

## **Federal Updates and Actions** <sup>[1]</sup>

CU Federal Relations is working to analyze the potential impacts of recent federal actions and their ongoing implementation on the university's mission and the people who work and learn on our campuses. We are working closely with the President and the Chancellors and encourage you to work through your campus leadership with questions. Updates can be found here and on the [CU Government Relations news page](#) <sup>[2]</sup>.

- [CU Resources](#)
- [Federal Relations Communications](#)
- [Executive Order Information and FAQ](#)
- [Agency Guidance](#)
- [Agency Contingency Plans](#)
- [Association Statements and Letters](#)

### **Campus Resources**

- [CU Boulder Federal Transition: Updates, Campus resources, Insights and More](#) <sup>[3]</sup>
- [UCCS Federal Updates](#) <sup>[4]</sup>
- [CU Anschutz Federal Transition Updates](#) <sup>[5]</sup>
- [CU Denver Federal Transition Updates](#) <sup>[6]</sup>

### **Leadership Statements**

- [Update from CU leadership regarding the government shutdown](#) <sup>[7]</sup> (October 1, 2025)
- [Statement of the University of Colorado regarding recent visa revocations](#) <sup>[8]</sup> (April 1, 2025; Updated April 25)
- [A Message from the President and Chancellors](#) <sup>[9]</sup> (March 5, 2025)
- [CU Anschutz - Federal Government Transition Update](#) <sup>[10]</sup> (February 21, 2025)
- [UCCS - Campus Communication](#) <sup>[11]</sup> (February 20, 2025)
- [CU Denver - Students: Update on Federal Transition](#) <sup>[12]</sup> (February 20, 2025)
- [CU Denver - Faculty and Staff: Update on Federal Transition](#) <sup>[13]</sup> (February 20, 2025)
- [CU Boulder - Federal transition and how we're responding](#) <sup>[14]</sup> (February 18, 2025)
- [CU Anschutz - Federal Government Transition Update](#) <sup>[15]</sup> (February 11, 2025)
- [CU Anschutz - Federal Government Transition Update](#) <sup>[16]</sup> (February 3, 2025)
- [UCCS - Campus Communication](#) <sup>[17]</sup> (January 29, 2025)
- [CU Anschutz - Update on HHS Communications Freeze](#) <sup>[18]</sup> (January 23, 2025)

### **Campus Statements**

- [CU Boulder](#) <sup>[19]</sup> and [CU Denver](#) <sup>[20]</sup> provided declarations relative to a lawsuit <sup>[21]</sup> regarding the National Science Foundation reimbursement rate reductions.
- The Energy Sciences Coalition (ESC), of which CU Boulder is a member, released a statement <sup>[22]</sup> on the proposed DOE F&A cap.

- CU Anschutz and CU Boulder signed a community letter <sup>[23]</sup> in support of ARPA-H.
- CU Boulder provided a declaration <sup>[24]</sup> relative to a lawsuit <sup>[25]</sup> regarding the U.S. Department of Energy reimbursement rate reductions.
- CU Denver provided a declaration <sup>[26]</sup> relative to a lawsuit <sup>[27]</sup> regarding the purported grant modification/termination recently issued by the Department of Education.
- CU Anschutz <sup>[28]</sup> and CU Boulder <sup>[29]</sup> provided declarations at the request of the Colorado Attorney General relative to a lawsuit <sup>[30]</sup> regarding the National Institutes of Health reimbursement rate reductions.

## January 2026 Updates

- Federal Government Update <sup>[31]</sup> (January 30, 2026)
  - An Update on FY26 Appropriations, Grad Program Loan Limit NPRM, Negotiated Rulemaking for Accreditation, OMB Federal Funding Review, NSF NCAR Letter, and Substance Abuse Disorder EO from CU Federal Relations and Counsel
- Federal Government Update <sup>[32]</sup> (January 23, 2026)
  - An Update on FY26 Appropriations, TRIO Lawsuit, ED DEI Lawsuit Withdrawal, ED Moving Staff to DOL, and New NIH Fetal Tissue Research Policy from CU Federal Relations and Counsel
- Federal Government Update <sup>[33]</sup> (January 16, 2026)
  - An Update on FY26 Appropriations, AHEAD Committee Consensus, SAMHSA Grant Cancellation Reversal, DOE Grant Cancellation Ruling, Student Visa Revocations, State Visa Processing Halt, and WH Healthcare Priorities from CU Federal Relations and Counsel
- Federal Government Update <sup>[34]</sup> (January 9, 2026)
  - An Update on FY26 Appropriations, H-1B Visas, NIH Court Cases on F&A and Canceled Grants, NCAR Letter, DOJ ED Opinion Memo, and CDC Vaccination Recommendations from CU Federal Relations and Counsel

## December 2025 Updates

- Federal Government Update <sup>[35]</sup> (December 19, 2025)
  - An Update on NDAA, NSF NCAR Rescope, AHEAD Workforce Pell Consensus, WH Travel Ban, WH Space Superiority EO, NSF Organizational Realignment, NSB Merit Review Report, NASA Administrator Confirmation, CO H-1B Lawsuit, WH Cannabis Reclassification EO, and HHS Gender-Affirming Care Policy Announcement from CU Federal Relations and Counsel
- Federal Government Update <sup>[36]</sup> (December 12, 2025)
  - An Update on NDAA House Passage, GENESIS Mission Launch, AI EO, Scientific Enterprise RFI, ED Input on Accreditation, ED OCR Employees Return, and CDC Childhood Vaccination Changes from CU Federal Relations and Counsel
- Federal Government Update <sup>[37]</sup> (December 5, 2025)
  - An Update on ED Dismantling Lawsuit, ED Foreign Funding Portal, DOJ H-1B Lawsuit Response, State Dept. Screening Update, DOJ In-State Tuition Lawsuit, DOE Reorganization, HHS AI Strategy, NIH Guidance on Extramural Activities, and NDAA Finalization Work from CU Federal Relations and Counsel

