



# State Legal Challenges

Brief Overview of State Legal Challenges to Trump Administration Actions as of April 25, 2025

## I. Tariffs

Two state-initiated lawsuits have been filed challenging President Trump's imposition of tariffs through the International Emergency Economic Powers Act (IEEPA), which gives the president the authority to regulate international commerce in response to unusual and extraordinary threats:

1. [Lawsuit](#) filed by CA on 4/16/25 in district court.
2. [Lawsuit](#) filed by 12 additional states on 4/23/25 in the U.S. Court of International Trade.

### States' Arguments

The states in both cases allege that the tariffs violate Separation of Powers (arguing the Constitution grants Congress, not the President, the authority to impose tariffs under Art. I, Sec. 8), the IEEPA (arguing the IEEPA does not authorize tariffs, nor do the tariffs address an "unusual and extraordinary threat" as the IEEPA requires), and the Administrative Procedures Act (arguing the tariffs are "arbitrary and capricious").

## II. Birthright Citizenship

Two state-initiated lawsuits have been filed challenging President Trump's Executive Order issued on 1/20/25, which ends birthright citizenship for children of undocumented immigrants and others:

1. [Lawsuit](#) filed by 22 states, DC, and city of San Francisco on 1/21/25 in district court.
2. [Lawsuit](#) filed by four additional states on 1/21/25 in district court.

### States' Argument

The states in both cases allege that the plain text of the 14<sup>th</sup> Amendment, as confirmed in *U.S. v. Wong Kim Ark* (1898), explicitly grants birthright citizenship for all people born in the United States.

### Litigation Update

The district courts temporarily blocked President Trump's Executive Order ending birthright citizenship while litigation proceeds on grounds that it likely violates the 14<sup>th</sup> Amendment. The government appealed the district courts' decision to the Supreme Court, which has agreed to take the issue and will hear oral arguments on 5/15/25.



### III. Elections

A coalition of 19 states filed a [lawsuit](#) in district court on 4/3/25 challenging the following provisions from President Trump's Executive Order issued on 3/25/25 in relation to elections:

- Requirement for documentary proof of U.S. citizenship on voter registration forms.
- Directive for DHHS and DOGE to review each state's voter registration lists.
- Directive for DOJ to take action against states that count absentee or mail-in ballots received after Election Day.
- Conditioning of various federal funding on compliance with the EO.

#### **States' Argument**

The states allege that the EO provisions at issue are ultra vires ("*beyond the powers*") and violate both the Separation of Powers and State Sovereignty (arguing that the EO intrudes on the states' inherent sovereignty and authority to regulate the time, place, and manner of federal elections under Article I, Sec. 4 and Article II, Sec. 1 of the U.S. Constitution).

### IV. Gender-Affirming Care

A coalition of three states (with a fourth joining later) and individual physicians filed a [lawsuit](#) against the Trump Administration on 2/7/25 challenging President Trump's Executive Order issued on 1/28/25, which restricts gender-affirming care for individuals under 19 and ended government-provided insurance coverage for gender-affirming care.

#### **States' Argument**

The states allege that President Trump's Executive Order regarding gender-affirming care violates Fifth Amendment equal protection (by creating classifications and facially discriminating on the basis of transgender status and sex without sufficient government interest), Separation of Powers (by imposing conditions on the receipt of funding by the plaintiff states' medical institutions without Congressional authorization), and the Tenth Amendment/State Sovereignty (by regulating and threatening criminal prosecution against certain consensual medical practices, thus unlawfully intruding on the states' traditional police powers over local public health).

#### **Litigation Update**

The district court granted the states' request for a temporary restraining order against implementation of the Executive Order but has permitted the Attorney General to prosecute medical professionals who perform gender-affirming procedures, as "female genital mutilation."



## V. Federal Funding

Several state-initiated lawsuits have been filed in relation to executive actions impacting federal funding:

### A. Teacher/Educator Grants

A coalition of eight states filed a [lawsuit](#) in district court on 3/6/25 challenging the Department of Education’s (“DOE”) decision to terminate approximately \$250 million in federal grants for teachers/educators.

#### States’ Argument

The states allege that the DOE’s actions violate the Administrative Procedure Act as “arbitrary and capricious” and an agency action not in accordance with law (in this case the DOE’s own administrative procedures).

#### Litigation Update

The court temporarily blocked the DOE from terminating certain grant programs on March 17 and defendants appealed.

### B. Education Funding

The state of Maine filed a [lawsuit](#) against the United States Department of Agriculture (“USDA”) on 4/7/25 challenging the USDA’s decision to freeze federal education funds allocated to Maine based on alleged Title IX violations (arising from the state’s transgender athlete policy).

#### State’s Argument

Maine alleges that the USDA’s funding freeze violates the Administrative Procedure Act as “arbitrary and capricious” and taken without observance of procedure required by law.

### C. Public Health Funding

A coalition of 22 states and DC filed a [lawsuit](#) on 4/1/25 challenging the Department of Health and Human Services’ decision to terminate \$11 billion in public health funding.

