



WHERE ARE WE IN TRUMP'S AMERICA?

MARY KUSLER, TOM ISRAEL

A GROUNDING REFLECTION

They told us we wouldn't get here. And there were those who said that we would get here only over their dead bodies, but all the world today knows that we are here and we are standing before the forces of power in the state of Alabama saying, "We ain't goin' let nobody turn us around."

Dr. Martin Luther King, Jr

March 25, 1965 in Montgomery, AL

After the third – and finally successful – march across the Edmund Pettus Bridge all the way to the state house.

TRUMP ACTIONS TO DATE

- Sweeping **Attacks On Transgender Individuals Including Children**
- Sweeping **Attacks On Immigrants** by
 - Effectively Closing The Southern Border
 - Building New Detention Facilities,
 - Ending Humane Immigration Practices & Humanitarian Parole Programs
 - Threatening To Invoke The Insurrection Act of 1807
- Attempt to **Remove Senate-confirmed Officers** before their terms expire
 - NLRB Member Wilcox, EEOC Commissioners Burrows And Samuelson, FEC Chair Weintraub, MSPB Chair Harris, Special Counsel Dellinger

III. CONCLUSION

Citizenship by birth is an unequivocal Constitutional right. It is one of the precious principles that makes the United States the great nation that it is. The President cannot change, limit, or qualify this Constitutional right via an executive order. The Court GRANTS the Plaintiffs' motions for a nationwide preliminary injunction (Dkt. Nos. 63, 74) and ENJOINS enforcement or implementation of the Order on a nationwide basis.

DATED this 6th day of February 2025.



John C. Coughenour

ACCESS TO RECORDS DENIED EMERGENCY TEMPORARY RETRAINING ORDER AGAINST DOGE *NY V. TRUMP (FEB. 8, 2025)*

Procedure, the defendants are (i) restrained from granting access to any Treasury Department payment record, payment systems, or any other data systems maintained by the Treasury Department containing personally identifiable information and/or confidential financial information of payees, other than to civil servants with a need for access to perform their job duties within the Bureau of Fiscal Services who have passed all background checks and security clearances and taken all information security training called for in federal statutes and Treasury Department regulations; (ii) restrained from granting access to all political appointees, special government employees, and government employees detailed from an agency outside the Treasury Department, to any Treasury Department payment record, payment systems, or any other data systems maintained by the Treasury Department containing personally identifiable information and/or confidential financial information of payees; and (iii) ordered to direct any person prohibited above from having access to such information, records and systems but who has had access to such information, records, and systems since January 20, 2025, to immediately destroy any and all copies of material downloaded from the Treasury Department's records and

TEMPORARY RETRAINING ORDER'S AGAINST UNLAWFUL FUNDING FREEZE JAN 31ST (RI) & FEB. 3 (DC)

Defendants' actions in this case potentially run roughshod over a "bulwark of the Constitution" by interfering with Congress's appropriation of federal funds. *U.S. Dep't of the Navy*, 665 F.3d at 1347. OMB ordered a nationwide freeze on pre-existing financial commitments without considering any of the specifics of the individual loans, grants, or funds. It did not indicate when that freeze would end (if it was to end at all). And it attempted to wrest the power of the purse away from the only branch of government entitled to wield it. If Defendants' actions violated the separation of powers, that would certainly be arbitrary and capricious under the APA.



ORDERED that Defendants are enjoined from implementing, giving effect to, or reinstating under a different name the directives in OMB Memorandum M-25-13 with respect to the disbursement of Federal funds under all open awards; it is further

**TEMPORARY
RESTRAINING ORDER
AGAINST UNLAWFUL
ATTEMPT TO SLASH
NIH FUNDING FOR
RESEARCH INCLUDING
AT COLLEGES AND
UNIVERSITIES (FEB. 10,
2025)**

1 of 2 Automatic Zoom

COMMONWEALTH OF MASSACHUSETTS, *et al.*,
Plaintiffs,
v.
NATIONAL INSTITUTE OF HEALTH, *et al.*,
Defendant[s].

Civil Action No. 25-CV-10338-AK

ORDER GRANTING PLAINTIFF STATES' *EX PARTE* EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

ANGEL KELLEY, D.J.