## November 2025 Updates

- Federal Government Update <sup>[38]</sup> (November 21, 2025)
  - An Update on ED Office and Operations Changes, DOW Research Tech Priorities, and DHS/USCIS NPRM on Public Charge Rule from CU Federal Relations and Counsel
- Federal Government Update <sup>[39]</sup> (November 14, 2025)
  - An Update on the end of the Federal Government Shutdown, U.S. Dept. of Education Updates to Proposal on IPEDS, RISE Committee Consensus on Student Loans, and DOE Renewal of Quantum Research Centers from CU Federal Relations and Counsel
- Federal Government Update <sup>[40]</sup> (November 7, 2025)
  - An Update on the Federal Government Shutdown, PSLF Lawsuit, and CU Comments on SEVIS Changes from CU Federal Relations and Counsel

## October 2025 Updates

- Federal Government Update <sup>[41]</sup> (October 31, 2025)
  - An Update on the Federal Government Shutdown, Preliminary Injunction on Shutdown RIFs, USCIS H1-B Fee Update, ED PSLF Rule Finalization, and Mental Health Grant Reinstatement Ruling from CU Federal Relations and Counsel
- Federal Government Update <sup>[42]</sup> (October 24, 2025)
  - An Update on the Federal Government Shutdown, USCIS H-1B Visa Fee Guidance, DOD Indirect Cost Cap Vacated, UVA WH Deal, Federal Loan Forgiveness Resumption, WH Higher Ed Compact, ARPA-H Director Sworn In, and DOE Science Advisory Committee Consolidation from CU Federal Relations and Counsel
- Federal Government Update <sup>[43]</sup> (October 17, 2025)
  - An Update on the Federal Government Shutdown, Pause in Shutdown RIFs, Objections to Cancelled Energy Projects, WH Compact Declinations, and Chamber of Commerce H-1B Visa Lawsuit from CU Federal Relations and Counsel
- Federal Government Update <sup>[44]</sup> (October 10, 2025)
  - An Update on the Federal Government Shutdown, H-1B Lawsuit, ED Resumption of Student Loan Forgiveness, NIH Research Security Policy Rescission, WH Student Loan Debt Sale Consideration, Congress Confirmation of ED/Science Officials, and MIT Declination of WH Compact Invitation from CU Federal Relations and Counsel.
- Federal Government Update <sup>[45]</sup> (October 3, 2025)
  - An Update on Federal Government Shutdown, CU Comments on Duration of Status Proposed Rule, NSF F&A Cap Policy Vacated, White House Higher Ed Compact, OCR RIF, EO on Pediatric Cancer, and National Council on the Humanities Firings from CU Federal Relations and Counsel.

## September 2025 Updates

- Federal Government Update <sup>[46]</sup> (September 26, 2025)
  - An Update on Government Funding, White House H-1B Proclamation, OMB and OSTP R&D Priorities Memo, ED 2026-27 FAFSA Opening, Science Nominee Votes, and UCLA Federal Funds Reinstatement by CU Federal Relations and Counsel
- Federal Government Update <sup>[47]</sup> (September 19, 2025)
  - An Update on HHS RIF Halt, ED Funding Redirection, NASA Chinese National Ban, and UC Funding Freeze Lawsuit from CU Federal Relations and Counsel
- Federal Government Update <sup>[48]</sup> (September 12, 2025)
  - An Update on ED Ending Minority Serving Institution Grants, Federal Courts Allowing Termination of NSF Grants, NIH Biosafety Initiative Launch, and the MAHA Strategy Report Release from CU Federal Relations and Counsel
- Federal Government Update <sup>[49]</sup> (September 5, 2025)
  - An Update on Space Command Relocation, In-State Tuition for Undocumented Students Lawsuit, Harvard Funding Freeze Ruled Illegal, Ruling on Pocket Rescissions, and OCR DPS Investigation from CU Federal Relations and Counsel

## August 2025 Updates

- Federal Government Update <sup>[50]</sup> (August 29, 2025)
  - An Update on the NIH Supreme Court Ruling, DHS Duration of Status Proposed Rule, EO on Political Activity by Federal Grantees, "Safeguarding Academia" Bulletin, CDC Director Removal, HHS MBRS Program Elimination, Sanctuary Jurisdiction Funding Cut Block, and DOJ HSI Lawsuit from CU Federal Relations and Counsel
- Federal Government Update <sup>[51]</sup> (August 22, 2025)
  - An Update on PSLF Proposed Rule, Supreme Court Ruling on NIH Grant Terminations, ED Guidance on FWS Allowable Activities, NIH "Gold Standard Science" Implementation Plan, NEH Reorganization, and USCIS Screening Guidance from CU Federal Relations and Counsel.
- Federal Government Update <sup>[52]</sup> (August 15, 2025)
  - An Update on ED DEI Ruling, ED Clarification on Enhanced Admissions Data, NIH Proposed Rule Prohibiting Certain Gender Data Collection, and ED/DOL/DOC Joint Workforce Strategy Report from CU Federal Relations and Counsel.
- Federal Government Update <sup>[53]</sup> (August 8, 2025)
  - An Update on ED Memo on Admissions Data, EO on Federal Grantmaking, NSF Grant Cancellation Lawsuit, GAO Update on Pocket Rescissions, GAO Report on NIH Grant Cancellations, ED Under Secretary Confirmation, and Investigations and Frozen Funds at UCLA/Duke from CU Federal Relations and Counsel.
- Federal Government Update <sup>[54]</sup> (August 1, 2025)
  - An Update on DOJ New DEI Guidance; OMB Initiative to Block NIH Funds Reversed; Administration Appeal of NIH Grant Termination Ruling; Decreased NIH Research Awards; NEH Grant Cancellations; and CDC Director Confirmation from CU Federal Relations and Counsel.

