

## **Federal Government Update - 9.18.26** <sup>[1]</sup>

September 18, 2026 by [Riley Black](#) <sup>[2]</sup>

Dear Colleagues,

Please find a federal government update from our teams.

### ***Court Postpones Implementation of DHS Rule Ending Duration of Status Admissions***

A federal district court judge issued a nationwide [preliminary injunction](#) <sup>[3]</sup> on Sept. 14 that delays implementation of a U.S. Department of Homeland Security (DHS) [final rule](#), <sup>[4]</sup> ending duration of status admission for international student and exchange visitors. The now halted fixed admission policy, which limits F and J nonimmigrant admissions to four years with limited exceptions, was scheduled to take effect Sept. 15. The injunction prohibits DHS from implementing the rule while litigation proceeds or until the court issues another order.

The [lawsuit](#) <sup>[5]</sup> argues the rule violates the Administrative Procedure Act and DHS exceeded its statutory authority in finalizing the regulations. A coalition of states, including Colorado, filed an [amicus brief](#) <sup>[6]</sup> in support of the lawsuit. CU's campuses urged DHS to rescind the policy last fall and are communicating with impacted nonimmigrants about the rule as well as the implementation delay.

Democrats on the Senate Judiciary Committee introduced a [resolution](#) <sup>[7]</sup> of disapproval of the DHS rule on Sept. 14. Under the *Congressional Review Act* lawmakers can review and overturn certain federal agency regulations; however, to take effect they require the president's signature or a veto override from two-thirds of the Congress.

### ***ED Releases New Rationale for IPEDS ACTS Survey***

The U.S. Department of Education (ED) [published](#) <sup>[8]</sup> in the *Federal Register* on Sept. 14 additional rationale for its new Integrated Postsecondary Education Data System (IPEDS) Admissions and Consumer Transparency Supplement (ACTS) survey pursuant to an Aug. 11 federal [district court order](#) <sup>[9]</sup>. The new data collection survey requires four-year institutions to provide enhanced admissions data on race, gender and standardized test scores. A [preliminary injunction](#) <sup>[10]</sup> halting enforcement of the ACTS survey in plaintiff states, including Colorado, remains in place. CU's Offices of Federal Relations and General Counsel will continue to monitor developments regarding the publishing of these data.

### ***DOJ Files New Lawsuits Challenging In-State Tuition for Undocumented Students***

The U.S. Department of Justice (DOJ) [announced](#) <sup>[11]</sup> on Sept. 10 four new lawsuits challenging state laws that offer in-state tuition and financial assistance to undocumented students. DOJ's latest complaints target Hawaii, Arkansas, Utah and Washington D.C. DOJ has now sued every state with these laws, including [Colorado](#) <sup>[12]</sup>. In total, 25 lawsuits have been filed challenging in-state tuition for undocumented students.

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](#) <sup>[13]</sup> for up-to-date communications and federal memos.

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

[Federal Weekly Updates](#) <sup>[14]</sup>

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[3] <https://storage.courtlistener.com/recap/gov.uscourts.mad.305059/gov.uscourts.mad.305059.51.0.pdf>

[4] <https://www.federalregister.gov/documents/2026/07/17/2026-14439/establishing-a-fixed-time-period-of-admission-and-an-extension-of-stay-procedure-for-nonimmigrant>

[5] <https://www.nafsa.org/sites/default/files/media/document/DS%20complaint%206.18.26.pdf>

[6] [https://go.aplu.org/NjAzLVVSVy0xMjcAAAGj-H2C\\_pOSBBr-YHm2\\_mwhwFaYSSVBjHMRjLP4cSiMzTCrZQBUtqdeFkXWwaVJbdBpyipq7fQ=](https://go.aplu.org/NjAzLVVSVy0xMjcAAAGj-H2C_pOSBBr-YHm2_mwhwFaYSSVBjHMRjLP4cSiMzTCrZQBUtqdeFkXWwaVJbdBpyipq7fQ=)

[7] [https://www.durbin.senate.gov/imo/media/doc/cra\\_on\\_student\\_visa\\_rule.pdf?mkt\\_tok=NjAzLVVSVy0xMjcAAAGkT8](https://www.durbin.senate.gov/imo/media/doc/cra_on_student_visa_rule.pdf?mkt_tok=NjAzLVVSVy0xMjcAAAGkT8)

[8] <https://www.federalregister.gov/documents/2026/09/14/2026-18735/integrated-postsecondary-education-data-system-ipeds-2025-26-through-2026-27-admissions-and-consumer>

[9] [https://storage.courtlistener.com/recap/gov.uscourts.mad.297314/gov.uscourts.mad.297314.213.0\\_1.pdf](https://storage.courtlistener.com/recap/gov.uscourts.mad.297314/gov.uscourts.mad.297314.213.0_1.pdf)

[10] <https://storage.courtlistener.com/recap/gov.uscourts.mad.297314/gov.uscourts.mad.297314.143.0.pdf>

[11] <https://www.justice.gov/opa/pr/departments-justice-files-complaints-against-hawaii-dc-arkansas-and-utah-over-preferential>

[12] <https://www.justice.gov/opa/pr/departments-justice-sues-colorado-providing-state-tuition-illegal-aliens>

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