



## **Explaining Diversity, Equity, Inclusion and Accessibility (DEIA), The Trump Administration’s Recent Actions on DEIA, and the Impact on Disabled Americans**

Since taking office, President Trump has taken several actions attacking diversity, equity, inclusion, and accessibility (often called “DEIA” or “DEI”) in the federal government. This resource provides an overview of what DEIA is, why DEIA efforts are essential for disabled Americans, and how diversity, equity, inclusion, and accessibility efforts have been affected by these recent Presidential actions, including Executive Orders and guidance related to them.

### **What is an Executive Order?**

An Executive Order (EO) is a written order from the President of the United States regarding the policy and management of the government. The current President can amend or undo the Executive Orders of previous presidents. It is typical that when a new president takes office, they issue many Executive Orders to begin enacting their agenda. Executive Orders are each assigned a number and typically describe broad policy goals and values, then direct federal departments to take specific actions to implement those policies and values.

**Executive Orders do not overrule or supersede laws enacted by Congress with which the EO conflicts.** This means that an Executive Order cannot erase existing laws, force government agencies to take illegal action or go against current regulations and statutes. Executive Orders can be challenged by lawsuits.

### **What Exactly Is DEIA?**

“DEIA” stands for Diversity, Equity, Inclusion, and Accessibility. Sometimes, it is called “DEI” for Diversity, Equity, and Inclusion. AAPD believes that accessibility is an essential part of diversity, equity, and inclusion, so we will use the term “DEIA” in this resource. These initiatives come from the belief that workplaces, programs, and institutions should be places where everyone is respected and have equal opportunities regardless of race, sexual orientation, gender identity, disability, or religious beliefs.

Many communities in the United States have been subject to policies, practices, and societal attitudes that discriminate against, exclude, or otherwise harm them. These communities include the disability community, people who are Black, Indigenous, or People of Color (BIPOC), LGBTQIA+ people, and women. Sometimes, people who

belong to these groups are called “marginalized,” “historically underserved,” or “historically excluded.”

DEIA initiatives were created to make up for – you may also hear the words “remedy,” “compensate for,” or “offset” – some of the harm that has come to people from marginalized groups. Programs to promote inclusion and equity help ensure that all people can have an equal shot at the American Dream.

### **What Do DEIA Initiatives Actually Do?**

Some DEIA initiatives are focused on employees and workplaces. These programs may focus on the needs of all employees, such as pay equity initiatives or policies to improve fairness in hiring practices. Other workplace DEIA efforts focus on specific groups, such as initiatives to facilitate meaningful accessibility and provide accommodations for disabled employees.

This is to offset structural disadvantages these groups otherwise face without such programs. Inclusive hiring programs expand the pool of individuals considered for a role. Efforts to be inclusive in hiring processes do not change the skills and expectations employers have of a candidate. All candidates hired through inclusive hiring initiatives still meet or exceed the skills and qualifications for the position.

Other research, initiatives, and programs that make the world more equitable and inclusive are more external-facing and do not focus on workplace environments. These programs often address ways that the needs and experiences of marginalized groups have been historically ignored or underserved. Many marginalized people have not been represented in scientific research, are ignored in safety planning, are insufficiently included and recognized in history, or are not recognized for their talents. To remedy this, private corporations, philanthropies, universities, and the federal government have all created DEIA programs that make an impact outside of their workplace environment. **These programs are not discriminatory. They are important tools for creating environments where everyone has a chance to succeed.**

### **Isn't DEIA A Pretty New Concept?**

No! While it may have been called different things, **DEIA has been around longer than most Americans alive today, dating back to 1918.**

Diversity, equity, inclusion, and accessibility efforts have been in effect for decades, especially in the federal government. Many DEIA efforts by the government were created because previous Presidents and other leaders understood the government



plays a vital role in people's lives, and believed the government employees and programs should be reflective of the entire American society. The federal government is one of, if not the largest employer, in many American communities. Multiple Republican and Democratic Presidents have taken executive actions to ban various forms of discrimination in the government and promote equal employment opportunities.

The disability community most often talks about federal hiring programs for people with disabilities in the context of The Rehabilitation Act of 1973, which was signed into law by President Nixon. The Rehabilitation Act requires that programs and services of the federal government be accessible to all Americans with disabilities and that the federal government and its contractors take affirmative action to hire people with disabilities.

Federal inclusive hiring and employment opportunity programs date back to the Soldier's Rehabilitation Act of 1918, the first federal vocational rehabilitation program, which helped veterans with disabilities find new jobs. The Smith-Fess Act of 1920 extended vocational rehabilitation services to civilians with disabilities. In 1936, the Randolph Shepard Act gave blind vendors preference for federal contracts.