## July 2025 Updates

- Federal Government Update <sup>[55]</sup>

(July 25, 2025)

- An Update on the DoD Indirect Cost Cap, ED Implementation of OBBB, College Sports Executive Order, White House AI Action Plan, ED AI Guidance, EPA Elimination of Scientific Division, NIH Clarification on Animal Research, USDA Reorganization, and the White House and Columbia Settlement from CU Federal Relations and Counsel
- **Federal Government Update** <sup>[56]</sup> (July 18, 2025)
  - An Update on the Rescissions Package, CIRES Director Testimony, the Lifting of Injunction Preventing ED Layoffs, and New NIH Policies from CU Federal Relations and Counsel
- **Federal Government Update** <sup>[57]</sup> (July 11, 2025)
  - An Update on the Supreme Court Ruling on Federal Firings and Agency Closures, JAG Release of New Indirect Cost Model, NOAA Budget Proposal, Nationwide Injunction on Birthright Citizenship Executive Order, OCR Complaint Dismissals, FDA and NIH Animal Research Requirements, Lawsuit Against ED Mental Health Grant Cancellations, and NIH Announcements from CU Federal Relations and Counsel

## June 2025 Updates

- **Federal Government Transition Update** <sup>[58]</sup> (June 27, 2025)
  - An Update on NSF Indirect Cost Cap, NIH Halts Termination of Grants, OSTP Issues Agency Guidance for Implementing Gold Standard Science, HUD announces relation to NSF HQ, CO Joins Lawsuit Challenging OMB Federal Funding Cuts, DOJ Lawsuits Challenging In-State Tuition for Undocumented Students, Reinstatement of ED OCR Employees, Lawsuit Challenging STEM Education Cuts, Supreme Court Limits Power of Nationwide Injunctions in Birthright Citizenship Case, and CMS Issues Final Rule on Medicaid Enrollment from CU Federal Relations and Counsel
- **Federal Government Transition Update** <sup>[59]</sup> (June 20, 2025)
  - An Update on Reinstated NIH Grants, Association Lawsuit Against DOD F&A Cap, DOJ Lawsuit Regarding In-state Tuition for Undocumented Students, DOE Updated Civil Rights Regulations, Extension of Block on Proclamation Banning Foreign Students at Harvard, Resumption of Visa Interviews and Social Media Screening for Student Visa Applications, and Governor Polis' Release of Dashboard on Canceled and Frozen Funds from CU Federal Relations and Counsel
- **Federal Government Transition Update** <sup>[60]</sup> (June 13, 2025)
  - An Update on 15% DoD Indirect Cost Rate, JAG Indirect Cost Models Proposal, NIH Rescinding of DEI Terms and Conditions, CDC Vaccine Advisory Board Reconstitution, WH Memo on Medicaid State-Directed Payments, Tennessee HSI Lawsuit, CO Joining of Harvard Lawsuit Against Federal Fund Cancellations, and WH EO on Cybersecurity from CU Federal Relations and Counsel
- **Federal Government Transition Update** <sup>[61]</sup> (June 6, 2025)
  - An Update on Indirect Cost Rates, Travel Ban, Block on Harvard Foreign Student Proclamation, DHS Sanctuary Jurisdiction List Removal, and the NASA Administrator Nominee Withdrawal from CU Federal Relations and Counsel

## May 2025 Updates

- Federal Government Transition Update <sup>[62]</sup> (May 30, 2025)
  - An Update on New Student Visa Interviews, State Department Statement on Revoking Chinese Student Visas, Executive Order on Scientific Integrity, CO Joining the NSF F&A Rate Cap and Grant Terminations Lawsuit, DoD F&A Rate Cap Update, DHS List of Jurisdictions, and the White House Fiscal Year 2026 Budget Request.
- Federal Government Transition Update <sup>[63]</sup> (May 23, 2025)
  - An Update on DOE Indirect Cost Cap Preliminary Injunction, NSF Indirect Cost Cap Pause and New Grant Conditions, DoD Memo on Indirect Costs, DOJ Civil Rights Fraud Initiative, Block on Ed RIFs, HHS MAHA Report, CDHE Statement on ASSET, and Temporary Block on DHS Prohibiting International Student Enrollment at Harvard from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[64]</sup> (May 16, 2025)
  - An Update on NSF Reorganization, RIF TRO, ED Secretary Remarks on Student Loans, EO on Prescription Drug Prices, CO Joining Immigration Enforcement Lawsuits, and F&A Resources from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[65]</sup> (May 9, 2025)
  - An Update on NSF F&A Rate Cap, DOE F&A Rate Cap, NSF Plans to Eliminate Divisions, EO Improving the Safety and Security of Biological Research, HHS DCL Regarding Nondiscrimination Requirements for Medical Schools, New Guidance from NIH on No-Cost Extensions and Foreign Subawards, EPA Announcement of Reorganization, Colorado Joining HHS Cutbacks Lawsuit, and DOJ Lawsuit to Block Colorado Sanctuary Laws from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[66]</sup> (May 2, 2025)
  - An Update on the NSF F&A Cap, NOAA Cooperative Institutes, Executive Order on Sanctuary Jurisdictions, Department of Education DCL on Accreditation Options, NIH Initiative on Prioritizing Human-Based Research Technologies, Senate Hearing on Biomedical Research Programs, and NEH Lawsuit from CU Federal Relations and Counsel

## April 2025 Updates

- Federal Government Transition Update <sup>[67]</sup> (April 25, 2025)
  - An Update on Student Visas, New Education Executive Orders, Department of Education Lawsuits, NSF Director Resignation, NIH Requirements for Fund Recipients and Department of State Restructuring from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[68]</sup> (April 18, 2025)
  - An Update on the DOE 15% F&A Cap, Student Visas, NSF Updates, HHS Proposed Budget Cuts from CU Federal Relations and Counsel
- Federal Government Transition Update #2 <sup>[69]</sup> (April 11, 2025)
  - An Update on the DOE 15% F&A Cap and Leaked White House Documents from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[70]</sup> (April 11, 2025)
  - An Update on F&A, Review-and Repeal of Federal Regulations, New USCIS Social Media Screening, Title IX Investigations Team, Reductions in Force, and FDA Phase out of Animal Testing from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[71]</sup>

(April 4, 2025)

- An Update on Student Visas, the Announcement of New Agency Priorities, State-filed Lawsuits on Recission of COVID Funds and NIH Grant Disruptions and Terminations, and the Cancellation of Teaching Grants from CU Federal Relations and Counsel

