

TO: Empire State Library Network (ESLN)

FROM: Stephanie A. Adams, Esq.

RE: Summary and Analysis of Potential Impact of January 2025 POTUS Executive Orders on Libraries Served by the ESLN

DATE: January 27, 2025

You have requested my expedited input regarding the potential impact on ESLN member organizations of the 33 executive orders issued in the first week of the second term of President Donald Trump, which began January 20, 2025.

The nine regional “reference and research library resources” systems comprising the Empire State Library Network serve:

- Chartered public libraries (of all types)
- Public library systems (cooperative, consolidated, confederated)
- School libraries and school library systems (public and private)
- Hospital libraries (public and private)
- Academic libraries (public and private)
- Libraries of educational agencies (public)
- Law libraries (academic, local, state and federal)
- Archives (public and private)
- Museums (public and private)
- Historical Societies
- Prison libraries
- Other “special libraries,” including libraries at religious corporations and even for-profit businesses.

To provide the requested analysis, starting on page 5, this memo arrays each executive order (“EO”) by name and describes the most notable actual or potential impacts on ESLN-served entities (aside from generally applicable impacts). Because the first EO issued in this term of office rescinded eighty prior EOs, those rescinded EOs are also arrayed.

As the content is vast and intricate, a summary of major takeaways precedes the array. Areas of actual or potential high impact and takeaways for ESLN-served entities are **highlighted in yellow** in both sections.

NOTE: This is a New York State-specific resource.

Thank you for entrusting me with this request.

SUMMARY

The flurry of executive orders issued at the start of the 2025 POTUS term creates many immediate and emphatic changes to federal executive policy. Many of these orders also lay the groundwork for further changes, many of which could directly impact the libraries and library-containing organizations listed above.

Particularly notable impacts, and notable non-impacts (despite the risk of an appearance otherwise), on ESLN-served entities are:

1. The first EO issued on January 20th rescinded EO 14084, which created the federal government's Institute of Museum and Library Service's "President's Committee on Arts & Humanities."

The full text of that rescinded order is below the analysis so that the full impact of this rescission may be discerned.

Organizations representing libraries at the federal level may want to identify the potential impacts and take action to address potential negative impacts of this rescission.

2. The first EO issued on January 20th rescinded Executive Order 14021 of March 8, 2021 (Guaranteeing an Educational Environment Free from Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity).

This rescission, together with other directives in newly issued EOs, are consistent with the U.S. Department of Education's Office for Civil Rights ("OCR") January 24th dismissal of eleven complaints related to removals of library materials based on the identity of the author or nature of the subject matter. In a press release regarding the dismissals, the United States Department of Education stated, "Because this is a question of parental and community judgment, not civil rights, OCR has no role in these matters."

The characterization of removal of library content as "not civil rights" is contrary to law, regulations, and case law in New York, as well as current federal law and case law.

3. Many of the new EOs address definitions, place names, and records.

Archivists, municipal clerks, academic librarians, law librarians, and others should consider the impact on cataloging, displays, and research; supporting organizations should be ready to offer meaningful guidance.

4. The first EO issued on January 20th rescinded EO 13989 of January 20, 2021 “Ethics Commitments by Executive Branch Personnel.”

ESLN members who engage in federal lobbying, or who have lobbyists under contract, should consider the impact of this change.

5. Many of the new EOs address stepped-up enforcement and new measures for deterring illegal immigration.

Organizations in New York **should continue to follow current protocols** for responding to warrants and requests for information.

Library records in New York remain confidential under CPLR 4509; this right to privacy is not rooted in citizenship, visa status, or conviction status.

Organizations in localities that adopted stances limiting cooperation with federal immigration enforcement to only that which is required by law (“sanctuary” jurisdictions) should prepare for the possibility of enhanced scrutiny.

6. Many EOs refer to enhanced and altered use of the military to address illegal immigration.

Institutions should ensure military service leave policies are up to date in the event reservists are deployed; institutions employing military spouses should be alert to the need for supports.

7. Many EOs attempt to alter and/or terminate federal policy and funding incorporating the concepts of “Diversity, Equity and Inclusion.” However, in New York, such programs and funding may be blended with objectives and funding based on New York State Law.

Institutions should evaluate federal programs and funding carefully; boards should take appropriate steps to address risks to funding.

8. It is my observation that the tone and timing of the EOs is designed to create apprehension and perhaps panic. While concern based on the stability of federally funded initiatives is warranted, institutions should take a careful inventory of their vulnerabilities and develop mitigating strategies.

Institutions should inventory actual risks posed by the policy changes and use clarity of information to stay focused on mission while engaging in risk management.

To avoid the negative impacts that could be created by misunderstanding of the EOs, institutional leaders and employees should be trained on the following:

- The manner of responding to law enforcement requests/demands for information remains the same (when in doubt, call your lawyer);
- Library records remain confidential unless demanded via duly authorized subpoena or warrant;
- Any perceived risk to federal funding should be carefully assessed prior to any action being taken; and
- The definitions in the New York Human Rights Law (some of which are in your institution's policy barring Sexual Harassment) remain unchanged.

USING THE EO ARRAY

The EO Array presents the EOs issued and rescinded between January 20 and January 24, 2025.

EOs setting policy beyond rescinding previous EOs start on page 18.

Where significant change is made, it is noted in commentary.

Where state and local law will preserve the status quo, it is noted in commentary.

Where change or uncertainty may be created, warranting stepped-up attention by potentially impacted institutions, it is noted in commentary.

Areas of actual or potential high impact on ESLN-served entities, warranting particular attention, are highlighted in yellow.

When possible, EOs covering the same topic area, or interrelated areas, are bulleted together for coherence and efficiency (climate, immigration/border, COVID, etc.).

ARRAY OF EXECUTIVE ORDERS

NAME: Initial Rescissions of Harmful¹ Executive Orders and Actions

Rescinds:

- Executive Order 13985 of January 20, 2021 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government).
- Executive Order 14091 of February 16, 2023 (Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government).

Potentially impacts: All federal entities; all federal grant recipients GOING FORWARD.

Commentary: EO 13985 created efforts within the Domestic Policy Council and Office of Management and Budget to identify ways to promote equity for “underserved communities” as defined by the EO. Operations and grant funding tied to this initiative are ended.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 13986 of January 20, 2021 (Ensuring a Lawful and Accurate Enumeration and Apportionment Pursuant to the Decennial Census).

