

Federal Transition Updates ^[1]

CU Federal Relations is working to analyze the potential impacts of the current federal transition, recent executive 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](#) ^[2].

CU Resources

Campus Resources

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

Leadership Statements

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

Campus Statements

- CU Denver provided [a declaration](#) ^[18] relative to [a lawsuit](#) ^[19] regarding the purported grant modification/termination recently issued by the Department of Education.
- CU Boulder and CU Anschutz Medical Campus provided declarations at the request of the Colorado Attorney General relative to [a lawsuit](#) ^[20] regarding the National Institutes of Health reimbursement rate reductions.

CU Federal Transition Updates

- Federal Government Transition Update #2 ^[21] (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 ^[22] (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 ^[23] (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
- Federal Government Transition Update ^[24] (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 ^[25] (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 ^[26] (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 ^[27] (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 ^[28] (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
- Federal Government Transition Update ^[29] (February 28, 2025)
 - An Update on Immigration Policy, Federal Grants, and the Federal Workforce from CU Federal Relations and Counsel
- Federal Government Transition Update ^[30] (February 24, 2025)
 - An Update on Recent Legal Actions from CU Federal Relations and Counsel
- Federal Government Transition Update ^[31] (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 ^[32] (February 17, 2025)
 - An Update on ED OCR Guidance from CU Federal Relations and Counsel
- Federal Government Transition Update ^[33] (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 ^[34] (February 10, 2025)
 - An Update on Recent Legal Action Concerning NIH Funding from CU Federal Relations and Counsel
- Federal Government Transition Update ^[35]

(February 9, 2025)

- An Update on NIH Funding from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[36] (February 7, 2025)
 - An Update on NIH Funding from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[37] (February 5, 2025)
 - An Update on the Federal Workforce, DEI, and Gender Affirming Care from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[38] (February 3, 2025)
 - An Update on Federal Grants from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[39] (February 1, 2025)
 - An Update on Federal Grants from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[40] (January 31, 2025)
 - An Update on Executive Order FAQs from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[41] (January 29, 2025)
 - An Update on Federal Grants from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[42] (January 28, 2025)
 - An Update on Federal Grants from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[43] (January 24, 2025)
 - An Update on Executive Orders from CU Federal Relations and Counsel
- [Federal Government Transition Update](#) ^[44] (January 22, 2025)
 - An Update on the Federal Government Transition and Executive Orders from CU Federal Relations and Counsel

Executive Orders and Federal Agency Guidance

- [White House Presidential Actions](#) ^[45]
- [Association of Public and Land-Grant Universities \(APLU\) Overview of President Trump's Executive Orders](#) ^[46] (Updated March 3, 2025)
- [Council on Government Relations \(COGR\) Administration Transition Information & Resources](#) ^[47]
- [Just Security Litigation Tracker: Legal Challenges to Trump Administration Actions](#) ^[48]

Federal Agency Memos

Department of Defense (DOD)

- [Statement Clarifying Defense Contracting](#) ^[49] (January 28, 2025)

Department of Education (ED)

- [U.S. Department of Education and U.S. Department of Justice Announce Title IX Special Investigations Team](#) ^[50] (April 4, 2025)
- [Letter on ED Reduction in Force \(RIF\)](#) ^[51] (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](#) ^[52] (February 14, 2025)
 - On February 28, ED published an [FAQ document](#) ^[53] regarding questions raised in response to the DCL.
- [Guidance Related to Temporary Pause of Federal Financial Assistance Programs](#) ^[54]

(January 28, 2025; Updated January 30)

Department of Energy (DOE)

- Department of Energy Overhauls Policy for College and University Research, Saving \$405 Million Annually for American Taxpayers ^[55] (April 11, 2025)
- Agency-wide Review of Program and Administrative Activities ^[56] (January 20, 2025)

Department of Health and Human Services (HHS)