## March 2025 Updates

- Federal Government Transition Update <sup>[72]</sup> (March 28, 2025)
  - An Update on the Emergency Funding Freeze, Lawsuits Against Department of Education Executive Order, and the HHS Restructuring and Reduction in Force Announcement from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[73]</sup> (March 21, 2025)
  - An Update on the Executive Order to Dismantle the Department of Education, the Department of Education RIF, the Recent Court Ruling on DEI, and the Reinstatement of Probationary Workers from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[74]</sup> (March 14, 2025)
  - An Update on Title VI Investigations, Department of Education, Federal Workforce, and Political Appointments and Departures from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[75]</sup> (March 11, 2025)
  - An Update on Federal Funding, New PSLF Executive Order, Federal Task Force to Combat Anti-Semitism, NIH Peer Review Announcement, and Termination of Teacher Preparation Grant from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[76]</sup> (March 6, 2025)
  - An Update on ED OCR Guidance, Federal Workforce, NIH F&A, Gender Affirming Care, USAID, Termination of Teacher Preparation Grant and President Trump's Joint Address of Congress from CU Federal Relations and Counsel

## February 2025 Updates

- Federal Government Transition Update <sup>[77]</sup> (February 28, 2025)
  - An Update on Immigration Policy, Federal Grants, and the Federal Workforce from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[78]</sup> (February 24, 2025)
  - An Update on Recent Legal Actions from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[79]</sup> (February 21, 2025)
  - An Update on ED OCR Guidance, Recent Court Actions, Gender Affirming Care, and Federal Funding from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[80]</sup> (February 17, 2025)
  - An Update on ED OCR Guidance from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[81]</sup> (February 14, 2025)
  - An Update on NIH Funding, the Federal Workforce, NIL Payments, and Recent Legal Action from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[82]</sup> (February 10, 2025)
  - An Update on Recent Legal Action Concerning NIH Funding from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[83]</sup> (February 9, 2025)
  - An Update on NIH Funding from CU Federal Relations and Counsel

- Federal Government Transition Update <sup>[84]</sup> (February 7, 2025)
  - An Update on NIH Funding from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[85]</sup> (February 5, 2025)
  - An Update on the Federal Workforce, DEI, and Gender Affirming Care from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[86]</sup> (February 3, 2025)
  - An Update on Federal Grants from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[87]</sup> (February 1, 2025)
  - An Update on Federal Grants from CU Federal Relations and Counsel

## January 2025 Updates

- Federal Government Transition Update <sup>[88]</sup> (January 31, 2025)
  - An Update on Executive Order FAQs from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[89]</sup> (January 29, 2025)
  - An Update on Federal Grants from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[90]</sup> (January 28, 2025)
  - An Update on Federal Grants from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[91]</sup> (January 24, 2025)
  - An Update on Executive Orders from CU Federal Relations and Counsel
- Federal Government Transition Update <sup>[92]</sup> (January 22, 2025)
  - An Update on the Federal Government Transition and Executive Orders from CU Federal Relations and Counsel
- White House Presidential Actions <sup>[93]</sup>
- Association of Public and Land-Grant Universities (APLU) Overview of President Trump's Executive Orders <sup>[94]</sup> (Updated March 3, 2025)
- Council on Government Relations (COGR) Administration Transition Information & Resources <sup>[95]</sup>
- Just Security Litigation Tracker: Legal Challenges to Trump Administration Actions <sup>[96]</sup>

## Executive Order FAQ

Our office has compiled a list of Frequently Asked Questions pertaining to current executive actions. We will continue to update this list. Please continue to contact your campus leadership with questions and to highlight impacts of executive actions on your projects, programs, and departments. The Office of University Counsel and the Office of Federal Relations will continue to analyze the potential impact of these actions on the university.

*Published on January 31, 2025. Last updated on April 29, 2025.*

## Executive Actions Generally

### Executive Actions Generally



## **There are three kinds of presidential actions, Memorandums, Executive Orders and Proclamations.**

### **1. What can an executive order do?**

Executive orders manage and direct operations of the executive branch of government (e.g., instructions to federal agencies, request for reports from federal agencies).

### **2. What is beyond the authority of an executive order?**

Executive orders do not override existing laws. If an executive order exceeds this authority, it may be challenged in the courts.

## **DEI - Generally**

### **DEI - Generally** <sup>[97]</sup>

### **3. What is the primary impact of the orders on DEI generally?**

The recent executive orders prohibit DEI in federal agencies. There are also impacts on federal contracting, discussed below.

[Updated February 13, 2025] The federal administration has issued additional guidance that it does not intend to “prohibit educational, cultural, or historical observances – such as Black History Month, International Holocaust Remembrance Day, or similar events – that celebrate diversity, recognize historical contributions, and promote awareness without engaging in exclusion or discrimination.”

### **4. Do the orders impact the Supreme Court case on affirmative action in student admissions?**

Not immediately. Federal agencies must provide guidance on “the measures and practices required to comply with *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*,” which struck down race-based affirmative action in admissions, by May 21, 2025.

[Updated April 29, 2025] On February 14, the U.S. Department of Education’s Office of Civil Rights (OCR) issued a new four-page Dear Colleague Letter <sup>[98]</sup> indicating it will apply a broad interpretation of the U.S. Supreme Court’s 2023 decision on *Students for Fair Admissions*. OCR then released FAQs <sup>[99]</sup> on February 28 to supplement the Dear Colleague letter. Overall, the FAQs are consistent with current law, with which the University already complies.

The guidance confirms the process investigators will follow to determine whether universities are out of compliance with Title VI. This process will facilitate negotiations between universities and the Department before any proceedings are initiated that could put an institution’s federal funding at risk.

### **5. What about potential DEI-related civil rights investigations?**

By May 21, 2025, federal agencies must identify up to nine potential investigations of “illegal DEI” from sectors including institutions of higher education with endowments over \$1 billion. It

is unclear whether this enforcement priority is limited to private institutions of higher education. Federal agencies also are to identify “other strategies” to encourage the private sector to end “illegal DEI,” including potential litigation for the administration to pursue.