Plaintiff States' *Ex Parte* Emergency Motion For Temporary Restraining Order [Dkt. 4] is **GRANTED**. Defendants and their officers, employees, servants, agents, appointees, and successors are hereby enjoined from taking any steps to implement, apply, or enforce the Rate Change Notice (NOT-OD-25- 068) within Plaintiff States until further order is issued by this Court. Counsel for Defendants shall file a status report with the Court within 24 hours of the

TRO AGAINST STRIPPING FEDERAL FUNDING FROM HEALTHCARE ENTITIES THAT PROVIDE GENDER AFFIRMING CARE

Sethuraman Panchanathan, and any subagencies of Defendant HHS, their officers, agents, successors, servants, employees, and attorneys, and any other persons who are in active concert or participation with them, are **RESTRAINED** from conditioning or withholding federal funding based on the fact that a healthcare entity or health professional provides gender affirming medical care to a patient under the age of nineteen under Section 3(g) of Executive Order 14168 and Section 4 of Executive Order 14187; it is further

PFLAG v. Trump, D.Md. Feb. 13, 2025

PRELIMINARY INJUNCTION AGAINST ANTI-DEI EO'S IN THE PRIVATE SECTOR - IMPERMISSIBLY VAGUE & FIRST AMENDMENT VIOLATION

(ISSUED LAST FRIDAY BY D. MD. IN *NAT'L ASS'N OF DIVERSITY OFFICERS IN HIGHER ED V. TRUMP*)

3. Defendants other than the President, and other persons who are in active concert or participation with Defendants (the “Enjoined Parties”), shall not:
- a. pause, freeze, impede, block, cancel, or terminate any awards, contracts or obligations (“Current Obligations”), or change the terms of any Current Obligation, on the basis of the Termination Provision;
 - b. require any grantee or contractor to make any “certification” or other representation pursuant to the Certification Provision; or
 - c. bring any False Claims Act enforcement action, or other enforcement action, pursuant to the Enforcement Threat Provision, including but not limited to any False Claims Act enforcement action premised on any certification made pursuant to the Certification Provision.

Date: February 21, 2025

_____/s/_____
Adam B. Abelson
United States District Judge

FEDERALISM IN ACTION – STATE LAWSUITS

- Jan. 21st **New Jersey & Washington** file suits challenging birthright citizenship EO (NJ joined by MA, CA, CO, CT, DE, DC, HI, ME, MD, MI, MN, NV, NM, NY, NC, RI, VT, WI and WA joined by AZ, IL, OR)
- Jan. 28th **New York** files suit challenging OMB funding freeze (joined by CA, IL, RI, NJ, MA, AZ, CO, CT, DE, DC, HI, ME, MD, MI, MN, NV, NC, NM, OR, VT, WA, WI)
- Feb. 7th **Washington** files suit challenging ban on gender affirming care (joined by MN & OR)
- Feb. 7th **New York** files suit challenging DOGE access to Treasury (joined by AZ, CA, CO, CT, DE, HI, IL, ME, MD, MA, MN, NV, NJ, NC, OR, RI, VT, WI)
- Feb. 10th **Massachusetts** files suit challenging NIH cuts (joined by MI, IL, AZ, CA, CT, CO, DE, HI, ME, MD, MN, NJ, NY, NV, NM, NC, OR, RI, VT, WA, WI)
- Feb. 13th **New Mexico** files suit challenging Musk & DOGE (joined by AZ, MI, CA, CT, HI, MD, MS, MN, NV, OR, RI, VT, WA)

ATTACKS ON INCLUSIVE EDUCATION

EO on “Restoring America’s Fighting Force”

- Prohibits Teaching “Divisive Concepts” meaning list of 9 concepts from Trump’s 2020 EO 13950
- Defense Schools and Service Academies must teach that “America and its founding documents remain the most powerful force for good in human history.”

EO on “Ending Radical Indoctrination in K-12 Schooling”

- Plan by April 28th to eliminate funding of “discriminatory equity ideology” or “gender ideology” in K-12:
 - Curriculum and instruction
 - Programs and activities
 - Teacher education, certification, licensing, employment, and training

HUGE PUSH FOR NATIONAL VOUCHERS

- Executive Order on “**Expanding Educational Freedom and Opportunity for Families**” directs following agencies to look for any mechanisms to support vouchers under existing funding programs “consistent with applicable law.”
 - ED & DOL to issue guidance on how states may use formula funds to support K-12 “choice” and “education freedom”;
 - HHS to issue guidance on how states may use child care and community development block grants to expand “choice” including “private and faith-based options”
 - DOD to submit a plan to support “choice” for military families
 - Bureau of Indian Education to submit plan to support “choice” on Indian lands, including “private, faith-based, or public charter schools.”

WATCH LIST: EDUCATION VOUCHERS

- We are already seeing renewed calls to pass the Educational Choice for Children Act, which would provide \$5 billion in tax credits for donating to organizations that provide scholarships for student expenses related to K-12 public and private education.
- Expanding the use of 529 in this way would forgo tax dollars that could be used to fund public schools and instead direct federal dollars toward children already engaged choice plans.
- This voucher-via-tax-code could be done as part of an expedited “reconciliation” tax bill. This would forgo tax dollars that could be used to fund public schools and instead create the first federally funded national private school choice program.
- A national private school voucher programs, Title I portability, IDEA vouchers.

