

## Timeline of Key Developments Related to Recent Executive Actions as of February 18, 2025

February 19, 2025

Government Contracts

---

This timeline highlights key developments pertaining to recent executive orders (“EOs”) and other executive actions issued by the second Trump administration. It focuses on issues most relevant to federal contractors and grant recipients, and is divided into five topics: (1) Federal Funding; (2) DEI and Gender; (3) Energy and Environment; (4) Trade and Foreign Aid; and (5) DOGE and Federal Workforce. Covington’s Government Contracts Practice is continuing to track these and other developments and will plan to periodically update this timeline.

This document provides a high-level summary of recent events and is not exhaustive. In addition, this document was last updated on the date provided above. To the extent you may have questions regarding any of the developments discussed below — or other matters — please reach out to a member of Covington’s Government Contracts Practice.

### 1. Federal Funding

- January 20: President Trump signed various EOs pausing federal funding, or directing agencies to terminate contracts and grants that are contrary to the Administration’s policies. These include:
  - EO 14154, “[\*Unleashing American Energy\*](#),” which, among other things, directed an immediate pause on disbursement of funds appropriated by the Inflation Reduction Act (“IRA”) and Infrastructure Investment and Jobs Act (“IIJA”).
  - EO 14151, “[\*Ending Radical and Wasteful Government DEI Programs and Preferencing\*](#),” which directed agencies to take steps to terminate “environmental justice” and “diversity, equity, inclusion, and accessibility” (“DEIA”) mandates, policies, programs, preferences, and activities in the federal government, including “equity-related” grants or contracts, and all “DEI or DEIA performance requirements for employees, contractors, or grantees.”
  - EO 14169, “[\*Reevaluating and Realigning U.S. Foreign Aid\*](#),” which, among other things, directed agencies to “immediately pause new obligations and disbursements of development assistance funds...”
  - Further information on these and other EOs can be found on Covington’s [Inside Government Contracts](#) blog.
- January 27: The Office of Management and Budget (“OMB”) issued Memorandum [M-25-13](#) pausing federal assistance funds.

- January 28:
  - M-25-13 was challenged in litigation in the [District of the District of Columbia](#) (“D.D.C.”) and the [District of Rhode Island](#) (“D.R.I.”).
  - OMB issued instructions listing programs for which OMB is seeking more information during the review period. The White House also issued a [Q&A](#) that noted M-25-13 “does not apply across-the-board.” The Department of Defense (“DoD”) [clarified](#) that M-25-13 does not affect contracts.
  - D.D.C. issued an administrative stay pausing enforcement of M-25-13 through February 3.
- January 29:
  - OMB [rescinded](#) M-25-13.
  - Following the rescission of M-25-13, the White House Press Secretary [indicated](#) that EOs “on federal funding remain in full force and effect.”
- January 31:
  - D.R.I. issued a [temporary restraining order \(“TRO”\)](#) against M-25-13, despite OMB’s rescission of M-25-13. The TRO stated, in part, that defendants in the case were “restrained and prohibited from reissuing, adopting, implementing, or otherwise giving effect to the OMB Directive under any other name or title or through any other Defendants (or agency supervised, administered, or controlled by any Defendant), such as the continued implementation identified by the White House Press Secretary’s statement of January 29, 2025.”
  - The Department of Justice (“DOJ”) issued [notices](#) to agencies to implement the TRO.
- February 3:
  - D.D.C. issued a [TRO](#) under which the government was “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.”
  - OMB issued a [memorandum](#) to agencies directing compliance with the D.D.C. TRO, but noting that these instructions “do not restrict agencies’ compliance with the President’s recently issued EOs, nor do they restrict agencies’ ability to take actions pursuant to their own authorities independent of OMB Memorandum M-25-13.”
- February 7:
  - D.R.I. plaintiffs filed a motion to enforce the TRO, arguing that defendants had not fully complied and specifically challenging defendants’ argument that IRA and IJJA funding was outside the scope of the TRO.
  - National Institutes of Health (“NIH”) issued [guidance](#) imposing a standard indirect cost rate on all NIH grants of 15%.
- February 10:
  - D.R.I. [granted](#) plaintiffs’ motion to enforce the TRO pertaining to M-25-13. DOJ [appealed](#) to the U.S. Court of Appeals for the First Circuit.