## **6. Has freedom of speech or academic freedom been limited?**

No. One order reaffirms free speech protections for institutions of higher education and states that it does not prohibit teachers from advocating for, endorsing, or promoting DEI activities otherwise prohibited by the order.

## **DEI - Federal Contracting**

### **DEI – Federal Contracting** <sup>[97]</sup>

## **7. What impact do the executive orders have on federal contractors?**

We anticipate that the federal government may terminate contracts/grants solely pertaining to DEI/DEIA and may terminate any DEI/DEIA aspects of current contracts/grants. Certain agencies including NASA <sup>[100]</sup> have already issued notifications to stop all DEI/DEIA work under their awards starting from the date of the notification. The Department of Energy <sup>[101]</sup> has removed the (PEIR) Promoting Inclusive and Equitable Research requirement on all open proposals to the Office of Science.

Going forward, federal contracts or grants must also include a term that requires the university to certify that it does not operate “any programs promoting DEI that violate any applicable Federal anti-discrimination laws.” A previous executive order that required federal contractors to have affirmative action plans has been rescinded.

## **8. How is contractor/grantee defined?**

This is usually broadly defined as the “Regents of the University of Colorado,” but contracts/grants also list a specific Principal Investigator and a project. It is anticipated that some of the termination orders/amendments to federal contracts/grants will come broadly to the university as a whole and some will be case-by-case to narrow the scope of work for a particular PI/project.

## **9. How are DEI, DEIA, and “equity-related” defined?**

DEI is defined as “diversity, equity, and inclusion” and DEIA is defined as “diversity, equity, inclusion, and accessibility,” but those terms are not further defined, nor is “equity-related” defined by the executive order. As a starting point, PIs should determine if the contract/grant specifically refers to diversity, equity, inclusion, or accessibility in the scope of work, and consult with campus offices of contracts/grants for further guidance if needed. It is anticipated that the government will strike all DEIA plans included in proposals/awards and all areas specifically labeled as DEI or equity plans, but how far this will extend into “related” areas is yet to be seen.

## **10. Can the federal government claw back funds already disbursed?**

No. This would not be permissible under general contract law principles, and the executive

orders have been limited to addressing funding going forward.

**11. Can the federal government terminate future work on a grant/contract?**

Most likely, yes. Most contracts/grants allow the government to terminate work going forward. PIs should check their contracts/grants for terms regarding funding and termination.

**12. If future work is terminated, is there any recourse for the contractor/grantee?**

So long as the contract/grant is properly terminated, there is not likely to be recourse, but PIs should refer to the terms of the contract/grant and, if needed, consult with the campus contract/grant office to be sure.

## **Immigration**

### **Immigration**

**13. Can President Trump end DACA through an executive order?**

No. Since DACA is a federal regulation, termination of the program would have to go through the lengthy formal rulemaking process.

**14. What impact does the rescission of the protected areas policy have?**

In 2021, the Biden administration issued guidance that Immigration and Customs Enforcement (ICE) should refrain from immigration enforcement actions in higher education institutions, among other areas. The Trump administration has rescinded that guidance.

**15. What if law enforcement comes to campus?**

If you are approached by law enforcement or governmental agents seeking information, in all circumstances direct them to campus police dispatch who will engage the university's legal services for support as needed.

Campus dispatch numbers include:

CU Denver at Auraria: 303-556-5000

CU Boulder: 303-492-6666

UCCS: 719-255-3111

CU Anschutz Medical Campus: 303-724-4444

**16. What if there is a request for records on undocumented students or employees?**

Generally, the university is not obligated to comply with requests for student or employee records without a subpoena or warrant. Under FERPA, a valid subpoena, warrant, or court order is typically required for nonconsensual access to student records, subject to limited exceptions. Various legal frameworks also protect certain employee records, including personnel documents and files. Contact campus counsel if you have questions about a request for student or employee records.

## **Executive Order: "Protecting the US from Foreign Terrorists and other**

## **National Security and Public Safety Threat”**

### **Executive Order: “Protecting the US from Foreign Terrorists and other National Security and Public Safety Threat”** <sup>[102]</sup>

#### **17. What has happened concerning review of applications for immigration benefits?**

The executive order institutes increased review of applications for U.S. immigration benefits including visas and admission to the United States.

#### **18. To whom does the executive order apply?**

The new restriction applies to any individual (foreign national) who applies for a U.S. immigration benefit such as but not limited to visas, admission (entry) to the United States, permanent residency “green card” applications, petitions for non-immigrant temporary status, etc. It does *not* apply to U.S. citizens.

#### **19. Does the executive order put in place a travel ban?**

No. The executive order does not implement a travel ban. However, it requires that, within 60 days, a report be submitted to the president identifying countries whose citizens should be subject to a full or partial ban on entering the United States.

#### **20. How will the executive order impact pending immigration applications including visa applications at U.S. consulates and embassies and permanent residency applications pending with the U.S. Citizenship and Immigration Services?**

To carry out the executive order, federal agencies will likely scrutinize all applications more closely, which will slow down the process. There may be delays as well when seeking to be admitted to the United States at the airports or land borders.

#### **21. Does the new entry restriction require an international student and scholar to leave the United States?**

No. The new restriction does not require anyone in the United States to depart. The restrictions do not affect the immigration status for those who are already present in the United States. The U.S. government will not ask them to leave the country if they maintain their current immigration status.??

## **Gender Ideology Executive Order**

### **Gender Ideology Executive Order** <sup>[103]</sup>

#### **22. What does this order do?**

The order provides that “[i]t is the policy of the United States to recognize two sexes, male and female.” This order also prohibits the use of federal funds to promote gender ideology, which it defines as “an ever-shifting concept of self-assessed gender identity.” By February 19, 2025, the Secretary of Health and Human Services shall provide “clear guidance expanding on the sex-based definitions set forth in this order.”