Potentially impacts: All organizations supporting the federal census; organizations with grants and funding based on federal census tabulations.

Commentary: This action shows the “EO ping-pong” that happens when administrations change; EO 13986 actually rescinded an earlier EO of the previous administration. Census-supporting institutions will see the impact in instructions as to how the census is conducted.

¹ Small note on the word “harmful”: this term was also used in various EOs issued in 2021 that rescinded EOs of the previous administration.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 13988 of January 20, 2021 (Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation).

Potentially impacts: Federal institutions and those being investigated by them for alleged violations will be impacted by shifting definitions and scope of discrimination based on gender and sexual orientation.

Commentary: In New York State, discrimination based on gender and sexual orientation is barred by the state's Human Rights Law; anti-discrimination policies governed by state law are not impacted by this rescission, so current "Sexual Harassment" and "Anti-Discrimination" policies should not be changed due to this EO.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 13989 of January 20, 2021 (Ethics Commitments by Executive Branch Personnel).

Potentially impacts: ALL organizations using lobbyists.

Commentary: This rescission changes ethics rules for appointees of executive agencies. This will change the playing field for lobbying; organizations engaged in federal lobbying should discuss the impact with their lobbyists.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds:

- Executive Order 13990 of January 20, 2021 (Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis).
- Executive Order 14008 of January 27, 2021 (Tackling the Climate Crisis at Home and Abroad).
- Executive Order 14027 of May 7, 2021 (Establishment of the Climate Change Support Office).
- Executive Order 14030 of May 20, 2021 (Climate-Related Financial Risk).
- Executive Order 14037 of August 5, 2021 (Strengthening American Leadership in Clean Cars and Trucks).
- Executive Order 14044 of September 13, 2021 (Amending Executive Order 14007).

<ul style="list-style-type: none"> • Executive Order 14057 of December 8, 2021 (Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability). • Executive Order 14082 of September 12, 2022 (Implementation of the Energy and Infrastructure Provisions of the Inflation Reduction Act of 2022).
<p>Potentially impacts: Organizations collaborating on federal energy and climate change-related risk mitigation initiatives impacted by federal regulation and policy.</p>
<p>Commentary: The rescission shows policy shift regarding climate change and the environment.</p>

<p>NAME: Initial Rescissions of Harmful Executive Orders and Actions</p> <p>Rescinds: Executive Order 13992 of January 20, 2021 (Revocation of Certain Executive Orders Concerning Federal Regulation).</p>
<p>Potentially impacts: Matters and entities overseen by federal regulatory agencies.</p>
<p>Commentary: This is really about clearing the table of the past administration’s approach; the rescinded EO provided:</p> <p><i>It is the policy of my [President Biden] Administration to use available tools to confront the urgent challenges facing the Nation, including the coronavirus disease 2019 (COVID-19) pandemic, economic recovery, racial justice, and climate change. To tackle these challenges effectively, executive departments and agencies (agencies) must be equipped with the flexibility to use robust regulatory action to address national priorities. This order revokes harmful policies and directives that threaten to frustrate the Federal Government’s ability to confront these problems, and empowers agencies to use appropriate regulatory tools to achieve these goals.</i></p>

<p>NAME: Initial Rescissions of Harmful Executive Orders and Actions</p> <p>Rescinds:</p> <ul style="list-style-type: none"> • Executive Order 14009 of January 28, 2021 (Strengthening Medicaid and the Affordable Care Act). • Executive Order 13987 of January 20, 2021 (Organizing and Mobilizing the United States Government to Provide a Unified and Effective Response To Combat COVID-19 and To Provide United States Leadership on Global Health and Security).
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- Executive Order 13995 of January 21, 2021 (Ensuring an Equitable Pandemic Response and Recovery).
- Executive Order 13996 of January 21, 2021 (Establishing the COVID-19 Pandemic Testing Board and Ensuring a Sustainable Public Health Workforce for COVID-19 and Other Biological Threats).
- Executive Order 13997 of January 21, 2021 (Improving and Expanding Access to Care and Treatments for COVID-19).
- Executive Order 13999 of January 21, 2021 (Protecting Worker Health and Safety).
- Executive Order 14000 of January 21, 2021 (Supporting the Reopening and Continuing Operation of Schools and Early Childhood Education Providers).
- Executive Order 14002 of January 22, 2021 (Economic Relief Related to the COVID-19 Pandemic).
- Executive Order 14003 of January 22, 2021 (Protecting the Federal Workforce).
- Executive Order 14099 of May 9, 2023 (Moving Beyond COVID-19 Vaccination Requirements for Federal Workers).
- Executive Order 14070 of April 5, 2022 (Continuing To Strengthen Americans' Access to Affordable, Quality Health Coverage).

Potentially impacts: Not assessed as part of this memo.

Commentary: The bulk of these orders pertains to the prior administration's handling of COVID-19, which while important, is beyond the scope of the current analysis.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14004 of January 25, 2021 (Enabling All Qualified Americans to Serve Their Country in Uniform).

Potentially impacts: Employees also serving in any branch of the armed forces as well as employees who are family of members serving in any branch of the armed forces.

Commentary: The rescinded EO put in place policy and procedure permitting openly transgender individuals to serve in the military and directed the military to create a process that would enable service members to take steps to transition gender while serving. To the degree PFML and other benefits are tied to military service of employees and their family members, the rescission of this EO should be a point of awareness for employers in New York.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14006 of January 26, 2021 (Reforming Our Incarceration System to Eliminate the Use of Privately Operated Criminal Detention Facilities).

Potentially impacts: Prison librarians, other librarians offering programs to incarcerated individuals.

Commentary: The rescinded EO barred the Attorney General from renewing Department of Justice contracts with privately operated criminal detention facilities, as consistent with applicable law.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14007 of January 27, 2021 (President's Council of Advisors on Science and Technology).

Potentially impacts: Faculty at institutions with academic libraries.

