

< BACK

COOKIES NOTIFICATION

This site uses cookies. By continuing to browse the site you are agreeing to our use of cookies.

[Find out more.](#)

Accept

HEALTH AFFAIRS FOREFRONT | HEALTH POLICY AT A CROSSROADS

RELATED TOPICS:

[ABORTION](#) | [ACCESS TO CARE](#) | [REPRODUCTIVE HEALTH](#) | [FAMILY PLANNING](#) | [GLOBAL HEALTH](#)

# Trump Reinstates Mexico City Policy, Prioritizes Hyde Amendment Enforcement

[Katie Keith](#)

**JANUARY 26, 2025** DOI: 10.1377/forefront.20250126.458363

[< BACK](#)

On January 24, 2025, President Trump issued two new directives on reproductive health care, the first of his second term. First, he [reinstated](https://www.whitehouse.gov/presidential-actions/2025/01/memorandum-for-the-secretary-of-state-the-secretary-of-defense-the-secretary-of-health-and-human-services-the-administrator-of-the-united-states-for-international-development/) an expanded version of the so-called “Mexico City policy,” which prevents organizations that receive federal global health funding from providing access to abortion-related information and care. Second, he issued a [short executive order](https://www.whitehouse.gov/presidential-actions/2025/01/enforcing-the-hyde-amendment/) reaffirming the Hyde Amendment and other restrictions on the use of federal funding for abortion. The same order revoked two of President Biden’s executive orders on reproductive health care that were issued in [July 2022](https://www.federalregister.gov/documents/2022/07/13/2022-15138/protecting-access-to-reproductive-healthcare-services) and [August 2022](https://www.federalregister.gov/documents/2022/08/11/2022-17420/securing-access-to-reproductive-and-other-healthcare-services) in the wake of the Supreme Court’s decision to overturn *Roe v. Wade*. The executive order could have significant implications, once implemented by federal agencies.

Both directives were posted without fanfare on Friday evening, presumably to coincide with President Trump and Vice President Vance’s appearances at this year’s annual March for Life rally in Washington, DC. However, neither of their March for Life [remarks](#)

[< BACK](#)

~~at March for Life~~ mentioned these new policies, and the White House had not issued a fact sheet or otherwise highlighted these changes as of the morning of January 25 (though a [fact sheet <https://www.whitehouse.gov/fact-sheets/2025/01/fact-sheet-president-donald-j-trump-enforces-overwhelmingly-popular-demand-to-stop-taxpayer-funding-of-abortion/>](https://www.whitehouse.gov/fact-sheets/2025/01/fact-sheet-president-donald-j-trump-enforces-overwhelmingly-popular-demand-to-stop-taxpayer-funding-of-abortion/) was issued as of July 26). Both Senate Majority Leader John Thune and House Speaker Mike Johnson also [spoke <https://rollcall.com/2025/01/24/republicans-unify-messaging-at-annual-march-for-life/>](https://rollcall.com/2025/01/24/republicans-unify-messaging-at-annual-march-for-life/) at the event, and other senior White House officials—including President Trump’s Domestic Policy Advisor—were reportedly in attendance.

The two directives come on the heels of President Trump’s [pardons <https://www.nytimes.com/2025/01/23/us/politics/trump-pardon-abortion-clinic-activists.html>](https://www.nytimes.com/2025/01/23/us/politics/trump-pardon-abortion-clinic-activists.html) for 23 individuals, including those who were prosecuted for violating the Freedom of Access to Clinic Entrances (FACE) Act, and [reports <https://www.cbsnews.com/news/trump-face-act-abortion-related-actions-justice-department/>](https://www.cbsnews.com/news/trump-face-act-abortion-related-actions-justice-department/) that the Department of Justice will deprioritize FACE Act prosecutions going forward. The FACE Act is a [federal law <https://www.justice.gov/crt/protecting-patients-and-health-care-providers>](https://www.justice.gov/crt/protecting-patients-and-health-care-providers) that was enacted in 1994 in response to increased violence towards abortion providers and patients and that prohibits interference with access to reproductive health service (including, but not limited to, abortion services). Enforcement of the FACE Act was a [stated priority <https://www.justice.gov/reproductive-rights/what-we-are-doing>](https://www.justice.gov/reproductive-rights/what-we-are-doing) for the Department of Justice under the Biden administration, which [prosecuted <https://www.justice.gov/crt/recent-cases-violence-against-reproductive-health-care-providers>](https://www.justice.gov/crt/recent-cases-violence-against-reproductive-health-care-providers) violence and threats against both abortion facilities and crisis pregnancy centers under the FACE Act.

