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Federal Government Update - 11.6.26 [1]

November 6, 2026 by Riley Black [2]

Dear Colleagues,

Please find a federal government update from our teams.

Federal Election Results
On Nov. 3, the federal midterm elections occurred with Democrats winning control of both the U.S. House and Senate. According to the Associated Press [3], Democrats have won at least 250 House races, giving them the majority in the 435-seat chamber, and will hold at least 54 Senate seats after flipping seven Republican-held seats. Additional uncalled races could increase the majority in both chambers.

In Colorado, Sen. Hickenlooper (D) and Reps. Neguse (D-CD2), Hurd (R-CD3), Crow (D-CD6), and Pettersen (D-CD7) all won re-election, with Melat Kiros (D-CD1), Jessica Killin (D-CD5), and Manny Rutinel (D-CD8) winning their districts. As of publication, the race in Congressional District 4 is currently too close to call.

AAU, AAAS lead Coalition Letter Regarding OMB Uniform Guidance
The Association of American Universities (AAU) and the American Association for the Advancement of Science (AAAS) led a coalition of over 100 organizations in a Nov. 5 letter [4] to Congress raising concerns that federal agencies are advancing changes to grant-making policies similar to those proposed by the White House Office of Management and Budget (OMB). The coalition said the changes could give political appointees greater authority over federal grant awards and terminations despite congressional action restricting implementation of OMB's proposed grant rule. The organizations urged Congress to ensure federal agencies comply with the congressional directive and maintain a federal grants system that is stable and accountable to Congress.

Top DOJ Civil Rights Official Resigns
Harmeet Dhillon, the Assistant Attorney General for the Department of Justice's (DOJ) Civil Rights Division, resigned on Nov. 5 after leading the division for about 18 months. During her tenure, she led the Administration's civil rights priorities, including actions related to higher education, antisemitism and discrimination. Dhillon said she plans to return to private practice following her departure.

DOJ Sues Penn State Over In-State Tuition for Undocumented Students
The DOJ filed a lawsuit [5] against Pennsylvania State University on Nov. 5, challenging its policy that provides in-state tuition to undocumented students, arguing that the policy conflicts with federal law because the same tuition benefit is not available to all U.S. citizens. The case is DOJ's 27th lawsuit challenging in-state tuition policies following lawsuits against states including Colorado, Maryland, New Jersey, New York, California, Massachusetts, Rhode

Island, Arizona, New Mexico, Oregon and Washington, among others. DOJ has also recently begun challenging [6] individual university policies.

Colorado grants in-state tuition and financial aid to any Colorado student who meets the residency requirements, including undocumented students, through the Advancing Students for a Stronger Tomorrow (ASSET) law, which was passed in 2013 and most recently updated in 2022. The federal government has sued Colorado over ASSET.

NIH RFI on Data and Safety Monitoring

The National Institutes of Health (NIH) issued [7] a Request for Information (RFI) on Nov. 2, seeking feedback on proposed updates to its Policy for Data and Safety Monitoring, which has been in place since 1998. The proposed policy would expand safety monitoring requirements to all NIH-supported clinical research and tailor them to each study's risk. NIH is seeking feedback on the proposed approach and resources needed to implement it while minimizing administrative burden.

The Federal Relations and General Counsel teams are actively monitoring developments at the federal level. We are working closely with the President and Chancellors, as well as the Colorado congressional delegation to champion CU priorities. We are committed to keeping you informed. Please visit the CU System Federal Updates and Actions page [8] for up-to-date communications and federal memos.

Danielle Radovich Piper, Sr. VP External Relations and Strategy
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Federal Weekly Updates [9]

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