

Federal Government Update - 9.25.26 ^[1]

September 25, 2026 by [Natalie Barry](#) ^[2]

Dear Colleagues,

Please find a federal government update from our teams.

White House Reinstates \$100k H-1B Fee and Issues H-1B Program Integrity Executive Order

The White House issued a [presidential proclamation](#) ^[3] titled, "Restriction on Entry of Certain Nonimmigrant Workers" on Sept. 19 to reimpose a \$100,000 fee for all H-1B visa petitions, including cap-exempt entities like universities. A September 2025 proclamation of the same name was vacated by the federal courts and sunset on Sept. 21, 2026.

The White House also released an [executive order](#) ^[4] on Sept. 18, which seeks to enhance H-1B "program integrity" through stronger interagency coordination and expanded visa application screening. The order, titled "Enhancing Program Integrity and Interagency Coordination in the Administration of the H-1B Nonimmigrant Visa Program," directs federal agencies to consider whether petitioner employers have or will lay off similar U.S. workers when vetting H-1B visa applications. The order also directs agencies to collect data on wages, industrial conditions and employment specialization. Here's a [fact sheet](#) ^[5] with more information.

Court Strikes Down ED Directive Precipitating Teacher Training Grant Cancellations

A federal district court judge [vacated](#) ^[6] on Sept. 17 a U.S. Department of Education (ED) internal directive titled, "Eliminating Discrimination and Fraud in Department Grant Awards," which led to the termination of over \$600 million in federal grant funding for teacher preparation programs at universities, school districts and nonprofits. A multistate coalition, including [Colorado](#) ^[7], challenged the policy. CU Denver contributed a declaration of impact in support of the lawsuit. The court ruled that ED's directive, issued in February 2025, was arbitrary and capricious and violated the Administrative Procedure Act. The ruling does not restore grant funding. Plaintiff states must bring the case to the Court of Federal Claims to recover the funding, [reports](#) ^[8] *NBC News*.

White House Abandons Effort to Oversee NIH Grantmaking

The White House abandoned an effort this week to give the Office of Management and Budget (OMB) control over federal grantmaking at the National Institutes of Health (NIH), [reports](#) ^[9] *Semafor*. The move follows [reporting](#) ^[10] from *Politico* over the weekend that the president asked OMB to draft an executive order to bring NIH research funding under its control.

After the report surfaced, Senate Appropriations Chair Susan Collins (R-ME) wrote a [letter](#) ^[11] to OMB and NIH leadership emphasizing that White House control of NIH grantmaking

violates congressional intent. Chair Collins confirmed ^[12] the White House backed off the plan on Sept. 23.

HHS Announces Agency-wide Initiative on NAMs

The U.S. Department of Health and Human Services (HHS) announced ^[13] on Sept. 21 a series of agency-wide actions to accelerate the use of human-based research methods and reduce reliance on animal testing. The initiatives include new investments and infrastructure for New Approach Methodologies (NAMs), such as organoids, organs-on-chips and computational models. The Food and Drug Administration (FDA) also updated ^[14] its regulations to clarify that validated non-animal methods may be used, when appropriate, to support the safety evaluation of drugs and biological products before human trials.

As part of the initiative, the National Institutes of Health (NIH) announced ^[15] over \$88 million for biomedical research infrastructure, a \$7 million quantum-enabled NAMs challenge, a new human biology laboratory at the NIH Clinical Center and efforts to recruit peer reviewers with expertise in human-based science. NIH also issued a request for information (RFI) seeking feedback on the feasibility of requiring NIH-funded institutions to annually report the number of live vertebrate animals used in research, including potential benefits, burdens and implementation considerations. CU Federal Relations is working with the campuses on responding to this RFI.

ED Redirects Funds to HBCUs and TTCUs

The U.S. Department of Education (ED) announced ^[16] on Sept. 22 that it will direct \$174 million in one-time funding to Historically Black Colleges and Universities (HBCUs) and \$61 million to Tribally Controlled Colleges and Universities (TCCUs). The funding is being redirected from programs that generally fund Hispanic-Serving Institutions (HSI) and other Minority-Serving Institutions (MSI), reports ^[17] *Inside Higher Ed*.

ED says the investment builds upon the \$438 million directed to HBCUs "to support the sector's mission and its students" in 2025. Most of that funding, to the tune of \$395 million, was diverted from MSI programs ED said ^[18] were "not in the best interest" of students and families.

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 ^[19] page 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 ^[20]

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[3] https://www.whitehouse.gov/presidential-actions/2026/09/restriction-on-entry-of-certain-nonimmigrant-workers-faad/?mkt_tok=NjAzLVVSVy0xMjcAAAGkad3lo6U-7Grv8npky6VQVX7q2O1IfFg781CYK-C-T-_8lcXo9amqz6KBBTRTYpvNBO_QtP-wdiPt7w6qOnE6H3szYyQQduouSIYoK_8aUsl

[4] <https://www.whitehouse.gov/presidential-actions/2026/09/enhancing-program-integrity-and-integrity-and-interagency-coordination-in-the-administration-of-the-h-1b-nonimmigrant-visa-program/>

[5] <https://www.whitehouse.gov/fact-sheets/2026/09/fact-sheet-president-donald-j-trump-further-enhances-program-integrity-and-interagency-coordination-in-the-h-1b-visa-program/>

[6] <https://oag.ca.gov/system/files/attachments/press-docs/176-memo-and-order-granting-plfs-msj-and-denying-defs-cross-msj.pdf> [7] <https://gazette.com/2025/03/06/colorado-joins-lawsuit-over-federal-cuts-to-teacher-prep-program/> [8] <https://www.nbcnews.com/politics/trump-administration/judge-strikes-trump-600-million-cuts-teacher-training-dei-rcna598583> [9] <https://www.semafor.com/article/09/23/2026/trump-administration-backing-off-nih-grant-order-amid-pushback> [10] <https://www.politico.com/news/2026/09/19/nih-grants-trump-vought-bhattacharya-harvard-01085413>

[11] <https://www.appropriations.senate.gov/news/majority/sen-collins-warns-administration-not-to-proceed-with-nih-executive-order> [12] <https://thehill.com/policy/healthcare/6107141-white-house-drops-nih-grant-proposal-collins/> [13] <https://www.hhs.gov/press-room/hhs-accelerates-human-based-research-reduces-animal-testing.html> [14] <https://www.fda.gov/drugs/cder-streamlined-nonclinical-studies-and-acceptable-new-approach-methodologies-nams/new-approach-methodologies-nams-database-use-case-examples>

[15] <https://www.nih.gov/news-events/news-releases/nih-makes-major-investments-advance-human-based-research-infrastructure-technologies> [16] <https://www.ed.gov/about/news/press-release/us-department-of-education-makes-significant-investment-americas-historically-black-colleges-and-universities> [17] <https://www.insidehighered.com/news/quick-takes/2026/09/23/ed-redirects-235m-msi-funds-hbcus-tribal-colleges> [18] <https://www.ed.gov/about/news/press-release/us-department-of-education-makes-historic-grant-investments-programs-bolster-educational-outcomes>

[19] <https://www.cu.edu/office-government-relations/federal-relations/federal-updates-and-actions>

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