

United States Senate
HEALTH, EDUCATION, LABOR AND PENSIONS COMMITTEE

Bernard Sanders, Ranking Member
Minority Staff Report
January 7, 2025

Trump's War on Free Speech

I. Executive Summary

Since taking office, President Donald Trump has launched an unprecedented attack on free speech at colleges and universities. President Trump has tried to wield the power of the federal government to control what institutions of higher education can say or do.

One of the Trump administration's latest attacks is the so-called "Compact for Academic Excellence in Higher Education," which was sent to thirteen universities in an attempt to tie federal funding to restrictions on speech. Erwin Chemerinsky, one of the leading constitutional law scholars in the country, called the Compact "extortion, plain and simple."¹ According to the conservative CATO Institute, the document included "many lawless and unconstitutional provisions, which begin but do not end with First Amendment violations."² The Compact is just one of the many actions the administration has pursued in its aggressive movement toward authoritarianism.

Senator Bernie Sanders (I-Vt.), Ranking Member of the Senate Committee on Health, Education, Labor and Pensions (HELP Committee), directed his staff to document the full range of Trump's attacks on the First Amendment at colleges and universities.

Key Findings:

- **Federal courts have ruled that the Trump administration violated or likely violated the First Amendment in at least 17 higher education-related court cases.**
 - In August 2025, a District Court judge in Maryland appointed by President Trump found that the Trump administration "initiated a sea change in how the Department of Education regulates educational practices and classroom conduct, causing millions of educators to reasonably fear that their lawful, and even beneficial, speech might cause them or their schools to be punished."
 - In November 2025, a District Court judge in California found "the Administration and its executive agencies are engaged in a concerted campaign to purge 'woke,' 'left,' and 'socialist' viewpoints from our country's leading universities" and the administration has "publicly announced a playbook of initiating civil rights

¹ Erwin Chemerinsky, "Trump's 'Compact' With Universities Is Just Extortion," The New York Times, October 2, 2025, <https://www.nytimes.com/2025/10/02/opinion/trump-compact-universities-constitution.html>

² Walter Olsen, "Universities Must Defend Their Independence by Rejecting Trump's 'Compact'," Cato Institute, October 10, 2025, <https://www.cato.org/blog/universities-must-defend-their-independence>

investigations of preeminent universities to justify cutting off federal funding, with the goal of bringing universities to their knees and forcing them to change their ideological tune.”

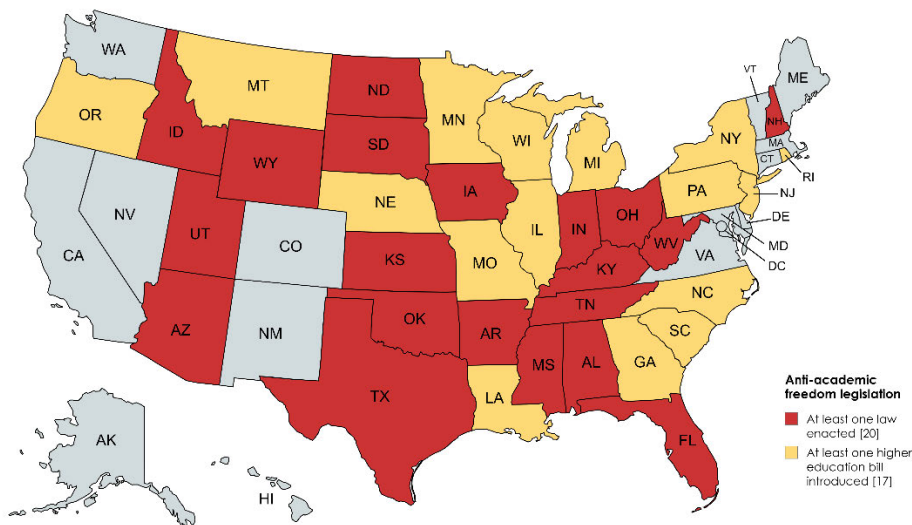
- In April 2025, a District Court judge in New Hampshire quoted a Supreme Court opinion that “the right to speak freely and to promote diversity of ideas and programs is . . . one of the chief distinctions that sets us apart from totalitarian regimes” and stated that action taken by the Trump Administration “threatens to erode these foundational principles.” The judge noted many teachers “have self-censored to protect their livelihoods.”
- In June 2025, a District Court judge in Massachusetts noted that “core constitutional rights” are an “essential hedge against authoritarianism.” The judge warned, quoting George Washington, that “if freedom of speech is taken away, then ‘dumb and silent we may be led, like sheep to the slaughter.’”
- **The Trump administration has effectively cut nearly \$3 billion to institutions of higher education.**
 - The Trump administration distributed nearly \$3 billion less in his first nine months in office in 2025 than was distributed during same period in 2024, despite no change in funding levels from Congress.
 - The amount the Trump administration pressured four universities to pay the federal government in “settlements” could have instead paid for full-ride scholarships for 33,607 students.
- **The Trump administration has pushed out faculty and students.**
 - At least 50 university faculty and staff have resigned, been fired for their views, or fled the U.S. since Trump was elected, including at least eight cases where researchers left out of concern they would not be able to continue research under Trump, according to public reports.
 - At least 6,000 students have had their visas revoked, according to the U.S. State Department.
- **The Trump administration is preparing to further consolidate control over higher education by weaponizing the accreditation process, which determines whether students can use their federal student aid at colleges and universities.**
 - In a July 17, 2023, campaign video, Trump referred to accreditation as his “secret weapon” and vowed to fire accreditors that disagree with him and replace them with new ones.³ Since returning to office, Trump has begun to take steps to transform the traditionally nonpartisan accreditation process to control colleges’ curricula, administration, and hiring and enrollment practices.