### **What Actions Has President Trump Taken on Diversity, Equity, Inclusion, and Accessibility?**

President Trump has released many Executive Orders in the past few weeks. This is an overview of some of the impacts but is not a comprehensive overview of all recent EOs. Some of the key things President Trump's recent EOs and follow-up memoranda do include:

- Instruct federal agencies to terminate all programs, offices, and staff positions designed to promote diversity, equity, inclusion, and equal opportunity.
- End all government contracts and grants relating to equity and inclusion.
- Overturn Executive Orders from Presidents Biden, Obama, Clinton and Johnson which sought to make the work of the federal government more inclusive and equitable.
- Overturn Executive Order 11246, which was issued by President Johnson in 1965 and required each federal agency to have an equal employment opportunity program. It also barred discrimination by federal contractors and required contractors of a certain size to take affirmative action based on race, color, national origin, religion, sex, sexual orientation, and gender identity.
- Require federal agencies to have all of their grantees and contractors affirm they "do not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws."



- Direct federal agencies to “investigate” private businesses, philanthropies and other entities engaging in DEIA efforts; a clear effort to chill equity work outside the government.
- Direct the Federal Aviation Administration (FAA) to investigate all employees in critical safety positions in an EO that strongly suggests that the presence of disability results in an inability to carry out an FAA job. This suggestion, the suggestion that people with disabilities cannot be “high-capacity” workers, and many of the other statements in this EO about disability are demonstrably false.
- Caused agencies to create lists of banned words. These lists include the words “disability,” “inclusion,” and “barriers.” It also includes “female,” “LGBT,” “activism,” “racism,” “excluded,” and “hate speech.” Programs or grants that use these words are being flagged for review and further action, which may include ending these activities.
- Shut down research related to inclusion and equity, not only within the government at the National Institutes of Health, Centers for Disease Control and Prevention, and other federal agencies, but also issuing “stop work” orders to the nongovernmental National Academies of Science, Engineering, and Medicine.
- Remove webpages, data, and federal resources related to inclusion and equity. For example, the Office of Disability Employment Policy removed recently published resources on artificial intelligence and inclusive hiring and resources related to the economic outcomes of disabled people of color. Most web pages containing information about marginalized groups or inclusion efforts have been taken down.

### **Does This Mean that DEI Is Illegal Now?**

The Executive Orders make clear that President Trump considers DEI illegal and immoral. President Trump’s new order instead claims that promoting diversity, equity, and inclusion “violates civil rights laws” and requires agencies to “prevent the hiring of individuals based on their race, sex, or religion.”

To be clear, saying that any effort to promote diversity, equity, and inclusion “violates civil rights laws” is the President’s political belief. **However, equal opportunity and remedying discrimination are enshrined in federal civil rights laws and the U.S. Constitution. These Executive Orders do not change that.**

### **How Does This Impact Disability Civil Rights, Like the ADA and Rehabilitation Act?**

The Office of Personnel Management (OPM) – which serves as a sort of Human Resources agency for the federal government – recently stated that agencies should



comply with federal law regarding accessibility but retain the “minimum” staff necessary to provide accessibility services. OPM also reminded agencies that they “should not terminate or prohibit accessibility or disability-related accommodations, assistance, or other programs that are required by” the Americans with Disabilities Act and the Rehabilitation Act or related laws.”

Sadly, the words of these OPM memos and the actions of many federal agencies do not align. Many agencies are shifting accommodation practices that will delay receipt of accommodations and result in a denial of access. AAPD has learned that at least some agencies are reviewing all employees’ reasonable accommodations. A review of all reasonable accommodations and disabled employees carries great risks of discrimination.

AAPD has received reports that in some agencies, staff members who facilitate access are being laid off. Many federal employees who work in roles targeted by these anti-inclusion executive orders also hold secondary roles as Disability Program Managers and Special Placement Program Coordinators, both of whom help recruit, manage, accommodate, and retain people with disabilities in federal jobs.

### **What About Federal Disability Hiring Programs? How Are They Affected?**

The Rehabilitation Act of 1973 required the federal government to hire qualified disabled employees. This resulted in what is called the “Schedule A Hiring Authority.” The Schedule A Hiring Authority streamlines the traditional federal hiring process for qualified candidates with disabilities. Employees hired under Schedule A must still meet all job qualifications, and the necessary skills and experience required for the role are not adjusted for Schedule A employees.

Because the Rehabilitation Act of 1973 is still the law and cannot be undone by an EO, orders to cease inclusive hiring practices should not pause or end Schedule A hiring. However, OPM released a memo stating that federal agencies must stop taking employment actions based on certain characteristics, including disability. The memo strongly implies that OPM is directing agencies to cease programs that promote the hiring of people with disabilities, which are still required by the Rehabilitation Act.