#### States’ Argument

The states allege that the termination of public health funding is “arbitrary and capricious” and contrary to law in violation of the Administrative Procedure Act and have asked the court to vacate and enjoin these funding terminations.



## **D. Medical Research Reimbursement**

A coalition of 22 states filed a [lawsuit](#) against the National Institute of Health (“NIH”) on 2/10/25 challenging the NIH’s new policy that caps the amount of reimbursements available in medical research grants.

### **States’ Argument**

The states allege that the reimbursement cap is “arbitrary and capricious,” in violation the Administrative Procedures Act.

### **Litigation Update**

The court has issued a nationwide preliminary injunction prohibiting implementation of the reimbursement cap.

## **E. NIH Grants**

A coalition of 16 states filed a [lawsuit](#) against the NIH on 4/4/25 challenging the NIH’s delays in reviewing NIH grant applications as well as the termination of hundreds of previously-issued NIH grants.

### **States’ Argument**

The states allege that that the NIH’s actions violate the Administrative Procedures Act as “arbitrary and capricious,” as well as the Constitution’s Spending Clause and Separation of Powers protections (arguing only Congress has authority over the appropriation of such funds).

## **F. Federal Funding “Pause”**

A coalition of 22 states and DC filed a [lawsuit](#) against the Office of Management and Budget (“OMB”) on 1/28/25 challenging OMB’s issuance of a memorandum directing federal agencies to pause federal funding.

### **States’ Argument**

The states allege that OMB’s directive to pause federal funding violates the Administrative Procedures Act, as well as the Constitution’s Spending Clause and Separation of Powers protections (arguing the directive usurps Congress’s authority over such appropriations).

### **Litigation Update**

Although OMB later rescinded the memorandum referred to in the states’ complaint, the court ruled that the government should release the funding freeze. The government appealed the lower court ruling to the First Circuit Court of Appeals and the government’s appeal was dismissed.



## VI. Federal Bureaucracy/Workforce

Three state-initiated lawsuits have been filed in relation to executive actions impacting federal bureaucracy/workforce:

### A. Reduction of Federal Bureaucracy

A coalition of 21 states filed a [lawsuit](#) on 4/4/25 challenging President Trump's Executive Order issued on 3/14/25, which drastically reduces funding and staffing at various small federal agencies, including the Institute of Museum and Library Services, the Minority Business Development Agency, and Federal Mediation and Conciliation Services.

#### States' Argument

The states allege that President Trump's actions in cutting these agencies violate the Administrative Procedures Act and Impoundment Control Act, as well as the Constitution's Take Care Clause, Spending Clause, and Separation of Powers protections by seeking to eliminate agencies without Congressional action.

### B. Reduction in Federal Workforce

A coalition of 19 states and DC filed a [lawsuit](#) on 3/6/25 challenging President Trump's Executive Order issued on 2/11/25, which instructs federal agencies to prepare for large-scale reductions in their workforce ("RIFs").

#### States' Argument

The states allege that the government's actions in initiating RIFs violated the Administrative Procedure Act by not abiding by the necessary statutory and regulatory requirements for RIF procedures, including a required 60-day notice to states and employees, and on ground that the procedures adopted were "arbitrary and capricious".

#### Litigation Update

The district court ordered the employment of probationary workers whose sudden layoffs harmed Plaintiff States to be restored and ordered the government to not conduct future RIFs except in compliance with law. Upon appeal, the appeals court blocked the district court's order while the case is on appeal.

### C. Dismantling/Restructuring of the Department of Education ("DOE")

A coalition of 20 states and DC filed a [lawsuit](#) against the DOE and President Trump on 3/13/25 challenging the Trump Administration's plans for initiating RIFs and eliminating the DOE.

#### States' Argument



The states allege that the Trump Administration's actions in dismantling/restructuring the DOE violate the Administrative Procedures Act and the Constitution's Take Care Clause and Separation of Powers protections.

## VII. DOGE

Two state-initiated lawsuits have been filed in relation to the Department of Government Efficiency ("DOGE"):

### A. Disclosure of Sensitive Information

A coalition of 19 states filed a [lawsuit](#) against the Trump Administration on 2/8/25 challenging DOGE's permitted access to sensitive Treasury Department records.

#### States' Argument

The states allege that DOGE's permitted access to Treasury Department records violates the Administrative Procedures Act and the Constitution's Take Care Clause, Spending Clause, and Separation of Powers protections.

#### Litigation Update

The district court, citing potential violations of federal law, temporarily blocked DOGE's access to payment records maintained by the Treasury Department containing sensitive data while the case proceeds.

### B. Appointment of Elon Musk

A coalition of 14 states filed a [lawsuit](#) on 2/13/25 challenging President Trump's appointment of Elon Musk as head of DOGE without Senate confirmation.

#### States' Argument

The states allege that Elon Musk's appointment to lead DOGE, without Senate confirmation, violates the Constitution's Appointments Clause.

#### Litigation Update

The district court denied the states' request to temporarily block further actions by Musk and DOGE but acknowledged potential constitutional issues with Musk's appointment and ordered Musk and DOGE to provide documents and information requested by the states.