³ “Agenda47: Protecting Students from the Radical Left and Marxist Maniacs Infecting Educational Institutions,” donaldjtrump.com, July 17, 2025, <https://www.donaldjtrump.com/agenda47/agenda47-protecting-students-from-the-radical-left-and-marxist-maniacs-infecting-educational-institutions>

In the United States of America, the President should not get to decide what students or professors can say, which ideas are protected, or whom universities can enroll. Every college and university in this country must reject the Trump administration's attacks on free speech. Now more than ever, it is imperative that colleges and universities stand up for the truth.

In America today, the freedom to speak, teach, and learn without fear of retribution is under attack. In the past year, President Trump has launched an all-out assault on higher education, arresting student protesters, slashing billions of dollars in federal funding, and extorting universities to fall in line with extreme views.

Figure 1. Legislation Signed into Law Between 2021-2025 Related to Academic Freedom in Higher Education



⁵ Ibid.

College faculty have felt the effects of recent political attacks on academic freedom. Nearly 53 percent of faculty reported feeling more worried than they were in 2017 or 2018 about online targeted harassment toward them based on their beliefs or activities as faculty members. The same study showed that half of faculty members believe that their colleagues are more likely to avoid controversial topics than in the past, and 53 percent of faculty members are less willing today than they were six or seven years ago to express what they believe to be correct statements about the world.⁶

Since taking office, the Trump administration has taken unprecedented action to use the entire power of the Federal government to limit free speech and suppress academic freedom.

III. President Trump Has Violated the First Amendment

Since taking office, Trump issued 18 executive orders targeting free speech across 20 federal agencies, including the Department of Education, and at least thirteen executive orders targeting free speech on college campuses.⁷ Courts have repeatedly determined that the actions the Trump administration has taken against universities, faculty, and students violate the First Amendment.

Since January 21, 2025, federal courts have ruled in 17 higher education-related cases that the Trump administration violated or likely violated the First Amendment.⁸ Federal judges blocked Trump administration actions by granting preliminary injunctions on First Amendment grounds in eight cases involving students, researchers, and a university. In an additional four cases, federal judges ruled against the government on First Amendment grounds without even requiring a trial (known as “summary judgment”). In another five cases, federal judges decided

⁶ “Faculty Report Declining Academic Freedom,” [aaup.org](https://www.aaup.org/news/faculty-report-declining-academic-freedom), American Association of University Professors, January 6, 2025, <https://www.aaup.org/news/faculty-report-declining-academic-freedom>

⁷ Exec. Order No. 14202, 90 FR 9365 (2025); Exec. Order No. 14185, 90 FR 8763 (2025); Exec. Order No. 14279, 90 FR 17529 (2025); Exec. Order No. 14188, 90 FR 8847 (2025); Exec. Order No. 14242, 90 FR 13679 (2025). Exec. Order No. 14149, 90 FR 8243 (2025); Exec. Order 14168, 90 FR 8615 (2025); Exec. Order 14151, 90 FR 8339 (2025); Exec. Order 14173, 90 FR 8633 (2025); Exec. Order 14201, 90 FR 9279 (2025); Exec. Order 14281, 90 FR 17537 (2025); Exec. Order 14287, 90 FR 18761 (2025); Exec. Order 14282, 90 FR 17541 (2025).