There are other ways Schedule A employees are being negatively impacted by these efforts. Disabled employees hired under the Schedule A Hiring Authority have a probationary period that is twice as long as employees hired through a standard process. Efforts to execute a reduction in force focused on employees still in their probationary period will disproportionately impact people with disabilities. Agencies have stated that they will have to review all existing accommodations. AAPD is



concerned that these reviews may negatively impact Schedule A employees and that systemic reviews of all existing accommodations is likely to facilitate discrimination.

### **Overall, How Will These Actions Affect Disabled People?**

This will most significantly affect disabled people, especially disabled people of color and disabled LGBT people, who work for the federal government or federal contractors or work in federally funded initiatives that focus on equity. This is important because the federal government is the largest employer of people with disabilities. If disabled people are subject to mass layoffs of government employees, then we will lose significant progress on disability employment overall.

The federal government also plays an important role in establishing standards for accessibility, providing technical assistance, and funding research to advance accessibility and enhance disabled people's lives. States, cities, large companies, and many other entities rely on federal resources to inform their decisions related to disability inclusion and accessibility. However, all of this could stop depending on how these EOs and follow-up memoranda are interpreted.

The federal government is also one of the largest funders of disability organizations, research, and programming. While agencies review contracts and grants, disability community organizations and organizations serving people with disabilities have been forced to reduce hours, cut services, and lay off staff. [President Trump's sudden federal funding freeze](#) also negatively impacted disability organizations.

These actions have already negatively impacted the accessibility of federal information and services for employees with disabilities. While federal law provides protections for employees with disabilities and requires federal programs to be accessible, accessibility has already been negatively impacted by creating a chilling effect on efforts to hire qualified individuals with disabilities to work as federal employees.

Some of the impacts of this chilling effect include:

- Section 508 contracts have been terminated. Section 508 of the Rehabilitation Act establishes standards for accessibility of electronic content and information to ensure disabled people – such as those who are blind and low vision – can access government websites and information
- Workers who have worked remotely have been given orders to return to in-person work



- Some agencies have included their accessibility programs in the dismantling of DEIA offices and staff, as required by the White House.
  - For example, Deaf federal employees report being unable to access ASL interpreting services, and the White House has not provided ASL interpretation of its broadcasts despite the legal requirement to do so.
- Lists of probationary employees in their first 1-2 years of work have been gathered, which will include disabled people hired through Schedule A and standard hiring processes.

### **What is AAPD Doing About This?**

AAPD is deeply concerned by the dismantling of accessibility services, blaming employees with disabilities for tragedies, the dismantling of equal employment opportunity offices designed to combat discrimination, and the potential undoing of disability hiring programs required by law. We are also concerned that a review of all FAA employees and accommodations used by federal employees will result in discrimination against disabled employees.

Some of the Trump Administration's actions may be illegal. Many lawsuits are ongoing, and many more may be filed. AAPD is working closely with allies and partner organizations to speak out and support lawsuits against these actions. We've also provided ways to take action below.

### **What Can I Do?**

- Reach out to your members of Congress, especially if you have been personally impacted, and let them know you are their constituent and want them to tell the White House that the attacks on diversity, equity, inclusion and accessibility must stop.
  - [Use AAPD's Quorum campaign](#) to send a letter like this in just one click!
- Democracy Forward has filed a class-wide complaint with the Office of Special Counsel challenging the mass firing of federal employees who were still in probationary periods. If you are in this situation and want to join the complaint, reach out to [info@civilservicestrong.org](mailto:info@civilservicestrong.org).
- Stay informed - through AAPD and other channels - about what is happening on this front and what to do.
  - [Sign up for AAPD's Action Alerts by signing up for our email list](#)
- Raise awareness and share your stories, experiences, and perspectives
  - Attend town halls with your elected officials and tell them that you want



- them to take action against these attacks
- Go live on social media and/or record and share a short video clip across your platforms to explain what is happening and how it will affect the people you represent
  - Share stories with local media to show the impacts of the EOs in your community
- If you are a disabled federal worker and not currently in a union, we recommend joining one.
    - The National Federation of Federal Employees (NFFE-IAM) has a landing page with guidance for federal employees: <https://nffe.org/guidance/>
  - Tips for safely organizing and digital safety and security
    - Limit personal posts that contain identifiable information (email address, phone number, home address, etc).
    - Switch to applications that are end-to-end encrypted, so only you and the person you're communicating with receive the messages or calls. There are even encrypted notes app, like Standard Notes.
      - Standard Notes: <https://standardnotes.com/>
      - Signal (for messaging): <https://signal.org/>
    - Access Now, an organization that defends and extends the digital rights of people and communities at risk, has a 24/7 Digital Security Hotline that can offer direct technical assistance and advice to civil society groups and activists, media organizations, journalists and bloggers, and human rights defenders. Access Now helps people and communities at risk to improve digital security practices, and provide rapid-response emergency assistance in nine languages. Visit their website to see if your issue qualifies as something they can help with:  
[www.accessnow.org/help/#how-we-help](http://www.accessnow.org/help/#how-we-help)