- Three complaints were filed in the District of Massachusetts (“D. Mass.”) challenging the NIH guidance regarding indirect rates. D. Mass. granted an [emergency TRO with respect to plaintiff states](#), and a [separate TRO with respect to “institutions” nationwide](#).
- **February 11:** The First Circuit [denied](#) defendants’ request for an administrative stay of D.R.I.’s TRO pertaining to M-25-13.
- **February 12:**
  - D.R.I. [denied](#) defendants’ emergency motion for relief or clarification of the TRO pertaining to M-25-13, but noted that the TRO permits limiting access to funds on the basis of applicable statutes, regulations, and terms without preclearance from the court.
  - D.R.I. [denied](#) defendants’ motion for a stay pending appeal.
- **February 13:**
  - A [complaint](#) was filed in the Eastern District of Pennsylvania by Governor Josh Shapiro and several Pennsylvania state agencies, challenging the funding freeze as it relates to Pennsylvania.
  - Plaintiffs in the D.R.I. funding freeze challenge filed an [Amended Complaint](#), replacing their challenge to the “OMB Memo” with a blanket challenge to the “Federal Funding Freeze.”
  - The First Circuit appeal of the D.R.I. TRO was voluntarily [dismissed](#).

## 2. DEI and Gender

- **January 20:** In addition to the [“Ending Radical and Wasteful Government DEI Programs”](#) EO mentioned above, President Trump signed various EOs concerning DEIA and gender. These include:
  - EO 14168, [“Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,”](#) which defined sex as an “immutable biological characteristic” and required the federal government to recognize binary biological sex and cease promoting gender ideology.
  - EO 14170, [“Reforming the Federal Hiring Process and Restoring Merit to Government Service,”](#) which required DOGE to create a Federal Hiring Plan preventing hiring based on “race, sex, or religion.”
  - EO 14148, [“Initial Rescissions of Harmful Executive Orders and Actions,”](#) which, among other things, rescinded EO 14035, [“Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce.”](#)
- **January 21:**
  - President Trump issued EO 14173, [“Ending Illegal Discrimination and Restoring Merit-Based Opportunity,”](#) which revoked EO 11246, a 59-year old EO that required federal contractors to promote equal opportunity, and created a certification requirement for contractors to confirm compliance with anti-discrimination laws.
  - The Office of Personnel Management (“OPM”) issued a [memorandum](#), which required agency heads to send notice to employees, take down outward facing media, submit a list of DEIA offices and contracts to OPM, and submit a list of all

contract descriptions or personnel position descriptions that had changed since November 5, 2024 to obscure their connection to DEIA.

- January 24:
  - OPM issued a [memorandum](#) regarding reduction in force (“RIF”), directing agencies to begin issuing RIF notices to employees of DEIA and “environmental justice” offices.
  - The Secretary of Labor issued an [order](#) to cease all investigative and enforcement activity under rescinded EO 11246, and to hold in abeyance Section 503 (pertaining to discrimination against individuals with disabilities) and Vietnam Era Veterans’ Readjustment Assistance Act (“VEVRAA”) components of investigation or review.
- January 28: The Under Secretary of Defense issued a [memorandum](#) implementing EO 14151 and the corresponding OPM memorandum, instructing DoD contracting officers to immediately terminate solicitations and contracts or contract-like instruments relating to DEIA. The memorandum also applies to contracts executed by a federal partner via assisted acquisition, and requires submission to the Office of the Under Secretary of Defense identifying details of DEIA-related contracts.
- January 29:
  - OPM sent [guidance](#) instructing federal agencies to review and eliminate programs, materials, and policies that promote gender ideology in accordance with EO 14168.
  - Secretary of Transportation Duffy issued a [memorandum](#) implementing DEI and environmental EOs.
- January 30: Secretary of Defense Pete Hegseth established an anti-DEI task force.
- January 31:
  - The Secretary of Defense issued a [memorandum](#) to the DoD Components and Defense Agencies instructing them to “remove all traces of gender ideology” pursuant to EO 14168.
- February 3: Litigation was [filed](#) in the District of Maryland (“D. Md.”) challenging EOs 14151 and 14173.
- February 4:
  - Litigation was [filed](#) in D.D.C. challenging the removal of health-related data from agency websites, brought by doctors and scientists who rely on the removed data.
  - The Department of the Air Force issued a [memorandum](#) implementing EO 14168 in response to the January 31 [memorandum](#) from the Secretary of Defense.
  - The Department of Education issued a “[Dear Colleague](#)” letter describing the Department’s actions to revert enforcement of Title IX to pre-Biden administration interpretations of “on the basis of sex.”
- February 5:
  - OPM issued a [memorandum](#) that reemphasized and clarified the scope of EOs 14151, 14173, and 14148. The memorandum provided guidance regarding agency actions, such as with respect to affinity groups within agencies.