## Reinstating The Mexico City Policy

In a long-expected move, President Trump issued a [new memorandum <https://www.whitehouse.gov/presidential-actions/2025/01/memorandum-for-the-secretary-of-state-the-secretary-of-defense-the-secretary-of-health-and-human-services-the-administrator-of-the-united-states-for-international-development/>](https://www.whitehouse.gov/presidential-actions/2025/01/memorandum-for-the-secretary-of-state-the-secretary-of-defense-the-secretary-of-health-and-human-services-the-administrator-of-the-united-states-for-international-development/) to reinstate the Mexico City policy. Specifically, President Trump directed the Secretaries of State, Defense, Health and Human Services as well as the Administrator of the U.S. Agency for International Development to comply with his [2017 memorandum <https://www.federalregister.gov/documents/2017/01/25/2017-01843/the-mexico-city-policy>](https://www.federalregister.gov/documents/2017/01/25/2017-01843/the-mexico-city-policy) which, in turn, had reinstated and expanded a [memorandum](#)

[< BACK](#)

issued by President Bush in 2001.

The [Mexico City policy](https://www.kff.org/global-health-policy/issue-brief/the-mexico-city-policy-an-explainer/) —also known as the “global gag rule”—was first announced in 1984 and has generally been revoked by Democratic administrations and reinstated by Republican administrations ever since. Historically, the policy prohibited foreign non-governmental organizations that receive federal funds for global family planning programs from providing information, referrals, or services for abortion care as a method of family planning. Organizations that fall under the Mexico City policy are not able to offer or perform these services, even when funded by other (non-U.S.) funding sources. [Documented impacts](https://www.kff.org/global-health-policy/issue-brief/the-mexico-city-policy-an-explainer/) of the Mexico City policy range from higher rates of pregnancy and decreased contraceptive use, to disrupted services, to confusion and higher administrative burdens funding recipients.

In 2017, President Trump [expanded](https://www.federalregister.gov/documents/2017/01/25/2017-01843/the-mexico-city-policy) the scope of the Mexico City policy to apply, for the first time, to most global health assistance funded by the United States—not just global family planning programs. KFF [estimated](https://www.kff.org/global-health-policy/issue-brief/the-mexico-city-policy-an-explainer/) that the expanded policy applied to up to \$7.3 billion in FY 2020 global health assistance through programs to support PEPFAR, nutrition, and maternal and child health, among others. The 2025 memorandum [does not appear](https://www.kff.org/global-health-policy/issue-brief/what-the-election-could-mean-for-the-mexico-city-policy-and-u-s-foreign-aid/) to further expand the scope of the Mexico City policy (to apply to, for instance, all types of foreign assistance), as had been recommended in Project 2025.

President Trump’s 2025 memorandum also formally revoked President Biden’s memorandum from 2021. In addition to revoking the Trump-era Mexico City policy, President Biden’s memorandum had directed the Secretary of Health and Human Services to review regulatory changes to the Title X Family Planning Program adopted by the Trump administration in 2019. These Trump-era changes—referred to as the “domestic gag rule”—led [more than 1,000 service sites](https://opa.hhs.gov/research-evaluation/title-x-services-research/family-planning-annual-report-fpar) to leave the Title X program. This loss of sites, combined with the COVID-19 pandemic, led to a significant decline in the number of people served through the Title X program. The Biden administration issued rules to reverse the Trump-era policy changes in 2021; by

[< BACK](#)

[evaluation/tit x services research/family\\_planning\\_annual\\_report.html](#) relative to 2020.