⁸ Memo from Congressional Research Service to Senate Health, Education, Labor, and Pensions Committee Staff (Oct. 30, 2025). HELP minority staff requested a CRS analysis of court cases. CRS identified relevant cases through keyword searches for *(First /3 Amendment) /100 (universit! OR colleg! OR (higher! /2 ed!) OR ((student! OR facult!) /3 (visa! OR protest!)))* across the [Westlaw Executive Action & Litigation database](#), and CRS also consulted the following resources: Inside Higher Ed, *Tracking Key Lawsuits Against the Trump Administration*, <https://www.insidehighered.com/news/government/politics-elections/2025/09/09/tracking-key-lawsuits-against-trump-administration>; Just Security, *Litigation Tracker: Legal Challenges to Trump Administration Actions*, <https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/>; and Civil Rights Litigation Clearinghouse, *Trump Administration 2.0: Challenges to the Government*, <https://clearinghouse.net/collections/38759>. CRS reviewed the Complaints from the results to identify cases involving both higher-education and First Amendment claims. For any Complaints which included both elements, CRS retrieved the current docket sheets for the cases (through October 29, 2025), and reviewed them for any decisions which were granted in part on First Amendment grounds. CRS also identified any appeals of these decisions and retrieved the current docket sheets for the U.S. Court of Appeals cases to ascertain the current status of each case.

in favor of five international students who were detained by federal immigration agents for exercising their free speech rights on their college campus by ordering those students released or determining that their detention was unlawful.

Table 1. Successful First Amendment Challenges from Universities and Faculty, January 21, 2025 – Present

Case Title	Date Filed	Brief Summary	Quote from the opinion	Status
<i>National Association of Diversity Offices in Higher Education v. Trump</i>	February 3, 2025	The National Association of Diversity Officers in Higher Education filed a lawsuit to challenge two of Trump’s executive orders intended to dismantle diversity, equity, and inclusion programs.		Preliminary injunction, granted in part on First Amendment grounds appealed to the U.S. Court of Appeals for the Fourth Circuit, which has stayed the district court’s preliminary injunction pending appeal. Oral arguments were held on September 11, 2025.
<i>American Federation of Teachers v. U.S. Department of Education</i>	February 25, 2025	AFT, in conjunction with the Democracy Forward Foundation, American Sociological Association, AFT-Maryland, and Eugene School District 4J filed a lawsuit challenging the Department’s anti-DEI February 14th Dear Colleague letter and subsequent materials.	“The government did not merely remind educators that discrimination is illegal: it initiated a sea change in how the Department of Education regulates educational practices and classroom conduct, causing millions of educators to reasonably fear that their lawful, and even beneficial, speech might cause them or their schools to be punished.” — Opinion at 76.	Summary judgment granted in part on First Amendment grounds, appealed to the U.S. Court of Appeals for the Fourth Circuit.
<i>National Education Association v. U.S. Department of Education</i>	March 5, 2025	NEA and the ACLU filed a lawsuit on First Amendment grounds challenging the Department of Education’s February 14th Dear Colleague letter threatening federal funds for institutions engaged in DEI efforts.	The judge quoted a Supreme Court opinion that “the right to speak freely and to promote diversity of ideas and programs is . . . one of the chief distinctions that sets us apart from totalitarian regimes” and stated that action taken by the Trump Administration “threatens to erode these foundational principles.” The judge noted many teachers “are presently suffering First Amendment violations as a result of [the Administration’s] coercion of educational institutions into	Preliminary injunction granted in part on First Amendment grounds. Case remains ongoing with pending summary judgment motions from plaintiffs and defendants.