- Newly sworn-in Attorney General Pam Bondi issued a [memorandum](#) to DOJ implementing EO 14173 and directing the Civil Rights Division and Office of Legal Policy to issue a report by March 1 identifying, among other things, “specific steps or measures to deter the use of DEI and DEIA programs or principles that constitute illegal discrimination or preferences, including proposals for criminal investigations and for up to nine potential civil compliance investigations.”
- February 6: Senators Rick Scott and Eric Schmitt joined Congressman Michael Cloud in introducing the [Dismantle DEI Act](#), which would codify President Trump’s executive actions regarding DEIA.
- February 7:
  - A complaint was [filed](#) challenging the *Defending Women* EO 14168 as applied to passports.
  - The Secretary of Defense issued a memorandum halting the recruitment of transgender individuals as well as gender-affirming medical care for current service members.
- February 11: D.D.C. issued a [TRO](#) ordering restoration of health-related websites and datasets which had previously been removed and modified.
- February 14: The Department of Education issued a second “[Dear Colleague](#)” letter interpreting the Supreme Court’s decision in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181 (2023) to apply more broadly than just university admissions.
- February 15: The Civilian Agency Acquisition Council (“CAAC”) issued [CAAC Letter 2025-01](#) authorizing agencies to issue class deviations to ensure compliance with EOs 14173 and 14168.
- February 18: A General Services Administration (“GSA”) [press release](#) announced FAR [Class Deviations](#) and guidance for contracting officers relating to EO 14173 and EO 14148.

### 3. Energy and Environment

- January 20: In addition to the “[Unleashing American Energy](#)” EO, President Trump signed several other EOs relating to environmental and energy policy, including the “[Declaring a National Energy Emergency](#)” EO, “[Unleashing Alaska’s Extraordinary Resource Potential](#)” EO, “[Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government’s Leasing and Permitting Practices for Wind Projects](#)” memorandum, and “[Putting America First in International Environmental Agreements](#)” EO. These EOs directed various actions, including:
  - Directing agencies to withdraw areas for wind energy leasing, and ordering agencies to not issue approvals for onshore or offshore wind projects.
  - Disbanding the Interagency Working Group on the Social Cost of Carbon and requiring EPA to issue guidance within 60 days addressing the effect of this action and consider eliminating the Social Cost of Carbon altogether.
  - Ordering the Council on Environmental Quality (“CEQ”) to issue new guidance on implementing the National Environmental Policy Act (“NEPA”) and propose

- rescinding the current NEPA regulations, and revoking the EO that authorizes CEQ to issue binding regulations under NEPA.
- Directing agencies to use emergency authorities to facilitate permitting, including under the Endangered Species Act.
- Ordering a series of actions to initiate oil and gas exploration, leasing, and extraction in the Arctic National Wildlife Refuge.
- **February 5:**
  - The House Subcommittee on Energy held a [hearing](#) on the “*Unleashing American Energy*” EO.
  - Attorney General Bondi issued a [memorandum](#) entitled “Rescinding ‘Environmental Justice’ Memoranda,” which rescinds Biden-era memoranda that sought to implement “‘environmental justice’ agenda.”
- **February 6:** The Federal Highway Administration issued a [memorandum](#) rescinding the National Electric Vehicle Infrastructure (“NEVI”) Formula Program Guidance, and suspending approval of State Electric Vehicle Infrastructure Deployment Plans.
- **February 10:** President Trump signed EO 14208, “[Ending Procurement and Forced Use of Paper Straws](#).”
- **February 18:** A GSA [press release](#) announced FAR [Class Deviations](#) and guidance for contracting officers relating to Section 2 of EO 14208.

