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Federal Government Update - 4.10.26 [1]

April 10, 2026 by Riley Black [2]

Dear Colleagues,

Please find a federal government update from our teams.

Government Funding Update
Congress remains at an impasse over how to fund the Department of Homeland Security (DHS). DHS funding lapsed on February 14. Absent a breakthrough in the negotiations the shutdown is expected to continue into the summer, reports [3] *Politico*. The President signed an executive action [4] on April 3, directing the DHS Secretary to work with the Office of Management and Budget (OMB) to use funds to pay all DHS workers despite the appropriations lapse. We will provide additional updates on DHS funding when there are new, substantive changes to report.

Meanwhile, Congress and the White House have begun their work to fund other federal agencies and programs for Fiscal Year 2027, which begins on October 1. The White House unveiled [5] its proposed federal budget for congressional consideration on April 3. Lawmakers will decide which proposals to keep, modify or reject. The budget prioritizes defense spending, including through budget reconciliation, and cuts most non-defense programs. Many of the administration's requests mirror those proposed and rejected by Congress last year. A detailed summary of what the White House is proposing for agencies of importance to CU is available here [6].

House appropriators are also expected to begin releasing draft funding bills to be considered by the twelve appropriations subcommittees as soon as this month.

White House Issues College Sports Executive Order
The White House unveiled a new executive order on April 3 entitled, Urgent National Action to Save College Sports [7]. It is the second directive on college sports signed by the president. The first order was issued in July 2025.

The new order calls on Congress to "expeditiously pass legislation" that will stabilize college athletics. The order seeks to protect women's and Olympic sports, limit participation in college athletics to five-years, prohibit professional athletes from returning to college teams, limit student-athletes to one unrestricted transfer, prohibit federal funds for NIL, revenue-sharing payments and coaching compensation, prohibit NIL collectives, create a national student-athlete agent registry and more. It directs the Secretary of Education to consider requiring universities to report the total number of roster sports by varsity team and the amount of money spent on student aid for athletes, broken down by men's and women's teams. Notably, the order also directs federal agencies to consider withholding federal funding from schools that violate federal or NCAA rules. Agencies are directed to implement the order via regulatory

or policymaking measures by August 1, 2026.

The order conflicts with some previous court rulings and NCAA decisions, reports [8] the *New York Times,* and it is unclear whether it can withstand future legal challenges.

For more information: Executive Order [7], Fact Sheet [9].

Administration Declines to Appeal on NIH Indirect Cost Case

The U.S. Department of Justice on April 7 declined to file a petition to the U.S. Supreme Court to review a January 2026 ruling that blocks the administration from implementing a 15 percent indirect cost rate on National Institutes of Health (NIH) grants. The lawsuit was filed [10] by a coalition of states, including Colorado, as well as several national organizations, including AAU, APLU, and AAMC. CU Anschutz [11] and CU Boulder [12] submitted declarations of impact in the case.

As a result, all court cases surrounding indirect cost reimbursements have now been settled. The federal administration cannot lawfully institute a 15 percent indirect cost cap at NIH, the National Science Foundation, the U.S. Department of Energy or the Department of War. Congress also included language in the fiscal year (FY) 2026 appropriations bills preventing the administration from setting a standard indirect cost rate for any extramural grant.

Federal Judge Pauses IPEDS ACTS Data Collection

A federal judge issued a preliminary injunction [13] on April 3 for the 17 states, including Colorado, who joined the Integrated Postsecondary Education Data System (IPEDS) case filed on March 11. At issue is the new requirement that universities must submit admissions data on race, gender and standardized test scores to the U.S. Department of Education. The judge's order pauses this data collection for public universities in the plaintiff states, until the lawsuit is resolved.

The next hearing for the case is April 13 when the judge will decide whether to allow additional institutions covered by the Association of American Universities (AAU), Association of Independent Colleges and Universities in Massachusetts (AICUM) and ten additional private colleges and state-based higher education associations to permanently join the lawsuit, reports [14] *Higher Ed Dive*. These colleges and associations are currently covered by temporary restraining orders through April 14.

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 [15] and Actions page for up-to-date communications and federal memos.

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