[Updated February 27, 2025] On February 19, 2025, the Department of Health and Human Services (HHS) published the following sex-based definitions:

- **Sex** is a person's immutable biological classification as either male or female.
- **Female** is a person of the sex characterized by a reproductive system with the biological function of producing eggs (ova).
- **Male** is a person of the sex characterized by a reproductive system with the biological function of producing sperm.
- **Woman** is an adult human female.
- **Girl** is a minor human female.
- **Man** is an adult human male.
- **Boy** is a minor human male.
- **Mother** is a female parent.
- **Father** is a male parent.

More can be read at the [Sex-Based Definitions](#) <sup>[104]</sup> page on the HHS Office on Women's Health webpage.

### 23. What is the impact of this order on Title IX?

Title IX prohibits sex discrimination in education. The Biden administration interpreted this prohibition to include discrimination based on sexual orientation and gender identity. This order rescinds that broader interpretation. University policy continues to prohibit discrimination based on sexual orientation and gender identity among a broad list of categories against which discrimination is explicitly banned.

### 24. Will this order impact the university's ability to provide gender affirming care to youth?

Yes, it will. The head of each federal agency “that provides research or education grants to medical institutions” must “immediately take appropriate steps to ensure institutions receiving Federal research or education grants end the chemical and surgical mutilation of children.” “Chemical and surgical mutilation” is defined by the order in detail and the order notes that it is “sometimes referred to as ‘gender affirming care.’” “Children” is defined by the order to include those under 19 years of age.

### 25. Does this order prohibit the university from providing benefits that cover gender affirming care?

Although the order addresses certain health insurance plans provided by the federal government, it does not address the university's health plans. We will continue to monitor for potential impacts.

## Anti-Semitism Executive Order

## **Anti-Semitism Executive Order** <sup>[105]</sup>

### **26. What does this executive order do?**

This order identifies existing immigration law, which provides that potential bases for deportation of a non-citizen include “endors[ing] or espous[ing] terrorist activity or persuad[ing] others to endorse or espouse terrorist activity or support a terrorist organization.”? It directs federal agencies to make recommendations to the president on how to “familiarize” institutions of higher education with this existing immigration law so institutions of higher education “may” monitor and report any such activities by non-citizens.

The order also calls for federal agencies to inventory all pending civil rights complaints, filed with administrative agencies or courts, involving post-10/7/23 campus anti-Semitism. For the court cases, the federal attorney general must indicate if she “intends to or has taken any action with respect to such matters, including filing statements of interest or intervention.”?

### **27. Should campus equity offices prepare reports of submissions/resolutions relevant to the executive order?**

No, not beyond what is already required by other laws. The executive order requires further action from the federal government, not the university.

### **28. How does FERPA and/or Colorado law impact how institutions of higher education monitor/report on activities “by alien students and staff”?**

Laws, including FERPA, continue to apply and are not superseded by the executive orders. More importantly, the order does not mandate monitoring or reporting by institutions of higher education. The next step is for federal agencies to make recommendations to the president on how to “familiarize” institutions of higher education with existing immigration law. The goal of familiarizing institutions of higher education is “so that such institutions may monitor and report” certain student activities, but nothing in the order requires it.

## **U.S. Department of Education**

### **U.S. Department of Education** <sup>[106]</sup>

### **29. Can the Administration dismantle the Department of Education through this executive order?**

No. While this order calls for the closure of the Department of Education and instructs the Secretary of Education “to the maximum extent appropriate and permitted by law, take all necessary steps” to close the Department without disrupting the delivery of educational services.

The Department, which was created by Congress in 1979 (PL 96-88 <sup>[107]</sup>), cannot be dismantled absent legislative action.

### **30. What effect will this EO have on Student Financial Aid Funding and the University?**

This EO, and the Reduction in Force EO, should not affect student financial aid funding, but

the administration has said they are looking to move it to another agency, which could cause disruptions.

PI interactions with grant program managers could change as specific offices are closed or reconfigured.

#### Department of War (DOW)

- Implementation of a 15% Indirect Cost Cap on Assistance Awards to Institutions of Higher Education <sup>[108]</sup> (June 12, 2025)
- Statement Clarifying Defense Contracting <sup>[109]</sup> (January 28, 2025)

#### Department of Education (ED)

- Dear Colleague Letter (DCL) on Changes to the Approval Process for Changing Accrediting Agencies <sup>[110]</sup> (May 1, 2025)
- U.S Department of Education and U.S. Department of Justice Announce Title IX Special Investigations Team <sup>[111]</sup> (April 4, 2025)
- Letter on ED Reduction in Force (RIF) <sup>[112]</sup> (March 14, 2025)
- Dear Colleague Letter (DCL) to Clarify and Reaffirm the Nondiscrimination Obligations of Schools and Other Entities that Receive Federal Financial Assistance from the United States Department of Education <sup>[98]</sup> (February 14, 2025)
  - On February 28, ED published an FAQ document <sup>[99]</sup> regarding questions raised in response to the DCL.
- Guidance Related to Temporary Pause of Federal Financial Assistance Programs <sup>[113]</sup> (January 28, 2025; Updated January 30)

#### Department of Energy (DOE)

- Energy Department Aligns Award Criteria for For-profit, Non-profit Organizations, and State and Local Governments, Saving \$935 Million Annually <sup>[114]</sup> (May 8, 2025)
- Department of Energy Overhauls Policy for College and University Research, Saving \$405 Million Annually for American Taxpayers <sup>[115]</sup> (April 11, 2025)
- Agency-wide Review of Program and Administrative Activities <sup>[116]</sup> (January 20, 2025)

#### Department of Health and Human Services (HHS)

- Dear Colleague Letter (DCL) on Nondiscrimination Requirements for Medical Schools on the Basis of Race, Color, and National Origin pursuant to *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181 (2023) <sup>[117]</sup> (May 6, 2025)
- HHS Announces Transformation to Make America Healthy Again <sup>[118]</sup> (March 27, 2025)
- Immediate Pause on Issuing Documents and Public Communication - ACTION <sup>[119]</sup> (January 21, 2025)

#### Department of Homeland Security (DHS)

- DHS to Begin Screening Aliens' Social Media Activity for Antisemitism <sup>[120]</sup> (April 9, 2025)