Commentary: This rescission is another major policy shift regarding energy and technology.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds:

- Executive Order 13993 of January 20, 2021 (Revision of Civil Immigration Enforcement Policies and Priorities).
- Executive Order 14010 of February 2, 2021 (Creating a Comprehensive Regional Framework to Address the Causes of Migration, To Manage Migration Throughout North and Central America, and To Provide Safe and Orderly Processing of Asylum Seekers at the United States Border).
- Executive Order 14011 of February 2, 2021 (Establishment of Interagency Task Force on the Reunification of Families).
- Executive Order 14012 of February 2, 2021 (Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans).
- Executive Order 14013 of February 4, 2021 (Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration).

- Executive Order 14015 of February 14, 2021 (Establishment of the White House Office of Faith-Based and Neighborhood Partnerships).
- Executive Order 14022 of April 1, 2021 (Termination of Emergency with Respect to the International Criminal Court).

Potentially impacts: To simplify things, please see the notes on the new EOs related to immigration and border matters.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14018 of February 24, 2021 (Revocation of Certain Presidential Actions).

Potentially impacts: Certain federal institutions and funding.

Commentary: This represents another scattershot array of policy changes ranging from federal architecture to funding of law enforcement.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14019 of March 7, 2021 (Promoting Access to Voting).

Potentially impacts: All entities involved in the dissemination of voter registration materials and information.

Commentary: The rescinded order required federal agencies to develop ways to “expand citizens’ opportunities to register to vote and to obtain information about, and participate in, the electoral process.”

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14020 of March 8, 2021 (Establishment of the White House Gender Policy Council).

Potentially impacts: Organizations contributing to the White House Gender Policy Council’s organized efforts to end gender-based violence.

NAME: Initial Rescissions of Harmful Executive Orders And Actions

Rescinds: Executive Order 14021 of March 8, 2021 (Guaranteeing an Educational Environment Free from Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity).

Potentially impacts: All educational institutions receiving federal funding. To simplify things, please see the notes on the new EOs related to education.

Commentary: The rescinded EO directed revision of the US Education Department's "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance."

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14023 of April 9, 2021 (Establishment of the Presidential Commission on the Supreme Court of the United States).

Potentially impacts: Law librarians, law faculty, archivists.

Commentary: The rescinded EO created a commission to produce a report regarding the history of the Supreme Court; the commission was to sunset after the report was filed.

As of this date the report has been removed from whitehouse.gov:



NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14029 of May 14, 2021 (Revocation of Certain Presidential Actions and Technical Amendment).

Potentially impacts: Federal institutions and funding, with a unique impact on federal museums and archives.

Commentary: This EO revokes the Biden administration's revocation of the following Trump EOs: Preventing Online Censorship, Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Violence, Building and Rebuilding Monuments to American Heroes, Rebranding United States Foreign Assistance to Advance American Influence, Building the National Garden of American Heroes, and Protecting Americans from Overcriminalization Through Regulatory Reform.

NAME: Initial Rescissions of Harmful Executive Orders And Actions

Rescinds:

- Executive Order 14031 of May 28, 2021 (Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders).
- Executive Order 14045 of September 13, 2021 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Hispanics).
- Executive Order 14049 of October 11, 2021 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities).
- Executive Order 14050 of October 19, 2021 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans).
- Executive Order 14089 of December 13, 2022 (Establishing the President's Advisory Council on African Diaspora Engagement in the United States).

Potentially impacts: People and initiatives supported by the various commissions created.

Commentary: The rescinded EOs created advisory commissions to develop ways to support the identified populations and other supportive measures.

NAME: Initial Rescissions of Harmful Executive Orders And Actions

Rescinds: Executive Order 14035 of June 25, 2021 (Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce).

Potentially impacts: Federal institutions (law libraries, prison libraries, libraries within regional federal offices).

Commentary: The rescinded EO mandated the creation of a “Government-Wide Diversity, Equity, Inclusion, and Accessibility Initiative and Strategic Plan” and related initiatives.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14052 of November 15, 2021 (Implementation of the Infrastructure Investment and Jobs Act).

Potentially impacts: Entities near impacted infrastructure projects.

Commentary: Entities depending on infrastructure projects should pay attention to potential changes to identified projects and new opportunities.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14055 of November 18, 2021 (Nondisplacement of Qualified Workers Under Service Contracts).

Potentially impacts: Federal contractors and subcontractors.

Commentary: The rescinded EO required that a successor contractor or subcontractor hire the predecessor’s employees, “thus avoiding displacement of these employees.”

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14060 of December 15, 2021 (Establishing the United States Council on Transnational Organized Crime).

Commentary: This is part of a shift on how terrorism and crime is defined and addressed.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds:

- Executive Order 14069 of March 15, 2022 (Advancing Economy, Efficiency, and Effectiveness in Federal Contracting by Promoting Pay Equity and Transparency).
- Executive Order 14143 of January 16, 2025 (Providing for the Appointment of Alumni of AmeriCorps to the Competitive Service).

Potentially impacts: Federal employees.

Commentary: Executive departments and agencies can no longer appoint AmeriCorps alumni noncompetitively to competitive positions.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14074 of May 25, 2022 (Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety).

Potentially impacts: Librarians serving law enforcement; prison librarians.

Commentary: The rescinded EO set in motion coordinated efforts to increase equity in law enforcement and to reduce excessive criminal sentences. In particular, the US Attorney General was required to maintain “best practices” for law enforcement.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14075 of June 15, 2022 (Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals).

Potentially impacts: Federal protections as applied to all employees, contractors, and visitors at all institutions.

Commentary: The rescinded EO set into motion a network of protections for LGRTQ+ individuals; neither the rescinded EO nor any EO adopted reduce such protections as created by state law enforced by the State of New York.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14084 of September 30, 2022 (Promoting the Arts, the Humanities, and Museum and Library Services).

Potentially impacts: All ESLN-served organizations.

Commentary: The rescinded EO created the federal government’s Institute of Museum and Library Service’s “President’s Committee on Arts & Humanities.” The full text of that rescinded order is below the analysis, so the full impact of this rescission may be discerned.

IMPACT: Organizations representing libraries at the federal level should identify the potential impact and take action to address potential negative impacts. Served organizations should expect to see this remedial action happen as soon as possible.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14087 of October 14, 2022 (Lowering Prescription Drug Costs for Americans).

Potentially impacts: Hospital librarians and benefit plan administrators at large institutions may be asked about this.