Case Title	Date Filed	Brief Summary	Quote from the opinion	Status
			censoring their members' speech. Many more of plaintiffs' members have self-censored to protect their livelihoods." — Opinion at 74.	
<i>American Association of University Professors v. Rubio</i>	March 25, 2025	The AAUP, the Middle Eastern Studies Association and several AAUP chapters brought the suit with the Knight First Amendment Institute at Columbia University after the Trump administration arrested and detained noncitizen students and faculty en masse for ideological reasons.	"This case -- perhaps the most important ever to fall within the jurisdiction of this district court -- squarely presents the issue whether non-citizens lawfully present here in United States actually have the same free speech rights as the rest of us. The Court answers this Constitutional question unequivocally "yes, they do." "No law" means "no law." The First Amendment does not draw President Trump's invidious distinction and it is not to be found in our history or jurisprudence." — Opinion at 3-4.	The Opinion includes a finding that plaintiffs' First Amendment rights have been violated, with a remedy hearing forthcoming.
<i>American Association of University Professors – Harvard Faculty Chapter v. U.S. Department of Justice</i>	April 11, 2025	Harvard's chapter of AAUP sued Trump's DOJ to block the administration from demanding that Harvard restrict speech and restructure its operations to avert the cancellation of \$8.7 billion in federal grant funds.	"[A] review of the administrative record makes it difficult to conclude anything other than that Defendants used antisemitism as a smokescreen for a targeted, ideologically-motivated assault on this country's premier universities, and did so in a way that runs afoul of the APA, the First Amendment and Title VI. Further, their actions have jeopardized decades of research and the welfare of all those who could stand to benefit from that research, as well as reflect a disregard for the rights protected by the Constitution and federal statutes." — Opinion at 79.	Summary judgment granted in part on First Amendment grounds. No appeal has yet been filed.
<i>President and Fellows of Harvard College v. U.S.</i>	April 21, 2025	Harvard University sued HHS, alleging that HHS' freezing of federal grants and contracts based on "viewpoint		Summary judgment granted in part on First Amendment grounds. No appeal has yet been filed.

Case Title	Date Filed	Brief Summary	Quote from the opinion	Status
<i>Department of Health and Human Services</i>		discrimination” violated the First Amendment and the administrative Procedure Act.		
<i>President and Fellows of Harvard v. U.S. Department of Homeland Security</i>	May 23, 2025	Harvard sued DHS after DHS terminated Harvard’s Student and Exchange Visitor Program (SEVP) certification, barring them from enrolling foreign students.	<p>“[T]his case is about core constitutional rights that must be safeguarded: freedom of thought, freedom of expression, and freedom of speech, each of which is a pillar of a functioning democracy and an essential hedge against authoritarianism.</p> <p>...</p> <p>“Here, the government’s misplaced efforts to control a reputable academic institution and squelch diverse viewpoints seemingly because they are, in some instances, opposed to this Administration’s own views, threaten these rights. To make matters worse, the government attempts to accomplish this, at least in part, on the backs of international students, with little thought to the consequences to them or, ultimately, to our own citizens. As George Washington said, if freedom of speech is taken away, then ‘dumb and silent we may be led, like sheep to the slaughter.’”</p> <p>—Opinion at 43-44.</p>	Preliminary injunction granted in part on First Amendment grounds, appealed to the U.S. Court of Appeals for the First Circuit.
<i>The Authors Guild v. National Endowment for the Humanities</i>	May 12, 2025	The Authors Guild sued the National Endowment for the Humanities (NEH) and the Department of Government Efficiency (DOGE) after Trump terminated 1,400 NEH grants for individuals and projects, including at colleges and universities.	<p>“The Court has concluded that Plaintiffs are entitled to preliminary injunctive relief solely because they are likely to succeed on the merits of demonstrating that the Mass Termination pursuant to which their grants were terminated was carried out in violation of the First Amendment.” —Opinion at 77.</p>	The case was consolidated with <i>American Council of Learned Societies v. McDonald</i> . Preliminary injunction granted for <i>The Authors Guild</i> . The judge granted the preliminary injunction for The Authors Guild on First Amendment

