

Congress, the Administration and Higher Education – A Washington Perspective



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NAPAHE

2026

Government Relations - Background

I am a Lobbyist, No really

I have worked in and around government for 30 + years

My job is to essentially explain Washington to Campus – and Campus to Washington.

Your campus has a me somewhere – either as formal office with staff, as one of a myriad of hats worn by one person, or an outside consultant.

You should learn who they are if you don't already know them. They can help deal with all sorts of issues that arise



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What Is Their Job?

A Year of Upheaval and Disruption

The US Federal Government has undergone a massive transformation including in its relationship to higher education.

There have been dramatic changes to DEI, Research Budgets, Indirect costs, loan eligibility and changes in the treatment of international students and faculty.

There have been a number of specific attacks on individual institutions, a dismantling of the Department of Education, changes in access to financial aid and lots and lots of litigation.

And there is a new battleground on the horizon - Accreditation

Start with some Good News

While it may not feel like it, Higher Education has been somewhat successful at pushing back on a number of these proposals.

Research budgets which were proposed to be slashed by as much as 50% were mostly only cut by about 3% overall, while some even saw small increases.

Indirect costs recovery has not been slashed to 15% - and efforts are underway to reach a compromise that provides more transparency while shifting some costs to direct costs.

The Government abandoned its appeal of a court order to stop the Dear Colleague on DEI from going into effect.

Still a lot of work to be done

There are have been significant impacts to many programs that will have long term effects.

There is considerable uncertainty regarding what is and is not allowable under the law regarding issues of diversity programming.

The ongoing changes at the Department of Education are making it difficult to get clarifications on program administration.

There is significant uncertainty about how and whether the Department will continue to operate

There has been a significant reduction in experienced staff who facilitate all Dept of Ed programs.

Future of DEI

Although the Administration has abandoned its appeal of the Injunction against the Dear Colleague regarding DEI programs, it is clear that the Administration will continue to push for the elimination of any DEI programming.

Investigations and lawsuits accusing universities of discrimination through the use of race in scholarships, admissions, and DEI programming are continuing.

Placing conditions on federal grants to limit eligibility

Simply the threat of sanctions have resulted in many programs being shut down, staff laid off and outreach programs terminated or modified.

Activists looking for DEI programming on campus websites or in union common areas and reporting them to the Dept of Education

Significant impacts are felt disproportionately by smaller institutions

Larger Institutions generally can handle greater funding cuts/delays better than smaller ones – this is leading some smaller institutions to face significant cuts or consider closing altogether.

Students are changing their areas of focus – and even questioning whether to pursue higher education at all. This is particularly true for graduate students

Enrollment trends are siphoning students away from smaller institutions toward larger, higher profile universities as those universities adopt enrollment strategies that accept more undergraduates.

Immigration/Student Loan Access Limits

International students/faculty are either unable or choosing not to come to the U.S. (And some states (FL) are proposing bans on foreign students altogether)

This will have significant financial impacts on some institutions because international students pay full freight – and faculty (especially in the physical sciences) are often immigrants as well. The loss of a significant portion of these students and faculty will have major financial and curriculum impacts on many universities.

The changes in eligibility for professional and graduate loans are likely to have significant impacts on the number of students who are able to complete medical and related degrees – at a time when a larger portion of the citizenry is reaching the age they will need greater and greater access to healthcare.

Private loans may be available, but at higher costs.

Impacts on Student Enrollment

Schools which had a large international student populations are expanding their acceptance of undergraduate students to try to mitigate the impact of the loss of revenue.

This will increase pressures on the competition for students

This comes at a time when there was already a downward trend in the number of high school student graduates due to demographic trends as well as more people questioning the value of a degree.

Changes in financial aid eligibility for certain professions like nursing – along with the questions of legality for scholarships which include a race or gender element will also potentially impact whether and what majors women and minorities find available to them.

The natural consequence will be that smaller institutions will see an even greater challenge to their enrollment and matriculation rates due to increased competition and decreased support

Closing of the Department of Education

The Administration has proposed closing the entire Department of Education. In response, Congress has told the Department not to shut down.

The Department has entered into several Interagency Agreements over the last year to transfer some specific programs to other Departments. These agreements are now being challenged.

The Administration has drastically cut staffing causing delays and confusion when problems arise in the administration of federal financial aid.

The Office of Civil Rights was transformed from an office that generally held universities to account for their treatment of minorities and women, to an office that primarily is focused on issues of race neutrality. Most, if not all, of the prior cases have been dropped.

The Department is now seeking to enter into a Negotiated Rule Making process related to student loan programs, definition of professional programs, and Pell Grant eligibility.

Research Funding and Administration

Fiscal Year 2026 (which we are currently in) represented a significant win for Higher Ed as it relates to the federal research funding portfolio. Most of the massive cuts proposed by the Administration were overruled by Congress.

Congress also put in place reporting requirements to assure that the Administration was spending the money as directed by Congress.

However, even though the National Institute of Health (NIH) funding was not cut drastically, the Congress allowed, for now, the practice of forward funding the entire five-year grant in one cycle. While that is good for that grant – since their money will be assured – it will result in far fewer awards per year. This will have a very disruptive effect on graduate education which often rely on federal grant funding to support the graduate students.

The National Science Foundation (NSF), a major funder of individual investigator grants, is seeking permission to rehire more staff since they acknowledged that they cut too many employees. However, NSF is also seeking permission to significantly reduce the number of awards and make the applications more general.

The Next Battleground - Accreditation

The Administration is expected to propose changing the accreditation process and introduce new requirements for accreditors to be allowed to serve as accreditors.

Proposals may include selecting new organizations to serve as accreditors

Requiring accreditors to force universities to acquiesce to Administration demands on items such as curriculum and academic freedom.

Anticipate many of the proposals that had been included in the so-called Compact for the Academic Excellence in Higher Education. Key demands include banning race/sex-based admissions, freezing tuition for five years, capping foreign enrollment at 15%, eliminating DEI, increasing political diversity of faculty and defining sex based on sex assigned at birth.

What comes next

First, know that the government relations professionals, along with the federal academic associations including AAU, APLU, ACE, AAAS and many others continue to advocate for positive higher education and research policies.

There will likely continue to be legal challenges to major changes in federal policy.

Congress is pushing back on the Administration related to funding levels and changes to specific programs.

There have been two government shutdowns this past cycle – the first one which closed the entire federal government for 43 days and the current one that only affects DHS. (and most notably FEMA and TSA). This coming cycle, the Administration is expected to ask for a 50% increase to the Department of Defense. This could result in a major impasse right before the election for several reasons – objections to the current War in Iran, possible cuts to domestic discretionary budgets and ongoing fights over DHS and immigration enforcement.

What does all this mean for you?

Turmoil and uncertainty will continue to be an everyday fact of life for a while.

Individual institutions will continue to see significant impacts on their enrollments – some seeing changes in mix from international graduate to in-state and out of state undergraduates.

Some will see difficulty attracting students due to both the competition for students and the trends for some to choose alternatives to higher education.

Resources will likely be shifting to reflect these realities.

Those institutions undergoing accreditation review may see significant changes to what is required and increased focus on new areas of emphasis.

Knowing who to contact in your institution should you receive inquiries from outside groups, legislators or federal regulators will be important.

Keep doing the good work you are doing. There are many people across the country working on making sure the policies and funding levels are put in place that benefit the students and the communities your institutions serve. It will be bumpy at times, but in the end, I believe we will get to a more stable future.

Questions?

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