- HHS Announces Transformation to Make America Healthy Again ^[57] (March 27, 2025)
- Immediate Pause on Issuing Documents and Public Communication - ACTION ^[58] (January 21, 2025)

Department of Homeland Security (DHS)

- DHS to Begin Screening Aliens' Social Media Activity for Antisemitism ^[59] (April 9, 2025)

Food and Drug Administration (FDA)

- FDA Announces Plan to Phase Out Animal Testing Requirement for Monoclonal Antibodies and Other Drugs ^[60] (April 10, 2025)

National Aeronautics and Space Administration (NASA)

- Initial Guidance Regarding Diversity, Equity, Inclusion, Accessibility ^[61] (January 23, 2025)

National Institutes of Health (NIH)

- Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates ^[62] (February 7, 2025)
 - On February 12, NIH issued an internal memo ^[63] directing all Institutes and Centers to resume issuing grants using previously approved indirect cost rates negotiated with institutions.

National Science Foundation (NSF)

- Letter to the Community ^[64] (Sent March 11, 2025)
- Implementation of Recent Executive Orders ^[65] (January 28, 2025; Updated March 7)

Office of Management and Budget (OMB)

- Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs ^[66] (January 27, 2025)
 - Q&A on Memo Regarding Temporary Pause ^[67]
 - 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 ^[68].
 - **On January 29, OMB released a memo, Rescission of M-25-13 ^[69], that rescinded the order freezing federal grants.**

- Guidance on Probationary Periods, Administrative Leave and Details ^[70] (January 20, 2025; Updated March 4)

Executive Order FAQs

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 February 27, 2025.

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 ^[71]

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

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

[Updated February 13, 2025] However, the federal administration has issued 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.

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 ^[71]

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 ^[72] have already issued notifications to stop all DEI/DEIA work under their awards starting from the date of the notification. The Department of Energy ^[73] 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.” Additionally, 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

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"

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, 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 ^[75]

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](#) ^[76] 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.

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 ^[77]

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.

Association Statements and Letters

- [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](#) ^[78] (April 11, 2025)
- [Statement by ACE President Ted Mitchell on President Trump's Executive Order to Dismantle the Department of Education](#) ^[79] (March 20, 2025)
- [APLU Statement on Executive Order to Dismantle the U.S. Department of Education](#) ^[80] (March 20, 2025)
- [Statement of AAU President Barbara R. Snyder on Order to Dismantle Department of Education Personnel and Programs](#) ^[81] (March 20, 2025)
- [Statement by ACE President Ted Mitchell on Sweeping Layoffs at the Department of Education](#) ^[82] (March 11, 2025)
- [Statement of AAU President Barbara R. Snyder Regarding the Cancellation of \\$400 Million in Federal Contracts and Grants to Columbia University](#) ^[83] (March 7, 2025)
- [AAMC Statement on Preliminary Injunction Against Cuts to NIH-Funded Research](#) ^[84] (March 5, 2025)
- [APLU Letter Regarding the February 14, 2025, Dear Colleague Letter on Nondiscrimination in Education](#) ^[85] (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](#) ^[86] (February 10, 2025)
- [The Association of American Cancer Institutes Statement on Indirect Cost Rates](#) ^[87] (February 8, 2025)
- [AAMC Statement on Drastic Cuts to NIH-Funded Research](#) ^[88] (February 8, 2025)
- [COGR Statement on NIH Indirect Cost Rates](#) ^[89] (February 8, 2025)
- [Statement of AAU President Barbara R. Snyder on Cuts to NIH Facilities and Administrative \(F&A\) Research Costs](#) ^[90] (February 7, 2025)

- [Statement by ACE President Ted Mitchell on Trump Administration Move to Slash Research Indirect Cost Rate](#) ^[91] (February 7, 2025)
- [APLU Statement on Pause on Federal Grants](#) ^[92] (January 28, 2025)
- [Statement of AAU President Barbara Snyder on January 27 OMB Memo Pausing American Scientific Advancement](#) ^[93] (January 28, 2025)
 - [Statement of AAU President Barbara Snyder on Rescinding of January 27 OMB Memo](#) ^[94] (January 29, 2025)
- [Statement by ACE President Ted Mitchell on Federal Assistance Pause](#) ^[95] (January 28, 2025)