In contrast to President Biden’s memorandum, President Trump’s directive was limited to the Mexico City policy and did not address Title X. Even so, the Trump administration is widely expected to pursue changes to the Title X program.

## Enforcing The Hyde Amendment

President Trump’s [first executive order on reproductive health care](#) <https://www.whitehouse.gov/presidential-actions/2025/01/enforcing-the-hyde-amendment/> reaffirmed long-standing federal requirements on limits on the use of federal funds for abortion. But agency actions to implement this directive could be significant. In addition to revoking the two Biden-era executive orders noted above, President Trump set out his policy of “end[ing] the forced use of federal taxpayer dollars to fund or promote elective abortion” and directed the Office of Management and Budget to issue guidance to agencies to implement the executive order—both to comply with the President’s new policy *and* the revocation of the Biden-era executive orders.

President Trump expressly cited the [Hyde Amendment](#) <https://www.kff.org/womens-health-policy/issue-brief/the-hyde-amendment-and-coverage-for-abortion-services-under-medicaid-in-the-post-roe-era/>, a rider that has been included in annual appropriations legislation since the 1970s that prohibits the use of federal funds for abortion services by the Departments of Health and Human Services, Labor, and Education unless the pregnancy is a result of rape or incest, or would endanger a woman’s life. But—despite its title—the executive order is not limited to the Hyde Amendment. President Trump included a reference to “similar laws,” which presumably includes [other Hyde-like appropriations riders and statutes](#) that similarly limit the use of federal funds for abortion services by other federal agencies such as the Departments of Defense, Justice, and State.

In response, federal agencies could revoke Biden-era policy changes and reinstate or expand upon prior Trump administration policies. For instance, this executive order could put more of a target on Biden-era guidance and regulations that authorized travel for reproductive health-related needs for servicemembers and their families and clarified allowable abortion services through the Department of Veterans Affairs and the Indian Health Service. The Department of Justice also published a series of legal opinions that concluded that the Hyde Amendment and related restrictions do not prohibit federal funds from being used to fund travel for lawful reproductive health care under certain



Department's website and have not been resubmitted or revisited.

To the extent that agencies respond to this executive order by revoking other reproductive health care policies related to implementation of the Biden-era executive orders, this executive order could affect other major policies related to access to reproductive health care. The Biden administration took action to, for instance, defend medication abortion, emergency medical care, and reproductive health privacy as well as expand access to contraception and in vitro fertilization, among other policy changes.

Beyond making changes to Biden-era policies, federal agencies might reimpose or expand policies that were adopted under President Trump's first term. Examples could include the so-called "[double billing](#)" rule for qualified health plans under the Affordable Care Act and [increased enforcement](#) regarding abortion coverage. Project 2025 recommended that the Department of Health and Human Services conduct a full audit of compliance with the Hyde Amendment and related restrictions, including for Medicaid managed care plans.

These and similar changes would, if and when adopted, make it even more challenging for women and their families to access reproductive health care, especially in the more than 20 states with abortion bans.

### Article Metrics



<[https://www.altmetric.com/details.php?domain=www.healthaffairs.org&citation\\_id=173569621](https://www.altmetric.com/details.php?domain=www.healthaffairs.org&citation_id=173569621)>

#### Related

#### CONTENT ^

[Women's Health](#)

#### TOPICS ^

[Abortion](#)

[Access To Care](#)

< **BACK**

Family Planning

Global Health

### Cite As

"Trump Reinstates Mexico City Policy, Prioritizes Hyde Amendment Enforcement",  
Health Affairs Forefront, January 26, 2025 .

DOI: [10.1377/forefront.20250126.458363](https://doi.org/10.1377/forefront.20250126.458363)