Commentary: The rescinded EO required the HHS Secretary to submit a report with a plan and timeline to test certain price reduction models. Following the submission of the report, the Secretary was required to take appropriate actions to test any health care payment and delivery models discussed in the report.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14110 of October 30, 2023 (Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence).

Potentially impacts: Though not directly, any institution using generative AI technology may be affected.

Commentary: This action represents a deregulatory intent by POTUS.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds: Executive Order 14124 of July 17, 2024 (White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity Through Hispanic-Serving Institutions).

Potentially impacts: Members at institutions of higher education that have an enrollment of at least 25 percent Hispanic undergraduate full-time-equivalent students and satisfy other criteria, including with respect to enrollment of needy students and expenditures per full-time-equivalent undergraduate student.

Commentary: Eliminates the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity Through Hispanic-Serving Institutions and the President's Board of Advisors on Hispanic-Serving Institutions.

NAME: Initial Rescissions of Harmful Executive Orders and Actions

Rescinds:

- The Presidential Memorandum of March 13, 2023 (Withdrawal of Certain Areas off the United States Arctic Coast of the Outer Continental Shelf from Oil or Gas Leasing).
- The Presidential Memorandum of January 6, 2025 (Withdrawal of Certain Areas of the United States Outer Continental Shelf from Oil or Natural Gas Leasing).
- The Presidential Memorandum of January 6, 2025 (Withdrawal of Certain Areas of the United States Outer Continental Shelf from Oil or Natural Gas Leasing).
- Executive Order 14094 of April 6, 2023 (Modernizing Regulatory Review).
- Executive Order 14115 of February 1, 2024 (Imposing Certain Sanctions on Persons Undermining Peace, Security, and Stability in the West Bank).
- The Presidential Memorandum of January 14, 2025 (Certification of Rescission of Cuba's Designation as a State Sponsor of Terrorism).
- The Presidential Memorandum of January 14, 2025 (Revocation of National Security Presidential Memorandum 5).
- Executive Order 14134 of January 3, 2025 (Providing an Order of Succession Within the Department of Agriculture).
- Executive Order 14135 of January 3, 2025 (Providing an Order of Succession Within the Department of Homeland Security).
- Executive Order 14136 of January 3, 2025 (Providing an Order of Succession Within the Department of Justice).
- Executive Order 14137 of January 3, 2025 (Providing an Order of Succession Within the Department of the Treasury).

- Executive Order 14138 of January 3, 2025 (Providing an Order of Succession Within the Office of Management and Budget).
- Executive Order 14139 of January 3, 2025 (Providing an Order of Succession Within the Office of the National Cyber Director).
- The Presidential Memorandum of January 3, 2025 (Designation of Officials of the Council on Environmental Quality to Act as Chairman).
- The Presidential Memorandum of January 3, 2025 (Designation of Officials of the Office of Personnel Management to Act as Director).
- The Presidential Memorandum of January 3, 2025 (Designation of Officials of the Office of Science and Technology Policy to Act as Director).
- The Presidential Memorandum of January 3, 2025 (Designation of Officials of the United States Agency for Global Media to Act as Chief Executive Officer).
- The Presidential Memorandum of January 3, 2025 (Designation of Officials of the United States Agency for International Development to Act as Administrator).
- The Presidential Memorandum of January 3, 2025 (Designation of Officials of the United States International Development Finance Corporation to Act as Chief Executive Officer).

Commentary: These rescissions should not directly impact ESLN members or served organizations.

END OF RECISSION LIST

NAME: RESTORING FREEDOM OF SPEECH AND ENDING FEDERAL CENSORSHIP

Potentially impacts: All federal institutions, effective immediately. All ESLN-served institutions, but without immediate effect.

Commentary: This EO sets the table for a change as to how federal agencies interpret and enforce matters centered on speech and action, vis-à-vis the First Amendment.

NAME: ENDING THE WEAPONIZATION OF THE FEDERAL GOVERNMENT

Potentially impacts: (Specifically listed are) DOJ, SEC, and FTC.

Commentary: This is likely to be challenged as an *ex post facto* law.

NAME: RETURN TO IN PERSON WORK

Potentially impacts: All federal employees.

Commentary: While much has been made of this order, the language in the order does leave room for remote work arrangements that are due to disability accommodations or other specific arrangements.

NAME: REGULATORY FREEZE PENDING REVIEW

Potentially impacts: Any library or archive assisting with development and publication of federal regulations, or archiving/providing access to same.

Commentary: This EO suspends the publication of (most) federal rulemaking for until at least March 19, 2025.

NAME: HIRING FREEZE

Potentially impacts: All open librarian/information management positions in federal offices, with exceptions (Social Security, Medicare, VA).

Commentary: This EO is a general federal hiring freeze and does not focus on library and information management positions but can impact filling those roles. There is a mechanism for applying for an exemption.

NAME: DELIVERING EMERGENCY PRICE RELIEF FOR AMERICAN FAMILIES AND DEFEATING THE COST-OF-LIVING CRISIS

Potentially impacts: Institutions with green/sustainability plans.

Commentary: this is a broad executive order that asks the heads of all executive departments and agencies to develop plans to reduce expenses, including expenses related to climate policy. Institutions with sustainability and green energy plans should pay close attention to what emerges as a result of this EO.

NAME: PUTTING AMERICA FIRST IN INTERNATIONAL ENVIRONMENTAL AGREEMENTS

Potentially impacts: Institutions with green/sustainability plans.

Commentary: This EO takes the US out of the Paris Climate Accords and directs various federal agencies to take steps to revoke and rescind policies implemented to advance the international climate finance plan. Institutions with sustainability and green energy plans should pay close attention to what emerges as a result of this EO.

NAME: GRANTING PARDONS AND COMMUTATION OF SENTENCES FOR CERTAIN OFFENSES RELATING TO THE EVENTS AT OR NEAR THE UNITED STATES CAPITOL ON JANUARY 6, 2021

Potentially impacts: Archives and collections with materials depicting certain events of January 6, 2021, as criminal.

Commentary: The EO describes the pardons and commutations as the beginning of a “process of national reconciliation.” Institutions with exhibits and collections addressing January 6, 2021, should a) have well-developed and thoughtful positions as to how archived and collected materials are presented, and b) be ready to have such positions challenged.