SCOTUS IN THE MIX TOO

- In *St. Isidore* SCOTUS will decide whether states MUST grant charters to religious organizations to operate charter schools.
- In *Mahmoud* SCOTUS will decide whether school districts MUST provide parents with notice and an opportunity to opt out of any instruction/curriculum that conflicts with their religious faith.
- *And in New England tuitioning cases, which will reach the Court next year, Court will have the opportunity to decide whether religious schools may opt out of non-discrimination requirements in state school tuitioning programs.*

EFFORT TO DISMANTLE THE U.S. DEPARTMENT OF EDUCATION

Trump administration drafting executive order to initiate Department of Education's elimination

White House preparing executive order to abolish the Education Department

President Donald Trump promised for years to abolish the department – which he can't do without congressional approval.

- By Defunding & Moving Functions Elsewhere
- Some Recognition that Congressional action required

WE NEED YOUR HELP TO IDENTIFY LOCAL IMPACTS

- If all funding for U.S. Dept of ED flows just by block grant, what is the irreparable harm and to whom?
- Are there members who have lost grants, jobs, subsidies, training opportunities, other tangible benefits due to the EO's?
- Are there members who have been told not to teach certain curriculum/subjects/books due to the EO's?
- Are there members who fear discipline if they teach certain curriculum/subjects/books?
- Are there members who have been threatened or fear discipline for affirming transgender, intersex or non-binary students?



Stories of Impact - Federal Executive Orders

Recent federal executive orders – particularly those titled “Ending Radical Indoctrination in K-12 Schooling” and “Restoring America’s Fighting Force” – are having real consequences for students, educators, and communities. We’ve heard reports of increased stress and uncertainty in classrooms, disruptions to learning environments, and new challenges for schools and educators navigating these policies. But we need more than just numbers—we need real stories to illustrate the human and systemic impact of these measures.

If your affiliates, members, or students have been affected, we encourage you to share your experience. To the extent possible, please include details that help illustrate the broader impact—whether it’s attendance numbers, resource shortages, policy changes, or shifts in school climate. While individual stories are powerful, we also want to show that these challenges are not isolated—they affect all of us.

By submitting a story, you are indicating your interest in sharing information that NEA may wish to use in litigation. NEA staff will follow up for more details as needed.

Phone *

Email *

State *

Affiliate/Local *

Who is the impacted person/entity? *

Story

What impact has any recent executive order had on your teaching or other educational responsibilities, on the program, or on your community more generally? Please be as specific as possible. If appropriate, please include the number of students, educators, and/or families affected.

For example:

(a) Has your principal or other supervisor told you not to support transgender students, such as (but not limited to) by using their names and pronouns? Do



HOW IT STARTED...



HOW IT'S GOING...

CABINET SECRETARIES AND OFFICIALS



STATE ✓

Marco Rubio



TREASURY ✓

Scott Bessent



DEFENSE ✓

Pete Hegseth



AG ✓

Pam Bondi



INTERIOR ✓

Doug Burgum



ODNI ✓

Tulsi Gabbard



AGRICULTURE ✓

Brooke Rollins



COMMERCE ✓

Howard Lutnick



LABOR ✓

Lori Chavez-DeRemer



HHS ✓

RFK Jr.



HUD ✓

Scott Turner



FBI ✓

Kash Patel



TRANSPORTATION ✓

Sean Duffy



ENERGY ✓

Chris Wright



EDUCATION ✓

Linda McMahon



VA ✓

Doug Collins



DHS ✓

Kristi Noem



DOGE ✓

Elon Musk



CONFIRMED BY SENATE

Tax Cuts for Billionaires

Eliminating
the Dept of
Ed

Freezing
Federal
Funding

Firing Federal
Workers

Closing CFPB

Taking Over
Data Systems

Threats to
Medicaid

TAKING THE FIGHT OUTSIDE OF DC

- We have a huge opportunity to organize and amplify our members' voices.
- Need to move the fight outside of DC.
- Communities need to understand impact of the Trump Administration's policies
- Pay attention to what Congress is doing... Medicaid and School Lunch Cuts
- How are we thinking creatively of the ways to bring attention?



USE THIS TOOLKIT

March 4th Protect Our Kids Day of Action

The Protect Our Kids campaign is mobilizing educators, parents, students, and community allies to fight against devastating cuts to public education.

You can bring the impact home and organize a local event in your community such as a rally, teach-in, or press conference to help spread our message and amplify the voices of those impacted.

[Get started & share your event ►](#)

EACH DAY WE HAVE A NEW CHANCE TO DEFEND OUR
VALUES AND WIN A BETTER FUTURE FOR EDUCATORS
AND STUDENTS.

WE ARE IN THIS TOGETHER.