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Federal Government Update - 5.8.26 [1]

May 8, 2026 by Riley Black [2]

Dear Colleagues,

Please find a federal government update from our teams.

Former NSF and NSB Heads Urge New NSF Leadership
A coalition of 13 former directors of the National Science Foundation (NSF) and chairs of the National Science Board (NSB), who served in both Republican and Democratic administrations, wrote [3] to the White House and U.S. Senate on April 30 to urge them to immediately restore "full leadership and governance" at the NSF. NSF does not have a director, although the White House nominated [4] Jim O'Neill to the post in March. The White House fired the entire NSB on April 24 citing a 2021 Supreme Court ruling in *U.S. v. Arthrex*, which limits the power of executive branch officials who are not Senate-confirmed, reports [5] *AIP FYI*.

USCIS Updates Physician Vetting Guidance
U.S. Citizenship and Immigration Services (USCIS) issued updated guidance [6] on April 30 to align its screening and vetting policies with recent executive orders and policy memoranda. USCIS has created a new multi-office review process for lifting adjudicative holds on certain H-1B visa applications. Several categories of applications, including those associated with medical physicians, are no longer subject to these holds, consistent with national-interest exemptions. USCIS will continue to review other application types and lift holds on a case-by-case and group basis as appropriate.

DOJ Lawsuits Challenging In-State Tuition for Undocumented Students
The U.S. Department of Justice (DOJ) filed a lawsuit [7] against New Jersey on April 30 to halt its law allowing in-state tuition for undocumented students. New Jersey is the ninth state sued by DOJ regarding the policy, reports [8] *Higher ED Dive*. Additionally, the DOJ appealed [9] on May 1 a federal judge's dismissal of its case against Minnesota's in-state tuition law for undocumented students. The judge ruled that qualifying citizens and non- citizens were treated equally because both were entitled to the same benefits under the law.

Colorado grants in-state tuition and financial aid to undocumented Colorado students through its Advancing Students for a Stronger Tomorrow (ASSET) law, which was passed in 2013 and most recently updated in 2022. To date, the federal government has not filed a lawsuit challenging Colorado's law.

DOJ Finds UCLA Medical School Violated Title VI
The U.S. Department of Justice (DOJ) sent a letter [10] to UCLA's School of Medicine on May 6, which says UCLA violated Title VI of the *Civil Rights Act of 1964* by giving preference to Black and Hispanic applicants over three admissions cycles. DOJ said it hopes to enter into a

voluntary resolution agreement and bring UCLA’s admissions practices back into legal compliance.

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

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