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Federal Government Update - 9.5.25 [1]

September 5, 2025 by Riley Black [2]

Dear Colleagues,

Please find a federal government update from our teams.

White House Announces Space Command Relocation
The White House announced [3] on Sept. 2 that U.S. Space Command will relocate from Colorado Springs to Huntsville, Alabama. Space Command was reestablished in 2019 and its headquarters at Peterson Space Force Base achieved full operational capability [4] in 2023. Colorado's congressional delegation, which is united in its opposition to the move, issued a joint statement [5] stating that the relocation "will impede our military's operational capability for years" and vowing to fight to reverse the decision. Colorado Attorney General Phil Weiser said he will challenge the decision in court, reports [6] *Axios Denver*.

New Lawsuit Challenging In-State Tuition for Undocumented Students
The U.S. Department of Justice (DOJ) filed a lawsuit against Illinois on Sept. 2 to stop the state from providing in-state tuition and scholarships to undocumented students attending its public universities, reports [7] *The Hill.*

DOJ previously filed lawsuits against Minnesota, Kentucky and Texas over the issue. The administration prevailed in Texas after the state chose not to fight the case. 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 the Colorado law.

Harvard Funding Freeze Ruled Illegal
A federal judge ruled [8] on Sept. 3 that the federal administration's action of freezing over $2 billion in research funding from Harvard is illegal, reports [9] *Inside Higher Ed*. The federal government violated Harvard's First Amendment rights, as well as Title VI of the *Civil Rights Act*, the district court determined. The American Council on Education, which filed an amicus brief [10] in support of Harvard's lawsuit, issued a statement [11] applauding the decision. The administration is expected to file an appeal.

Federal Judge Rules Pocket Rescission Illegal
A federal judge ruled [12] on Sept. 3 that the federal administration's action to cancel $5 billion in foreign aid through a "pocket rescission" is illegal, reports [13] *Politico.* The injunction requires $11.5 billion in congressionally approved foreign aid dollars to be spent by the end of the month. The administration has appealed the ruling.

A "pocket rescission" occurs when the president asks Congress to cancel previously approved

federal funding near the end of the fiscal year. Usually, Congress has 45 days to consider a rescissions request; however, a “pocket rescission” allows the White House to bypass Congress by withholding funding until it expires at the end of the fiscal year.

OCR Finds DPS in Violation of Title IX

The U.S. Department of Education’s Office for Civil Rights (OCR) announced [14] on Aug. 28 the conclusion of their investigation of the Denver Public Schools (DPS) district. OCR found DPS’s conversion of “sex-separated multi-stall restrooms to 'all-gender' facilities and its policies contained in the ‘Denver Public Schools LGBTQ+ Toolkit,’ which allow students to use restrooms “corresponding to their ‘gender identity’ rather than biological sex, violate Title IX.”

OCR issued a proposed resolution agreement to DPS, which the district has 10 days to voluntarily agree to or risk “imminent enforcement action.” DPS released a statement [15] on the OCR findings, as they determine next steps.

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 [16] for up-to-date communications and federal memos.

Danielle Radovich Piper, Sr. VP External Relations and Strategy
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Federal Updates [17]

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