NAME: APPLICATION OF PROTECTING AMERICANS FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS ACT TO TIKTOK

Potentially impacts: Institutions providing access to TikTok (particularly public and academic libraries).

Commentary: Libraries whose technology and internet access provide users with access to TikTok should thoroughly review this EO and keep abreast of this case, which has First Amendment as well as national security implications.

NAME: WITHDRAWING THE UNITED STATES FROM THE WORLD HEALTH ORGANIZATION

Potentially impacts: Any institution receiving funds from or working with the WHO.

Commentary: this EO blames the World Health Organization for certain consequences arising from the COVID-19 pandemic and directs United States agencies to cease funding and prepare to withdraw as soon as possible.

NAME: RESTORING ACCOUNTABILITY TO POLICY-INFLUENCING POSITIONS WITHIN THE FEDERAL WORKFORCE

Potentially impacts: All federal employees.

Commentary: Reinstates and amends 2020 EO removing civil service protections for policy-related federal employees and rescinds Biden EO on the same issue.

NAME: HOLDING FORMER GOVERNMENT OFFICIALS ACCOUNTABLE FOR ELECTION INTERFERENCE AND IMPROPER DISCLOSURE OF SENSITIVE GOVERNMENTAL INFORMATION

Potentially impacts: “At least 51 former intelligence officials” (presumably none of whom work for an ESLN-affiliated organization, but who knows?)

Commentary: Archivists and librarians curating political collections should review this EO to see how it addresses the line between classified materials and materials shared in memoirs and other publications.

NAME: DECLARING A NATIONAL EMERGENCY AT THE SOUTHERN BORDER OF THE UNITED STATES

Potentially impacts: All with employees in the military and military reserves.

Commentary: This presidential proclamation sets the stage for the US military to patrol the southern border.

NAME: MEMORANDUM TO RESOLVE THE BACKLOG OF SECURITY CLEARANCES FOR EXECUTIVE OFFICE OF THE PRESIDENT PERSONNEL

Potentially impacts: Everyone, but not any library group specifically.

Commentary: This is one to watch, as it allows the President and White House Counsel to add people to a “list of personnel” automatically granted security clearance.

NAME: AMERICA FIRST TRADE POLICY

Potentially impacts: Institutions purchasing and licensing collection content.

Commentary: This memorandum is the kick-off to the “tariffs” and other practices that have been discussed by the POTUS. Libraries and other information and content-providing organizations will want to keep an eye on the costs of print and e-content as well as the intellectual property impacts referenced here.

NAME: CLARIFYING THE MILITARY’S ROLE IN PROTECTING THE TERRITORIAL INTEGRITY OF THE UNITED STATES

Potentially impacts: All institutions with employees in the military or military reserves.

Commentary: This EO directs the Secretary of Defense to deliver, by January 30th, a revision of Unified Command Plan to enable use of the US military to “seal the borders and maintain the sovereignty, territorial integrity, and security of the United States by repelling forms of invasion, including unlawful mass migration, narcotics trafficking, human smuggling and trafficking, and other criminal activities.”

NAME: UNLEASHING AMERICAN ENERGY

Potentially impacts: All institutions with environmental and sustainability initiatives tied to federal policy and/or funding.

Commentary: For larger institutions with comprehensive sustainability and green energy utilization plans, it is worth paying attention to this executive order and the diverse array of changes it implements to ensure programs can either be adapted or practices adjusted as warranted.

NAME: REALIGNING THE UNITED STATES REFUGEE ADMISSIONS PROGRAM

Potentially impacts: Institutions with federally funded refugee resettlement and support services and programs.

Commentary: Many ESLN-served institutions participate in the resettlement and support of refugees who come to live in the State of New York. This executive order suspends the United States Refugee Admissions Program for at least three months (90 days) while it is “realigned” go be “in the interests of the United States.” During that time, the Secretary of State and the secretary of Homeland Security may jointly determine to admit refugees on a case-by-case basis. Institutions with grant funding based in support of these programs may want to confirm such funding is not suspended.

NOTE: POTUS clearly anticipates some pushback on this because, unlike other EOs issued at the same time, this one contains a “severability clause,” meaning if one part of it is found to be illegal the rest of it remains in place.

NAME: PROTECTING THE MEANING AND VALUE OF AMERICAN CITIZENSHIP

Potentially impacts: Archives and other institutions with curated displays and collections on U.S. citizenship, law libraries, academic libraries.

Commentary: this is the much-vaunted “birthright citizenship” EO. The order appears to argue that the reference to birthright citizenship in the 14th amendment doesn’t mean that people who are born within the United states are automatically “subject to the jurisdiction thereof” (and in this EO’s legal daisy-chain reasoning, thus a citizen), and directs that as of February 19, 2025, citizenship shall not be granted to everyone born here (see the EO for the specifics).

The lawsuits are already filed on this one, and the order has been temporarily blocked by a judge.

NAME: SECURING OUR BORDERS

Potentially impacts: Any organization working with and/or serving people accused of being in the United States illegally.

Commentary: This order relates not only to border security but enforcement of immigration law throughout the entire country. It also directs the development of additional measures and international cooperation to further restrict access to the United States.

Organizations serving people accused of being in the United States illegally should stay closely attuned to developments. Employers should continue to use the same practices for verifying an individual's ability to work within the United States.

Libraries offering confidential library services should continue to carefully evaluate law enforcement requests for confidential library records and to have all such warrants and subpoenas reviewed by legal counsel prior to responding to them.

Libraries with security cameras should make a policy-based decision as to whether the footage on such cameras is a "library record" or not, as this will impact the ability of law enforcement and others to demand copies of such footage, particularly from municipal and other public library types.

NAME: PUTTING PEOPLE OVER FISH: STOPPING RADICAL ENVIRONMENTALISM TO PROVIDE WATER TO SOUTHERN CALIFORNIA

Potentially impacts: People, fish, librarians within NYSDEC, and other environmental agencies and organizations.

Commentary: In all seriousness, this memorandum is a sign of similar environmental state-v.-federal policy to come.

NAME: RESTORING THE DEATH PENALTY AND PROTECTING PUBLIC SAFETY

Potentially impacts: Law Librarians, law firm in-house librarians, prison librarians.

Commentary: The EO order the US Attorney General to seek the death penalty for all capital crimes (e.g. murder, treason, espionage, and terrorism).

