people and/or covering fewer services. You can learn more about defending Medicaid using this resource from the National Health Law Program.
• The federal Consumer Financial Protection Bureau has issued new final regulations which would bar medical debts from appearing on American credit reports. Credit reporting has long been a collection tactic used by hospitals and providers. Credit scores reduced by medical debt can threaten access to housing and restrict peoples' abilities to get a non-predatory loan. This new rule will protect the estimated 100 million Americans from some of the damaging impacts of medical debt.

Reproductive Health, Rights, and Justice

• Trump directed his administration to reinstate the “global gag rule,” which is a regressive and far-reaching policy that blocks organizations receiving US global health funding from providing, counseling, or advocating for abortion services. Senators have since launched a bipartisan effort to permanently repeal this rule through the “Global Health, Empowerment and Rights (HER) Act.”
• The Trump administration has shut down “reproductiverights.gov,” a website launched by HHS which contained information on abortion access, reproductive healthcare, and patient rights. Though this website has been shut down, many other resources still exist. For rights information, consult this guide from the ACLU. For abortion-related planning, the National Network of Abortion Funds has a comprehensive resource. Consult If/When/How’s free repro legal helpline for more information.
• Many conservative state lawmakers are preparing to introduce or have introduced anti-abortion legislation in their states this year. Legislators in Indiana, Missouri, Oklahoma, South Carolina, Texas, and Tennessee have already filed bills seeking to further restrict abortion access. You can track the anti-abortion laws moving in your state using this tool.
• New Mexico has become a reproductive safe haven for Texans seeking abortion. In response, anti-abortion Texans have lobbied to pass local ordinances within New Mexico banning abortion. These ordinances have cited the “Comstock Act,” an 1873 federal law banning the mailing of “articles used to produce abortion,” which is vulnerable to broad and damaging interpretation. The New Mexico State Supreme Court has overturned these local ordinances – however, the anti-abortion lobbyists bringing the suit have explicitly announced their intention to appeal the ruling until they reach the Supreme Court.

Economic Justice

• As you probably already know, on January 28th, the Trump administration announced a temporary freeze on federal grants and loan programs. Shortly thereafter, federal judges in D.C. and Rhode Island have temporarily blocked the freeze, though Trump has not been compliant with these orders. To read more about the federal funding freeze, who it impacts, and how to take action against it, please read this statement from PWN.
• Food pantries across the country are preparing for increased demand in anticipation of the Trump administration slashing food aid. The first Trump administration made many attempts to scale back federal food aid, and are likely to try to do so again as they attempt to reduce government spending. In the leaked document from Politico regarding House Republicans’ proposed budget cuts, one provision suggested the government could “save” $22 billion by “reforming” SNAP. You can use this tool to find local food pantries and this tool to find local mutual aid networks.
• Trump has plans to impose significant tariffs on three of the United States’ biggest trade partners: Mexico, China, and Canada. The nonpartisan Tax Foundation has analyzed Trump’s proposed tariffs, and estimated that, if fully implemented, they would result in an average tax increase of more than $800 per U.S. household in 2025. Trump has already imposed a 10% tariff on China, which will raise the cost of a wide array of consumer goods, including footwear, toys, and electronics. Trump sought to impose a 25% tariff on Mexico and Canada, but negotiations have resulted in a one-month postponement of these tariffs, in exchange for increased “border enforcement.” These tariffs will primarily impact the cost of produce, cars, and gasoline.

• There is a lot of amazing labor organizing happening right now. Impacting 18,000 workers nationwide, the Costco Union has successfully negotiated a pay raise for over $30 an hour for many workers. In Colorado, the King Soopers union has authorized a 2-week strike of about 10,000 workers, in order to secure better conditions for staffing shortages and scheduling protections. In Oregon, the Oregon Nurses Association has reached a tentative deal to end their ongoing strike, which includes pay increases and a commitment to assess employee health insurance.

Ending Criminalization

• In Los Angeles, thirty-eight prisons and jails were threatened by local wildfires. While some establishments had evacuation plans in place, others did not. Nidorf Juvenile Hall was within an evacuation zone, yet the 100 youth there have not been evacuated. Similarly, Castaic jail was in an evacuation zone, and the facility's planned shelter in place put the lives of 4,700 incarcerated people at risk.
• Mentioned above, Trump's anti-trans executive order includes many provisions that will impact incarcerated trans people. The order prohibits trans women from being housed in federal facilities that match their gender. It also prohibits gender affirming care for incarcerated trans people. A federal judge has temporarily blocked the Trump administration from transferring trans women to men's federal prisons and from blocking access to gender affirming care. Experts warn that the anti-trans orders immediately and significantly endanger the lives of trans incarcerated people.
• Trump has signed two executive orders related to incarceration: one to expand the death penalty, and one to reverse President Biden's executive order banning private prison contracts with the Justice Department. While the death penalty order appears to contain no specific or enforceable provisions, the order on private prisons is likely to somewhat expand for-profit prisons at the federal level.

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http://beta.docker.poz.com/blog/hivresists-january-monthly-policy-update