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Federal Government Update - 5.15.26 [1]

May 15, 2026 by Riley Black [2]

Dear Colleagues,

Please find a federal government update from our teams.

NSB Releases Biannual Science and Engineering Indicators Report
The National Science Board (NSB) released on May 4 its biannual report [3] on *The State of U.S. Science and Engineering*. NSB is required to prepare this "indicators" report for the president and Congress every even-numbered year. The report offers authoritative data on "the state of the U.S. science and engineering enterprise over time within a global context," according to the preface. Key findings from the 2026 report include: China surpassed the U.S. as the largest performer of research and development (R&D) in 2024; China awards the most science and engineering (S&E) doctorates globally; the federal government funds 19 percent of R&D in the U.S. and; foreign-born individuals comprise 22 percent of our nation's STEM workforce and 46 percent of S&E workers with doctoral degrees. NSB also released state indicator fact sheets [4], including for Colorado [5].

Humanities Grant Terminations Ruled Unconstitutional
A U.S. district court judge ruled [6] on May 7 that the Department of Government Efficiency (DOGE) violated the First Amendment and Fifth Amendment's equal protection clause when it canceled over 1,400 National Endowment for the Humanities (NEH) grants worth more than $100 million in April 2025. The grants were terminated to comply with White House directives to root out federal funding for diversity, equity and inclusion (DEI) initiatives. The lawsuit [7] was brought by the American Council of Learned Societies, the American Historical Association and the Modern Language Association of America. It is unclear whether the federal administration will appeal the decision, reports [8] the *Associated Press*.

Court Denies Motion to Dismiss Lawsuit Challenging ED Dismantling
A federal judge denied [9] a motion on May 8 to dismiss a lawsuit [10] filed in March 2025 challenging executive branch efforts to dismantle the U.S. Department of Education (ED). The plaintiffs, including the National Association for the Advancement of Colored People (NAACP), contend the federal administration lacks the authority to significantly scale back ED or transfer its functions to other agencies absent congressional approval. Federal courts have already blocked some of the administration's restructuring efforts, including mass layoffs, determining that the actions would effectively incapacitate ED and interfere with its legally mandated responsibilities.

NSF Suspends UC Berkeley Research Grants
The National Science Foundation (NSF) suspended at least eighteen research grants at the University of California Berkeley (UC Berkeley) last month. One of the grants was previously terminated, then restored when a federal judge ruled the cancelations unlawful in June 2025.

NSF raised concerns about foreign funding for the project, which the university says it did not receive, reports [11] the *Associated Press*.

DOJ Finds Yale Medical School Violated Title VI

The U.S. Department of Justice (DOJ) announced [12] on May 14 that the Yale School of Medicine violated Title VI of the *Civil Rights Act of 1964* by giving preference to Black and Hispanic students. The announcement follows a year-long DOJ investigation [13] into the school's admissions practices. DOJ sent a letter [14] to the University of California Los Angeles (UCLA) earlier this month, which said UCLA's medical school discriminated based on race in its admissions practices. DOJ is seeking a voluntary resolution agreement with the university.

FDA Commissioner Resigns

Marty Makary resigned on May 13 as commissioner of the Food and Drug Administration (FDA), reports *Politico* [15]. Kyle Diamantas [16], who oversees FDA's Human Foods Program, will be named acting commissioner.

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

Danielle Radovich Piper, Sr. VP External Relations and Strategy
Kerry Tipper, Vice President, University Counsel

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