Groups audience:

Office of Government Relations

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Links

- [1] <https://www.cu.edu/office-government-relations/federal-relations/federal-transition-updates>
- [2] <https://www.cu.edu/blog/government-relations>
- [3] <https://www.colorado.edu/today/federal-transition>
- [4] <https://www.uccs.edu/federal-updates>
- [5] <https://www.cuanschutz.edu/federaltransition>
- [6] <https://ucdenver.edu/federal-updates>
- [7] <https://www.cu.edu/university-relations/statements/statement-university-colorado-regarding-recent-visa-revocations>
- [8] <https://president.cu.edu/statements/message-president-and-chancellors>
- [9] <https://www.cuanschutz.edu/federaltransition/updates/important-federal-transition-update---2-21-25>
- [10] <https://view.communications.cu.edu/?qs=a58cd3e527c06cde7512a24b5c6a9f17586b67dc46ea0de564c6797366c67>
- [11] <https://view.com.ucdenver.edu/?qs=e2f30b1863a83d0397174d8c80693ce2696085ba8a44b16a8f601a12cb3eef44af>
- [12] <https://view.com.ucdenver.edu/?qs=e2f30b1863a83d03afe5bdcf4d35b22738213ffb5b5630c4f3a3046d7b408756ad2>
- [13] <https://www.colorado.edu/chancellor/newsletter/newsletter/federal-transition-and-how-were-responding>
- [14] <https://www.cuanschutz.edu/federaltransition/updates/important-federal-transition-update---2-11-25>
- [15] <https://www.cuanschutz.edu/federaltransition/updates/important-federal-transition-updates---2-3-25>
- [16] <https://view.communications.cu.edu/?qs=faf55fd7993476edda84b035c8b538647def01a6e6bf890b2c2ca615e4c6bf7>
- [17] <https://www.cuanschutz.edu/federaltransition/updates/federal-agency-transition-update---1-23-25>
- [18] https://ucdenver.edu/docs/default-source/federal-updates/tqp-dec-colorado-denver-3-4-25_coag-edits.pdf?sfvrsn=709727b4_2
- [19] <https://coag.gov/app/uploads/2025/03/TQP-SEED-Complaint-AS-FILED.pdf>
- [20] <https://coag.gov/app/uploads/2025/02/ECF-001-Complaint-Mass.-v.-NIH-1.pdf>
- [21] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-2-41125>
- [22] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-41125>
- [23] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-4425>
- [24] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-32825>
- [25] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-32125>
- [26] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-31425>
- [27] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-31125>
- [28] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-3625>
- [29] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-22825>
- [30] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-22425>
- [31] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-22125>
- [32] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-21725>
- [33] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-21425>
- [34] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-21025>
- [35] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-2925>
- [36] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-2725>
- [37] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-2525>

[38] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-2325>
[39] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-2125>
[40] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-13125>
[41] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-12925>
[42] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-12825>
[43] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-12425>
[44] <https://www.cu.edu/blog/government-relations/federal-government-transition-update-12225>
[45] <https://www.whitehouse.gov/presidential-actions/>
[46] https://aplu-prod.s3.amazonaws.com/wp-content/uploads/APLU-Overview-of-Trump-EOs.pdf?mkt_tok=NjAzLVVSVy0xMjcAAAGYKfTlrLPbV9YpwU61BEDR6R3amzMw7FfWvqcvv-qBQXvW8o1NVzQaPwIU3_qk6Y-9_vorRh7algTDYZOrUi2K7Xy_UjJ1UJB5dccj8N9UVSU
[47] <https://www.cogr.edu/2025-administration-transition-information-resources>
[48] <https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/>
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