## Department of State (DOS)

- Building an America First State Department <sup>[121]</sup> (April 22, 2025)

## Environmental Protection Agency

- EPA Announces Next Phase of Organizational Improvements to Better Integrate Science into Agency Offices, Deliver Clean Air, Land, and Water to All Americans <sup>[122]</sup> (May 2, 2025)

## Food and Drug Administration (FDA)

- FDA Announces Plan to Phase Out Animal Testing Requirement for Monoclonal Antibodies and Other Drugs <sup>[123]</sup> (April 10, 2025)

## National Aeronautics and Space Administration (NASA)

- Initial Guidance Regarding Diversity, Equity, Inclusion, Accessibility <sup>[124]</sup> (January 23, 2025)

## National Institutes of Health (NIH)

- Updated Guidance on Reopening of NIH Extramural Activities Following the October 1, 2025 - Lapse in Appropriations <sup>[125]</sup> (November 24, 2025)
- Update: Recission Notice re: Implementation of NIH Research Security Policies <sup>[126]</sup> (September 29, 2025)
  - Rescinds NIH Policies previously announced in NOT-OD-25-154 <sup>[127]</sup>
- Updated NIH Processes for No-Cost Extensions <sup>[128]</sup> (May 7, 2025)
- Updated NIH Policy on Foreign Subawards <sup>[129]</sup> (May 1, 2025)
- NIH to prioritize human-based research technologies <sup>[130]</sup> (April 29, 2025)
- Notice of Civil Rights Term and Condition of Award <sup>[131]</sup> (April 21, 2025)
- Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates <sup>[132]</sup> (February 7, 2025)
  - On February 12, NIH issued an internal memo <sup>[133]</sup> directing all Institutes and Centers to resume issuing grants using previously approved indirect cost rates negotiated with institutions.

## National Science Foundation (NSF)

- Revision of the Grant General Conditions (GC-1) <sup>[134]</sup> (May 19, 2025)
- Staff Memorandum OD 25-35, Workforce Restructuring Actions <sup>[135]</sup> (May 9, 2025)
- Policy Notice: Implementation of Standard 15% Indirect Cost Rate <sup>[136]</sup> (May 2, 2025)
- Statement of NSF priorities <sup>[137]</sup> (April 18, 2025)
- Letter to the Community <sup>[138]</sup> (Sent March 11, 2025)
- Implementation of Recent Executive Orders <sup>[139]</sup> (January 28, 2025; Updated March 7)

## Office of Management and Budget (OMB)

- Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs <sup>[140]</sup> (January 27, 2025)
  - Q&A on Memo Regarding Temporary Pause <sup>[141]</sup>



- On January 28, a federal judge issued a stay on this order until February 3, 2025 to further review the case. More can be read at *AP News* <sup>[142]</sup>.
- **On January 29, OMB released a memo, Rescission of M-25-13** <sup>[143]</sup>, that rescinded the order freezing federal grants.

#### Office of Personnel Management (OPM)

- Guidance on Probationary Periods, Administrative Leave and Details <sup>[144]</sup> (January 20, 2025; Updated March 4)

#### Office of Science and Technology Policy (OSTP)

- Agency Guidance for Implementing Gold Standard Science in the Conduct & Management of Scientific Activities <sup>[145]</sup> (June 23, 2025)

U.S. federal government agencies have published contingency plans in the event of a government shutdown. CU Federal Relations has gathered a list of relevant agency plans:

- Department of Education <sup>[146]</sup> (ED)
- National Science Foundation <sup>[147]</sup> (NSF)
- Department of War <sup>[148]</sup> (DOW)
- Department of Health and Human Services <sup>[149]</sup> (HHS)
- National Institutes of Health <sup>[150]</sup> (NIH)
- National Aeronautics and Space Administration <sup>[151]</sup> (NASA)
- Environmental Protection Agency <sup>[152]</sup> (EPA)
- Department of Labor <sup>[153]</sup> (DOL)
- Department of Homeland Security <sup>[154]</sup> (DHS)
- Department of State <sup>[155]</sup> (DOS)
- Centers for Medicare & Medicaid Services <sup>[156]</sup> (CMS)
- Department of Commerce <sup>[157]</sup> (DOC)

Additionally, APLU has created a shutdown resources <sup>[158]</sup> page.

### **November Statements and Letters**

- Statement by ACE President Ted Mitchell on Trump Administration's Continued Dismantling of the Department of Education <sup>[159]</sup> (November 18, 2025)

### **October Statements and Letters**

- Statement of AAU President Barbara R. Snyder on the Association's Legal Filing Challenging the \$100,000 H-1B Visa Petition Fee <sup>[160]</sup> (October 24, 2025)

### **September Statements and Letters**

- AAU President Barbara R. Snyder Opposes Administration's Decision to Revoke Funding for Minority-Serving Institutions

<sup>[161]</sup> (September 11, 2025)

- APLU Statement on Elimination of U.S. Department of Education Program Funding for Minority Serving Institutions <sup>[162]</sup> (September 11, 2025)

## August Statements and Letters

- ACE Letter on ED's Implementation of H.R. 1 <sup>[163]</sup> (August 28, 2025)
  - Joined by AAU, AAMC, APLU, and others.
- AAU Opposes New Executive Order That Politicizes the Grantmaking Process <sup>[164]</sup> (August 26, 2025)
- AAMC Statement on Supreme Court Decision Allowing NIH Grant Terminations to Proceed <sup>[165]</sup> (August 21, 2025)
- AAMC Statement on Executive Order on Federal Grantmaking <sup>[166]</sup> (August 8, 2025)

## July Statements and Letters

- Joint Associations Group on Indirect Costs Releases Recommendation for Updated, More Efficient, Transparent Research Funding Model <sup>[167]</sup> (July 11, 2025)

## June Statements and Letters

- Statement of Association of Public & Land-grant Universities, Association of American Universities, and American Council on Education Regarding Their Legal Challenge to the Administration's Cut to Critical Defense Research <sup>[168]</sup> (June 16, 2025)
- Statement of AAU President Barbara R. Snyder on the Announcement of New Travel Bans <sup>[169]</sup> (June 5, 2025)