NAME: PROMOTING BEAUTIFUL CIVIC ARCHITECTURE

Potentially impacts: Libraries within or institutions within viewing distance of federal public buildings, libraries with the “Guiding Principles for Federal Architecture” in their collection.

Commentary: This memorandum revives a previous Trump Administration position that federal public buildings “should be visually identifiable as civic buildings and respect regional traditional and classical architectural heritage in order to uplift and beautify public space.”

NAME: RESTORING ACCOUNTABILITY FOR CAREER SENIOR EXECUTIVES

Potentially impacts: Federal senior executives

Commentary: Institutions familiar with navigating state Civil Service laws will hear an echo of familiarity in this memorandum which guts some of the longstanding protections for federal Senior Executive Service (SES) employees. This one will likely go to court.

NAME: DECLARING A NATIONAL ENERGY EMERGENCY

Potentially impacts: All libraries serving federal, state and local environmental and energy infrastructure agencies, authorities, government entities, and NGO advocacy groups.

Commentary: This is a sweeping EO that sets the stage for a sea change in the generation and utilization of energy. The need for accurate information and the consensus on what that information is will create library and information management service needs.

NAME: 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

Potentially impacts: All libraries serving federal, state and local environmental and energy infrastructure agencies, authorities, government entities, and NGO advocacy groups.

Commentary: The name of this memorandum provides an adequate description.

NAME: REEVALUATING AND REALIGNING UNITED STATES FOREIGN AID

Potentially impacts: All federal departments and agencies with responsibility for United States foreign development assistance programs.

Commentary: These programs are suspended for 90 days while being reevaluated, with exceptions for programs granted a waiver by the US State Department.

NAME: ORGANIZATION OF THE NATIONAL SECURITY COUNCIL AND SUBCOMMITTEES

Potentially impacts: This is important but does not impact library organizations direct.

NAME: THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (OECD) GLOBAL TAX DEAL (GLOBAL TAX DEAL)

Potentially impacts: This is important but does not impact library organizations directly.

NAME: PROTECTING THE AMERICAN PEOPLE AGAINST INVASION

Potentially impacts: All institutions, to the degree increased enforcement of immigration laws and enhanced measures can impact them, with a focus on those in “sanctuary” jurisdictions (which prohibit voluntary government cooperation with immigration authorities).

Commentary: Among many other provisions to step up and enhance enforcement of immigration law, section 17 of this EO, provides: “The Attorney General and the Secretary of Homeland Security shall, to the maximum extent possible under law, evaluate and undertake any lawful actions to ensure that so-called “sanctuary” jurisdictions, which seek to interfere with the lawful exercise of federal law enforcement operations, do not receive access to federal funds. Further, the Attorney General and the Secretary of Homeland Security shall evaluate and undertake any other lawful actions criminal or civil that they deem warranted based on any such jurisdiction’s practices that interfere with the enforcement of federal law.”

Based on this, it is wise for institutions to evaluate if they are in such a jurisdiction (although it is not a category defined by law) and be ready to face enhanced scrutiny on that basis.

NAME: UNLEASHING ALASKA'S EXTRAORDINARY RESOURCE POTENTIAL

Potentially impacts: This is important but does not directly impact library organizations in New York, except perhaps librarians at offices of the EPA and Army Corps of Engineers.

NAME: PROTECTING THE UNITED STATES FROM FOREIGN TERRORISTS AND OTHER NATIONAL SECURITY AND PUBLIC SAFETY THREATS

Potentially impacts: Employers who employ those needing work visas.

Commentary: Larger institutions that rely on employees issued work visas should track this one.

NAME: AMERICA FIRST POLICY DIRECTIVE TO THE SECRETARY OF STATE

Potentially impacts: All federal agencies setting/working with foreign policy.

Commentary: This EO directs the Secretary of State to ensure that “the foreign policy of the United States shall champion core American interests and always put America and American citizens first.”

NAME: ESTABLISHING AND IMPLEMENTING THE PRESIDENT'S “DEPARTMENT OF GOVERNMENT EFFICIENCY”

Potentially impacts: All users of government-wide software, network infrastructure, and information technology.

Commentary: This EO renames an existing agency—the United States Digital Service—to the United States D.O.G.E. service and establishes a temporary organization (the “US DOGE Service Temporary Organization”) with an 18-month agenda. The purpose of the organization shall be “to commence a software

modernization initiative to improve the quality and efficiency of government-wide software, network infrastructure, and information technology.”

As described in this EO, the scope of the D.O.G.E. is much more limited than reporting has implied.

NAME: DEFENDING WOMEN FROM GENDER IDEOLOGY EXTREMISM AND RESTORING BIOLOGICAL TRUTH TO THE FEDERAL GOVERNMENT

Potentially impacts: All institutions

Commentary: This EO asserts that it is the policy of the United states to “recognize only two sexes, male and female,” and “they are not changeable.” The EO then cites numerous federal authorities where this policy will be advanced “within 30 days” (by February 19th).

There is content in this EO that, if used by an organization in New York to dismiss or discriminate against an employee, would be grounds for a discrimination lawsuit.

All organizations in New York should use extreme caution before relying on any rhetoric or declaration in this executive order, which is completely contrary to the New York State Human Rights Law and corresponding regulations and caselaw in the State of New York.

NAME: ENDING RADICAL AND WASTEFUL GOVERNMENT DEI PROGRAMS AND PREFERENCING

Potentially impacts: Federal offices, agencies, departments, and programs; federal grant and other funding recipients.

Commentary: This is a very broad EO with another “severability clause” (meaning if it is part of it is found to be illegal, other parts of it will remain in effect). The EO directs the cessation and systematic dismantling of all federal programs and offices to promote “environmental justice,” “equity,” and “diversity equity, inclusion, and accessibility.”

There will be litigation regarding this; institutions with potential impact should pay close attention.

NAME: REFORMING THE FEDERAL HIRING PROCESS AND RESTORING MERIT TO GOVERNMENT SERVICE

Potentially impacts: Federal offices, agencies, departments, and programs

Commentary: This directs the formation of a new “Federal Hiring Plan” coordinated with other changes to hiring, retention, and promotion of federal employees.

