

Trump's Already Gone Back on His Promise To Leave Abortion to States

The Trump administration went further to restrict abortion than any president since the original Roe decision in 1973.

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Abortion foes worried before his election that President Donald Trump had moved on, now that Roe v. Wade is overturned and abortion policy, as he said on the campaign trail, “has been returned to the states.”

Their concerns mounted after Trump named Robert F. Kennedy Jr., a longtime supporter of abortion rights, to lead the Department of Health and Human Services — and then as he signed a slew of Day 1 executive orders that said nothing about abortion.

As it turns out, they had nothing to worry about. In its first two weeks, the Trump administration went further to restrict abortion than any president since the original Roe decision in 1973.

Hours after Trump and Vice President JD Vance spoke to abortion opponents gathered in Washington for the annual March for Life, the president issued a memorandum reinstating what’s known as the Mexico City Policy, which bars funding to international aid organizations that “perform or actively promote” abortion — an action taken by every modern Republican president.

But Trump also did something new, signing an [executive order](#) ending “the forced use of Federal taxpayer dollars to fund or promote elective abortion” in domestic programs — effectively ordering government agencies to halt funding to programs that can be construed to “promote” abortion, such as family planning counseling.

Dorothy Fink, the acting secretary of Health and Human Services, followed up with a memo early last week ordering the department to “reevaluate all programs, regulations, and guidance to ensure Federal taxpayer dollars are not being used to pay for or promote elective abortion, consistent with the Hyde Amendment.”

The emphasis on the word “promote” is mine, because that’s not what the Hyde Amendment says. It is true that the amendment — which has been included in [every HHS spending bill](#) since the 1970s — prohibits the use of federal dollars to pay for abortions except in cases of rape or incest or to save the mother’s life.

But it bars only payment. As the [current HHS appropriation](#) says, none of the funding “shall be expended for health benefits coverage that includes coverage of abortion.”

In fact, for decades, the Hyde Amendment existed side by side with a requirement in the federal family planning program, Title X, that patients with unintended pregnancies be given “[nondirective](#)” [counseling](#) about all their options, including abortion. Former President Joe Biden reinstated that requirement in 2021 after Trump eliminated it during his first term.

So, what is the upshot of Trump’s order?

For one thing, it directly overturned two of Biden’s executive orders. One was intended to strengthen medical privacy protections for people seeking abortion care and enforce a 1994 law criminalizing harassment of people attempting to enter clinics that provide abortions. The other sought to ensure women with pregnancy complications have access to emergency abortions in hospitals that accept Medicare even in states with abortion bans. The latter policy is [making its way](#) through federal court.

Trump’s order is also leading government agencies to reverse other key Biden administration policies implemented after the fall of *Roe v. Wade*. They include a 2022 Department of Defense policy explicitly allowing service members and their dependents to travel out of states with abortion bans to access the procedure and providing travel allowances for those trips. (The Pentagon officially followed through on that change on Jan. 30, just a few days after Defense Secretary Pete Hegseth took over the job: Service members are no longer allowed leave or travel allowances for such trips.) The order is also likely to reverse a policy allowing the Department of Veterans Affairs to provide abortions in some cases, as well as to provide abortion counseling.

But it could also have more wide-ranging effects.

“This executive order could affect other major policies related to access to reproductive health care,” former Biden administration official Katie Keith wrote in the [policy journal Health Affairs](#). These include protections for medication abortion, emergency medical care for women experiencing pregnancy complications, and even in vitro fertilization.

“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,” she wrote.

Anti-abortion groups praised the new administration — not just for the executive orders, but also for [pardoning activists](#) convicted of violating a law that protects physical access to abortion clinics.

“One after another, President Trump’s great pro-life victories are being restored and this is just the beginning,” Marjorie Dannenfelser, president of Susan B. Anthony Pro-Life America, said [in a statement](#).

Abortion rights groups, meanwhile, were not surprised by the actions or even their timing, said

Clare Coleman, president and CEO of the National Family Planning & Reproductive Health Association. The association represents grantees of Title X, which has been a longtime target of abortion opponents.

“We said we didn’t think it would be a Day 1 thing,” Coleman said in an interview. “But we said they were coming for us, and they are.”

HealthBent, a regular feature of KFF Health News, offers insight into and analysis of policies and politics from KFF Health News chief Washington correspondent Julie Rovner, who has covered health care for more than 30 years.

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