## May Statements and Letters

- APLU, Associations Express Concerns on Student Visa Interview Pauses <sup>[170]</sup> (May 30, 2025)
- Statement Of AAU President Barbara R. Snyder on the Administration's Revocation of the Ability of Any International Students to Attend Harvard University <sup>[171]</sup> (May 23, 2025)
- AJC, ACE, AAU, Others Unite Against Antisemitism, Caution on Federal Overreach <sup>[172]</sup> (May 6, 2025)
- Statement of AAU, the APLU, and ACE Regarding their Legal Challenge to the National Science Foundation's Cut to Critical Research That Strengthens America <sup>[173]</sup> (May 5, 2025)
- Statement of AAU President Barbara R. Snyder on Cuts to NSF Facilities & Administrative Research Costs <sup>[174]</sup> (May 2, 2025)
- AAU Outlines Concerns About Massive Research Cuts in FY26 Presidential Budget Request <sup>[175]</sup> (May 2, 2025)
- APLU Statement on the Administration's Budget Request <sup>[176]</sup> (May 2, 2025)
- AAMC Statement on the President's Budget Request Preview <sup>[177]</sup> (May 2, 2025)
- AAMC Statement on Proposed Changes to Student Aid in House Budget Resolution <sup>[178]</sup> (May 1, 2025)

## April Statements and Letters

- AAU Statement Outlining Concerns about Provisions Negatively Impacting Student Access and Affordability in the “Student Success and Taxpayer Savings Plan” <sup>[179]</sup> (April 29, 2025)
- Statement of Association of American Universities, Association of Public & Land-grant Universities, and American Council on Education Regarding Their Legal Challenge to the Administration’s Cut to Critical Energy Research <sup>[180]</sup> (April 11, 2025)

## March Statements and Letters

- Statement by ACE President Ted Mitchell on President Trump's Executive Order to Dismantle the Department of Education <sup>[181]</sup> (March 20, 2025)
- APLU Statement on Executive Order to Dismantle the U.S. Department of Education <sup>[182]</sup> (March 20, 2025)
- Statement of AAU President Barbara R. Snyder on Order to Dismantle Department of Education Personnel and Programs <sup>[183]</sup> (March 20, 2025)
- Statement by ACE President Ted Mitchell on Sweeping Layoffs at the Department of Education <sup>[184]</sup> (March 11, 2025)
- Statement of AAU President Barbara R. Snyder Regarding the Cancellation of \$400 Million in Federal Contracts and Grants to Columbia University <sup>[185]</sup> (March 7, 2025)
- AAMC Statement on Preliminary Injunction Against Cuts to NIH-Funded Research <sup>[186]</sup> (March 5, 2025)

## February Statements and Letters

- APLU Letter Regarding the February 14, 2025, Dear Colleague Letter on Nondiscrimination in Education <sup>[187]</sup> (February 21, 2025)
- Statement of Association of American Universities, Association of Public & Land-grant Universities, and American Council on Education Regarding Their Legal Challenge to the Administration’s Cut to Life-saving NIH Research <sup>[188]</sup> (February 10, 2025)
- The Association of American Cancer Institutes Statement on Indirect Cost Rates <sup>[189]</sup> (February 8, 2025)
- AAMC Statement on Drastic Cuts to NIH-Funded Research <sup>[190]</sup> (February 8, 2025)
- COGR Statement on NIH Indirect Cost Rates <sup>[191]</sup> (February 8, 2025)
- Statement of AAU President Barbara R. Snyder on Cuts to NIH Facilities and Administrative (F&A) Research Costs <sup>[192]</sup> (February 7, 2025)
- Statement by ACE President Ted Mitchell on Trump Administration Move to Slash Research Indirect Cost Rate <sup>[193]</sup> (February 7, 2025)

## January Statements and Letters

- APLU Statement on Pause on Federal Grants <sup>[194]</sup> (January 28, 2025)
- Statement of AAU President Barbara Snyder on January 27 OMB Memo Pausing American Scientific Advancement <sup>[195]</sup>

(January 28, 2025)

- Statement of AAU President Barbara Snyder on Rescinding of January 27 OMB Memo <sup>[196]</sup> (January 29, 2025)
- Statement by ACE President Ted Mitchell on Federal Assistance Pause <sup>[197]</sup> (January 28, 2025)

## Groups audience:

Office of Government Relations

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- [10] <https://www.cuanschutz.edu/federaltransition/updates/important-federal-transition-update---2-21-25>
- [11] <https://view.communications.cu.edu/?qs=a58cd3e527c06cde7512a24b5c6a9f17586b67dc46ea0de564c6797366c67>
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- [13] <https://view.com.ucdenver.edu/?qs=e2f30b1863a83d03afe5bdcf4d35b22738213ffb5b5630c4f3a3046d7b408756ad2>
- [14] <https://www.colorado.edu/chancellor/newsletter/newsletter/federal-transition-and-how-were-responding> [15] <https://www.cuanschutz.edu/federaltransition/updates/important-federal-transition-update---2-11-25> [16] <https://www.cuanschutz.edu/federaltransition/updates/important-federal-transition-updates---2-3-25>
- [17] <https://view.communications.cu.edu/?qs=faf55fd7993476edda84b035c8b538647def01a6e6bf890b2c2ca615e4c6bf7>
- [18] <https://www.cuanschutz.edu/federaltransition/updates/federal-agency-transition-update---1-23-25>
- [19] <https://www.cu.edu/doc/nsf-declaration-cap-overall-rate-cu-boulderpdf> [20] <https://www.cu.edu/doc/cu-denver-declaration-nsfpdf> [21] <https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Research-Administration-Regulation/Costs-of-Research/AAU-NSF-Complaint.pdf> [22] <https://apluprod.s3.amazonaws.com/wp-content/uploads/ESC-DOE-FA-Statement-April-2025.pdf>
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[44] <https://www.cu.edu/blog/government-relations/federal-government-update-101025>

[45] <https://www.cu.edu/blog/government-relations/federal-government-update-10325>

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