NAME: DESIGNATING CARTELS AND OTHER ORGANIZATIONS AS FOREIGN TERRORIST ORGANIZATIONS AND SPECIALLY DESIGNATED GLOBAL TERRORISTS

Potentially impacts: This EO does not directly affect ESLN members or served organizations.

NAME: RESTORING NAMES THAT HONOR AMERICAN GREATNESS

Potentially impacts: Archivists, academic librarians, librarians supporting geography teachers and cartographers

Commentary: This is the EO lauding former president William McKinley, restoring his name to a very tall mountain in Alaska located in Denali National Park and Preserve (which will retain that name), and renames the Gulf of Mexico of the Gulf of America (despite the fact that it was never called this in the past).

NAME: GUARANTEEING THE STATE’S PROTECTION AGAINST INVASION

Potentially impacts: Academic librarians, law librarians, law school librarians, law firm librarians, helping government lawyers, NGO lawyers, and others determine the meaning of “invasion” in Article IV, Section 4 of the U.S. Constitution.

Commentary: There will be litigation.

NAME: KEEPING AMERICANS SAFE IN AVIATION

Potentially impacts: Academic librarians, law librarians, law school librarians, and law firm librarians who may help others determine the constitutionality of the order in this memorandum.

Commentary: This memorandum directs the federal aviation administration to cease all diversity and inclusion efforts and to evaluate all hires conducted under such programs. There will be litigation.

NAME: ENDING ILLEGAL DISCRIMINATION AND RESTORING MERIT BASED OPPORTUNITY

Potentially impacts: Academic librarians, law librarians, law school librarians, and law firm librarians helping others determine the constitutionality of this EO and actions based on it.

Also: “state and local bar and medical associations, and institutions of higher education with endowments of over 1 billion.”

Commentary: This EO, among other things, requires the development of steps or measures to deter private DEI programs that “constitute illegal discrimination or preferences.”

As part of this plan, certain agencies shall identify up to “9 potential civil compliance investigations” of “publicly traded corporations, large not-for-profit corporations or associations, foundations with assets of \$500 million or more, state and local bar and medical associations and institutions of higher education with endowments of over \$1 billion.”

Institutions that fit within the described targeted entities may want to prepare for this enhanced scrutiny.

In the State of New York, such programs are often intended to ensure compliance with the New York State Human Rights Law and certain conditional funding (grants); discontinuance of specific programs should not be undertaken without deep and careful consideration, risk assessment, and advice of legal counsel.

NAME: FEDERAL RECOGNITION OF THE LUMBEE TRIBE OF NORTH CAROLINA

Potentially impacts: Law librarians, staff in NY's 5 chartered Indian Libraries (the Lumbee are in part descended from members of tribes located in New York).

Commentary: This was part of the array, so it is included in this list.

NAME: STRENGTHENING AMERICAN LEADERSHIP IN DIGITAL FINANCIAL TECHNOLOGY

Potentially impacts: Any institutions investing in cryptocurrency.

Commentary: This EO bans the US government from issuing a digital currency, revokes a Biden executive order regulating digital assets and associated guidance, directives, and policies, and creates a cryptocurrency working group.

NAME: DECLASSIFICATION OF RECORDS CONCERNING THE ASSASSINATIONS OF PRESIDENT JOHN F KENNEDY, SENATOR ROBERT F. KENNEDY, AND THE REVEREND DR. MARTIN LUTHER KING, JUNIOR

Potentially impacts: Libraries, archives, and museums maintaining collections pertaining to JFK, RFK, and MLK.

Commentary: This EO orders the federal government to produce a plan for the release of all records related to the assassinations of JFK, RFK, and MLK.

NAME: PRESIDENT'S COUNCIL OF ADVISORS ON SCIENCE AND TECHNOLOGY

Potentially impacts: Stakeholders as listed below.

Commentary: This EO establishes the eponymous President's Council of Advisors on Science and Technology, which is tasked with soliciting "information and ideas" from the "research community; the private sector; universities; national laboratories; State, local, and Tribal governments; foundations; and nonprofit organizations."

NAME: REMOVING BARRIERS TO AMERICAN LEADERSHIP AND ARTIFICIAL INTELLIGENCE
Potentially impacts: Institutions using AI technology.
Commentary: This EO requires the federal executive branch to identify and make changes that “sustain and enhance America’s global AI dominance in order to promote human flourishing, economic competitiveness, and national security.”

NAME: ENFORCING THE HYDE AMENDMENT
Potentially impacts: Hospital librarians may be asked about this.
Commentary: Rescinds two Biden EOs that protected access to reproductive healthcare services and orders the federal government to ensure that federal funds are not used for abortion care.

NAME: MEMORANDUM FOR THE SECRETARY OF STATE, THE SECRETARY OF DEFENSE, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES
Potentially impacts: Librarians serving NGOs that operate in foreign countries.
Commentary: This memorandum reinstates the “Mexico City Policy,” which prohibits the use of federal funding to organizations that provide abortion counseling or referrals or advocate for abortion access in foreign countries.

Executive Order 14084—Promoting the Arts, the Humanities, and Museum and Library Services

September 30, 2022

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. The arts, the humanities, and museum and library services are essential to the well-being, health, vitality, and democracy of our Nation. They are the soul of America, reflecting our multicultural and democratic experience. They further help us strive to be the more perfect Union to which generation after generation of Americans have aspired. They inspire us; provide livelihoods; sustain, anchor, and bring cohesion within diverse communities across our Nation; stimulate creativity and innovation; help us understand and communicate our values as a

people; compel us to wrestle with our history and enable us to imagine our future; invigorate and strengthen our democracy; and point the way toward progress.

It is the policy of my Administration to advance the cultural vitality of the United States by promoting the arts, the humanities, and museum and library services. To that end, my Administration will advance equity, accessibility, and opportunities for all Americans, particularly in underserved communities as defined in Executive Order 13985 of January 20, 2021 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), so that they may realize their full potential through the arts, the humanities, and access to museum and library services. Additionally, we will strengthen America's creative and cultural economy, including by enhancing and expanding opportunities for artists, humanities scholars, students, educators, and cultural heritage practitioners, as well as the museums, libraries, archives, historic sites, colleges and universities, and other institutions that support their work.

