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Federal Government Update - 8.15.25 [1]

August 15, 2025 by Riley Black [2]

Dear Colleagues,

Please find a federal government update from our teams.

Federal Judge Rules Against Education Department's Attempt to Bar DEI Programs
A Federal Judge in Maryland ruled August 14 [3] that the Department of Education (ED) cannot move forward with its plans to cut off federal funding from schools and colleges with diversity and equity programs. Previously, the judge postponed nationwide enforcement of the Dear Colleague Letter [4] ED sent to schools in February, which said that federal civil rights laws ban certain DEI efforts.

The judge asserted that the administration did not follow proper administrative procedure, saying the plan was unconstitutional, in part because they did not follow proper administrative procedure, and because portions of the plan were contrary to the First Amendment. In a statement [5] to the *New York Times,* ED noted it was "disappointed" in the ruling but noted the administration has continued to pursue a similar agenda through other avenues.

ED Provides Clarification Regarding Enhanced Admissions Data
In response to the August 7 executive action, *Ensuring Transparency in Higher Education Admissions* [6], the Department of Education (ED) provided further details on August 15 in the Federal Register [7] regarding more racially disaggregated admissions data. The proposal from ED states that certain colleges and universities will be required to collect and report comprehensive data about their admissions decisions going back five years. It must be broken down by race and sex and include students' high school GPA, test scores, time of application (early decision, early access or regular decision) and financial aid status, among other things. For graduate students, data collection must also be broken down by program category.

The proposal will not impact all institutions, just four-year institutions that use "selective college admissions," as they "have an elevated risk of noncompliance with the civil rights laws." Members of the public will have 60 days (on or before October 15) to submit comments on the notice. Among other things, the department wants feedback on what institutions should be subject to the new reporting requirements as well as the anticipated burden the request will place on university staff.

NIH Plans to Prohibit Certain Gender Related Data Collection
The Chronicle of Higher Education reports [8] that the National Institutes of Health (NIH) will soon propose a policy to prohibit scientists from collecting data about gender, in accordance with the Executive Order, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* [9]. According to the draft proposed rule,

researchers “shall not use NIH funds to request, collect, or disseminate information related to gender.” However, data on sex can be gathered — provided that the used definitions of sex reflect that there are only two sexes, female and male, and they are determined at birth and unchangeable. The CU Offices of Federal Relations and University Counsel will monitor the impact of any proposed rule once it is released.

ED, DOL, and DOC Release Joint Workforce Strategy Report
The ED, Department of Labor (DOL), and Department of Commerce (DOC) released a joint report titled “America’s Talent Strategy: Building the Workforce for the Golden Age, [10]”on August 12. The report highlights that integrating AI “lays out a comprehensive plan to address the workforce needs of American companies, integrate existing workforce development systems to maximize efficiency and effectiveness, provide accountability for workforce training programs, upskill incumbent American workers and develop alternatives to 4-year college degrees.” The strategy is divided into five pillars including: Industry-driven strategies, worker mobility, integrated systems, accountability and flexibility and innovation.

The plan aims, among other items, to scale “Registered Apprenticeships and other high-quality work-based learning models, aligning education and training programs to career pathways, and targeting federal investments toward employer-led upskilling initiatives designed to fill talent shortages in priority industries.”

Judge Orders the Reinstatement of NSF Grants at UCLA
A federal judge in California ruled [11] on August 12 that the federal government must restore roughly 300 grants from the National Science Foundation (NSF) to the University of California, Los Angeles (UCLA). This ruling follows the Administration's demands from earlier in August in which they demanded that UCLA pay a fine regarding alleged civil rights violations.

The Federal Relations and General Counsel teams are actively monitoring developments. 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 [12] (previously titled Federal Transition Updates) 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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[8] https://www.chronicle.com/article/gender-data-would-be-off-limits-under-proposed-nih-policy?sra=true
[9] https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/

[10] https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/2025/08/Americas-Talent-Strategy-Building-the-Workforce-for-the-Golden-Age.pdf [11] https://www.politico.com/f/?id=00000198-a114-d016-a9fb-fb9ca7a80000 [12] https://www.cu.edu/office-government-relations/federal-relations/federal-updates-and-actions [13] https://www.cu.edu/blog/government-relations/tag/federal-updates