#### 4. Trade and Foreign Aid

- **January 20:** In addition to the [Reevaluating and Realigning U.S. Foreign Aid](#) EO, President Trump also signed the [America First Trade Policy Memorandum](#), which among other things directed the U.S. Trade Representative, in consultation with the Senior Counselor for Trade & Manufacturing, to review the impact of government procurement commitments in trade agreements (including the World Trade Organization Agreement on Government Procurement (“WTO GPA”)) on the volume of federal government procurement covered by President Trump’s 2017 EO 13788, “*Buy American and Hire American*,” and issue recommendations to ensure that these agreements “are being implemented in a manner that favors domestic workers and manufacturers, not foreign nations.”
- **January 28:** Secretary of State Marco Rubio issued an Emergency Humanitarian [Waiver](#) to Foreign Assistance Pause.
- **January 29:** The Department of State issued [guidance](#) on the foreign aid pause and applications for waivers.
- **February 1:** President Trump [ordered](#) tariffs on Canada and Mexico and increased tariffs on China.
- **February 3:**
  - President Trump agreed to a 30-day pause on tariffs with Canada and Mexico.
  - The White House released [guidance](#) on “waste and abuse” at USAID.
  - President Trump [ordered](#) the creation of U.S. sovereign wealth fund.



- February 4:
  - A statement on the USAID website announced that all USAID personnel were placed on administrative leave and recalled by February 7.
  - The United States Postal Service (“USPS”) temporarily suspended acceptance of international parcels from China and Hong Kong.
- February 5: USPS resumed acceptance and delivery of packages from China and Hong Kong.
- February 7: Following a [complaint](#) filed by organizations representing federal and foreign service employees, D.D.C. issued a [TRO](#) blocking USAID from placing employees on administrative leave.
- February 10:
  - President Trump issued EO 14209, “[Pausing Foreign Corrupt Practices Act Enforcement to Further American Economic and National Security.](#)”
  - A [complaint](#) was filed in D.D.C. challenging the pause on foreign aid.
- February 11: Another [complaint](#) was filed in D.D.C. challenging the pause on foreign aid.
- February 13:
  - President Trump [issued](#) a memorandum introducing a reciprocal tariff plan.
  - D.D.C. granted, in part, a [TRO](#) blocking a blanket suspension of foreign aid funding for awards that were in existence as of January 19, 2025.

## 5. DOGE and Federal Workforce

- January 20: President Trump issued several executive actions related to governmental efficiency and federal hiring, including:
  - EO 14158, “[Establishing and Implementing the President’s “Department of Government Efficiency,”](#) which “establishes the Department of Government Efficiency to implement the President’s DOGE Agenda, by modernizing Federal technology and software to maximize governmental efficiency and productivity.”
  - The “[Hiring Freeze](#)” memorandum directed the Director of OMB, in consultation with the Director of OPM, and the U.S. DOGE Service (“USDS”) Administrator, to submit a plan “to reduce the size of the Federal Government’s workforce through efficiency improvements and attrition.”
  - Others included EO 14170, “[Reforming the Federal Hiring Process and Restoring Merit to Government Service,](#)” memorandum 90 FR 8251, “[Return to In-Person Work,](#)” and EO 14171, “[Restoring Accountability To Policy-Influencing Positions within the Federal Workforce.](#)”
- January 20:
  - Three complaints were filed in D.D.C. challenging the creation of DOGE on the basis that it improperly provides private citizens with public access in violation of the Federal Advisory Committee Act.
  - Litigation was [filed](#) in D.D.C. challenging EO 14171, which directed OPM to reclassify civil service members.