Under my Administration, the arts, the humanities, and museum and library services will be integrated into strategies, policies, and programs that advance the economic development, well-being, and resilience of all communities, especially those that have historically been underserved. The arts, the humanities, and museum and library services will be promoted and expanded to strengthen public, physical, and mental health; wellness; and healing, including within military and veteran communities. We will enhance access to high-quality arts and humanities education and programming with the aim of enabling every child in America to obtain the broad creative skills and enrichment vital to succeed. My Administration's efforts to tackle the climate crisis will be bolstered through Federal and societal support for and advancement of the arts, the humanities, and museum and library services. We will also safeguard and promote the artistic and cultural heritage of the United States and its people domestically and internationally. Finally, my Administration will strengthen our Nation's democracy, increase civic engagement and public service, bolster social cohesion, and advance the cause of equity and accessibility by lifting up more—and more diverse—voices and experiences through Federal support for the arts, the humanities, and museum and library services.

Sec. 2. The President's Committee on the Arts and the Humanities. (a) There is established within the Institute of Museum and Library Services (IMLS) the **President's Committee on the Arts and the Humanities (Committee)** to inform and support the national engagement with Americans necessary to advance the arts, the humanities, and museum and library services.

(b) The Committee shall be structured as follows:

(i) The Committee shall be composed of the Chairperson of the National Endowment for the Arts (NEA), the Chairperson of the National Endowment for the Humanities (NEH), the Director of the IMLS, and no more than 25 additional persons who are

not full-time officers or employees of the Federal Government (non-Federal members) who shall be appointed by the President. The non-Federal members:

(A) shall be selected from among private individuals and State, local, and Tribal officials;

(B) shall have a diversity of backgrounds, experiences, and areas of expertise; and

(C) shall have a demonstrated interest in and commitment to support for the arts, the humanities, and museum and library services.

(ii) The Librarian of Congress, the Secretary of the Smithsonian Institution, the Director of the National Gallery of Art, and the Chairman of the Board of Trustees of the John F. Kennedy Center for the Performing Arts shall be invited to serve as additional, non-voting members of the Committee.

(iii) The President shall designate a Chair or two Co-Chairs from among the non-Federal members of the Committee.

(c) The Committee shall be solely advisory and shall provide recommendations to the President and the heads of the NEA, NEH, and IMLS on:

(i) advancing the policy objectives set forth in section 1 of this order, including with respect to community well-being; economic development and mobility; public, physical, and mental health; education; resilience and adaptation, as well as combatting climate change; civic and democratic engagement; and support for the artistic and cultural heritage of the United States;

(ii) promoting philanthropic and private sector engagement with and support for the arts, the humanities, and museum and library services to advance the policy objectives set forth in section 1 of this order;

(iii) enhancing the effectiveness of Federal support for the arts, the humanities, and museum and library services to advance the policy objectives set forth in section 1 of this order; and

(iv) catalyzing the engagement of the Nation's artists, humanities scholars, cultural heritage practitioners, and leaders in the arts, the humanities, and museum and library services, including with respect to:

(A) engagement in significant cultural events; and

(B) promoting the recognition of excellence in the arts, the humanities, and museum and library services, and their relevance to our Nation's social and economic well-being.

(d) The Committee's recommendations pursuant to subsection (c) of this section shall be conveyed in accordance with subsection (g) of this section.

(e) The Committee shall be administered as follows:

(i) The IMLS shall provide funding and administrative support for the Committee, including facilities, staff, equipment, and other support services, to the extent permitted by law and subject to the availability of appropriations. Private funds accepted under the IMLS's gift authority may be used to pay expenses of the Committee, as appropriate and consistent with applicable law.

(ii) The Director of the IMLS may designate an Executive Director to coordinate the work of the Committee. The Executive Director shall report to the Director of the IMLS and shall meet with all of the heads of the NEA, NEH, and IMLS on a quarterly basis.

(iii) Members of the Committee shall serve without compensation for their work on the Committee, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

(f) The Committee shall meet twice a year.

(g) On an annual basis, and at other times as appropriate, the Chair or Co-Chairs of the Committee shall report to the President through the heads of the NEA, NEH, and IMLS on the Committee's progress in carrying out its mission, any recommendations it has, and its plans for the coming year.

(h) Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.), may apply to the Committee, any functions of the President under that Act, except that of reporting to the Congress, shall be performed by the Director of the IMLS, in consultation with the heads of the NEA and NEH, and in accordance with guidelines issued by the Administrator of General Services.

(i) The Committee shall terminate 2 years from the date of this order, unless extended by the President.

Sec. 3. Interagency Cooperation to Advance the Arts and Humanities. (a) The heads of executive departments and agencies and White House policy councils, including those listed below, or their designees, who must be senior officials, shall advise, coordinate with, and consider undertaking joint projects and initiatives with the heads of the NEA, NEH, and IMLS, as appropriate and consistent with applicable law, to advance the policy objectives set forth in section 1 of this order:

- (i) the Department of State;
- (ii) the Department of the Treasury;
- (iii) the Department of Defense;
- (iv) the Department of Justice;
- (v) the Department of the Interior;
- (vi) the Department of Agriculture;

- (vii) the Department of Commerce;
- (viii) the Department of Labor;
- (ix) the Department of Health and Human Services;
- (x) the Department of Housing and Urban Development;
- (xi) the Department of Transportation;
- (xii) the Department of Energy;
- (xiii) the Department of Education;
- (xiv) the Department of Veterans Affairs;
- (xv) the Office of Management and Budget;
- (xvi) the Small Business Administration;
- (xvii) the General Services Administration;
- (xviii) the Corporation for National and Community Service;
- (xix) the National Institutes of Health;
- (xx) the National Science Foundation;
- (xxi) the Domestic Policy Council;
- (xxii) the National Economic Council;
- (xxiii) the Gender Policy Council;
- (xxiv) the White House Climate Policy Office; and
- (xxv) the Office of Science and Technology Policy.

(b) The heads of agencies described in section 3502(5) of title 44, United States Code, are encouraged to comply with the provisions of this section.

(c) The heads of the NEA, NEH, and IMLS shall consider joint initiatives that would further the policy objectives set forth in section 1 of this order, and then may carry out those initiatives to the extent permitted by law.

Sec. 4. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to read "J. R. Biden Jr.", written in a cursive style.

JOSEPH R. BIDEN JR.

The White House,

September 30, 2022.