- January 28:
  - OPM sent a memorandum to federal employees offering eight months of pay and benefits if they resign by February 6.
  - Litigation was [filed](#) in D. Md. challenging EO 14171.
- January 29: Litigation was [filed](#) in D.D.C. challenging OPM guidance reclassifying civil service members.
- February 3: Litigation was [filed](#) in D.D.C. challenging DOGE's access to Treasury payment systems.
- February 4:
  - Litigation was [filed](#) in D. Mass. challenging the "buyout" offer as arbitrary and capricious under the Administrative Procedure Act.
  - OPM issued a [memorandum](#) addressing the legality of the deferred resignation program and stated that the assurances of the program "are binding on the government."
  - The Central Intelligence Agency ("CIA") reportedly sent a "buyout" offer to its entire workforce.
- February 5:
  - The House Committee on Oversight and Reform held a full-committee [hearing](#) on "Rightsizing Government."
  - A complaint was [filed](#) in D.D.C. challenging DOGE's access to Department of Labor ("DOL") data and systems.
- February 6:
  - The White House Press Secretary announced the federal government would cancel \$8 million in Politico subscriptions.
  - D.D.C. entered an [order](#) adopting the parties' joint stipulation that access to Treasury records would be limited to two special government employees.
  - D. Mass. extended the federal workforce buyout deadline from Thursday, February 6 to Monday, February 10, to allow the court time to assess the legality of the plan.
  - A complaint was [filed](#) in D.D.C. challenging OPM's guidance reclassifying members of the civil service.
- February 7:
  - A complaint was [filed](#) in the Southern District of New York ("S.D.N.Y.") to block DOGE's access to Treasury payment systems.
  - A complaint was [filed](#) in D.D.C. challenging DOGE's access to Department of Education systems.
  - D.D.C. [denied](#) a motion for a TRO enjoining DOGE's access to DOL records, for lack of standing.



- February 8:
  - S.D.N.Y. issued an [emergency TRO](#) blocking DOGE's access to Treasury payment systems.
  - DOGE gained access to CFPB records.
- February 9: DOJ [filed](#) an emergency motion to vacate the TRO in the S.D.N.Y. case regarding DOGE's access to Treasury systems.
- February 10:
  - Additional complaints were filed in [D. Md.](#) and the [Eastern District of Virginia](#), challenging DOGE's access to government records.
  - The federal workforce buyout deadline was further delayed pending completion of briefing and oral argument while D. Mass. case proceeded.
- February 11:
  - S.D.N.Y. [ruled](#) on DOJ's emergency motion to vacate the February 8 TRO regarding DOGE's access to Treasury systems, clarifying the TRO did not extend to access by the Treasury Department's senior leadership but that it did extend to "political appointees" more broadly.
  - President Trump signed EO 14210, "[Implementing the President's "Department of Government Efficiency" Workforce Optimization Initiative](#)." The EO mandated that the DOGE Hiring Plan require that each agency hire no more than one employee for every four employees that depart.
- February 12: D. Mass. [dissolved](#) the TRO preventing implementation of the federal workforce buyout, finding that the plaintiffs lacked standing.
- February 18: The White House issued a [memorandum](#) for agency heads directing agencies to make details public about programs, contracts, and grants terminated.

\*\*\*

If you have any questions concerning the material discussed in this client alert, please contact the following members of our Government Contracts practice:

<a href="#">Scott Freling</a>	+1 202 662 5244	<a href="mailto:sfreling@cov.com">sfreling@cov.com</a>
<a href="#">Jay Carey</a>	+1 202 662 5186	<a href="mailto:jcarey@cov.com">jcarey@cov.com</a>
<a href="#">Kayleigh Scalzo</a>	+1 202 662 5133	<a href="mailto:kscalzo@cov.com">kscalzo@cov.com</a>
<a href="#">Jennifer Plitsch</a>	+1 202 662 5611	<a href="mailto:jplitsch@cov.com">jplitsch@cov.com</a>
<a href="#">Lindsay Burke</a>	+1 202 662 5859	<a href="mailto:lburke@cov.com">lburke@cov.com</a>
<a href="#">Michael Wagner</a>	+1 202 662 5496	<a href="mailto:mwagner@cov.com">mwagner@cov.com</a>
<a href="#">Victoria Skiera</a>	+1 202 662 5604	<a href="mailto:vskiera@cov.com">vskiera@cov.com</a>
<a href="#">Ethan Syster</a>	+1 202 662 5106	<a href="mailto:esyster@cov.com">esyster@cov.com</a>

This information is not intended as legal advice. Readers should seek specific legal advice before acting with regard to the subjects mentioned herein. © 2025 Covington & Burling LLP. All rights reserved.

Covington & Burling LLP, an international law firm, provides corporate, litigation and regulatory expertise to enable clients to achieve their goals. This communication is intended to bring relevant developments to

our clients and other interested colleagues. Please send an email to [unsubscribe@cov.com](mailto:unsubscribe@cov.com) if you do not wish to receive future emails or electronic alerts.