Case Title	Date Filed	Brief Summary	Quote from the opinion	Status
				grounds but did not grant a preliminary injunction for American Council of Learned Societies. The American Council of Learned Societies has appealed that decision to the U.S. Court of Appeals for the Second Circuit.
<i>Thakur v. Trump</i>	June 4, 2025	Dr. Neeta Thakur led a class of University of California researchers in filing this lawsuit to recover federal research grants that the Trump administration suspended or terminated.	The Administration “may not set out to suppress ideas it deems dangerous by trying to drive them out of the marketplace of ideas, and may not do so by canceling grants on the basis that they serve the very purposes for which Congress appropriated the funds.” — Opinion at 2.	Preliminary injunction granted in part on First Amendment grounds appealed to the U.S. Court of Appeals for the Ninth Circuit. Oral arguments were held November 14, 2025.
<i>American Association of University Professors, et al. v. Trump, et al.</i>	September 16, 2025	The case was filed after the Trump administration terminated federal research grants to the University of California system, alleging that the administration’s cuts were a part of a coercive effort to undermine free speech and academic freedom.	“[T]he Administration and its executive agencies are engaged in a concerted campaign to purge “woke,” “left,” and “socialist” viewpoints from our country’s leading universities. Agency officials, as well as the President and Vice President, have repeatedly and publicly announced a playbook of initiating civil rights investigations of preeminent universities to justify cutting off federal funding, with the goal of bringing universities to their knees and forcing them to change their ideological tune. Universities are then presented with agreements to restore federal funding under which they must change what they teach, restrict student anonymity in protests, and endorse the Administration’s view of gender, among other things.”— Opinion at 1.	Preliminary injunction granted in part on First Amendment grounds.

Table 2. Successful First Amendment Challenges to Deportation Actions as a Result of Student Speech, January 21, 2025 – Present

Case Title	Date Filed	Brief Summary	Quote from the Decision	Status
<i>Khalil v. Joyce</i>	March 17, 2025	Columbia University student activist Mahmoud Khalil sued the Department of Homeland Security after being detained and having his Green Card terminated for participating in campus protests against the war in Gaza.		Preliminary injunction appealed to the U.S. Court of Appeals for the Third Circuit. Oral arguments were held on October 21, 2025.
<i>Chung v. Trump</i>	March 24, 2025	Columbia University student activist Yunseo Chung sued the Trump administration after she was detained and pursued for removal from the United States for her participation in campus protests related to the war in Gaza that Secretary Rubio determined harmful to U.S. foreign policy interests.		Preliminary injunction appealed to the U.S. Court of Appeals for the Second Circuit.
<i>Mahdawi v. Trump</i>	April 14, 2025	Columbia University student Mohsen Mahdawi filed this lawsuit against the Trump administration after he was detained in retaliation for his advocacy against the war in Gaza.	“Legal residents—not charged with crimes or misconduct—are being arrested and threatened with deportation for stating their views on the political issues of the day. Our nation has seen times like this before, especially during the Red Scare and Palmer Raids of 1919-1920 that led to the deportation of hundreds of people suspected of anarchist or communist views....Similar themes were sounded during the McCarthy period in the 1950s when thousands of non-citizens were targeted for deportation due to their political views.” — Opinion at 24-25.	Motion for release has been granted in part on First Amendment grounds. Decision has been appealed to the U.S. Court of Appeals for the Fourth Circuit. Oral arguments were held on Sept. 30, 2025.
<i>Hoque v. Trump</i>	Sealed	Bangladeshi national and international student Mohammed Hoque sued the Trump administration after DHS detained him and claimed that his visa had been revoked. Hoque alleged that DHS detained him due	“This case tests the constitutional limits of Executive Branch power: Can the federal government detain and move to deport a lawful noncitizen student for his political speech? At issue is not merely the legality of a	Petition for writ of <i>habeas corpus</i> granted in part on First Amendment grounds. Decision appealed to the U.S. Court of Appeals for the Eighth Circuit.

Case Title	Date Filed	Brief Summary	Quote from the Decision	Status
		to his opposition to the war in Gaza.	single student’s detention, but whether the First and Fifth Amendments retain their full force when invoked by arguably the most vulnerable—noncitizens in federal custody. The record reflects a coordinated series of executive actions—retaliatory in focus, opaque in their justification, and deficient in process—that collectively offend foundational constitutional protections.” — Opinion at 2.	Briefing has been stayed due to the lapse in government appropriations.
<i>Harsono v. Trump</i>	Sealed	Aditya Harsono, an Indonesian national and international student, sued the Trump administration after his student visa was revoked and he was detained following his participation in a protest against police violence.		Petition for writ of <i>habeas corpus</i> granted in part on First Amendment grounds. Decision appealed to the U.S. Court of Appeals for the Eighth Circuit.
<i>Suri v. Trump</i>	Sealed	Georgetown postdoctoral scholar Dr. Badar Khan Suri filed this lawsuit against the Trump administration after he was arrested and transported to various immigration detention centers for his participation in protests against the war in Gaza.		Motion for release granted in part on First Amendment grounds. Decision appealed to the U.S. Court of Appeals for the Fourth Circuit. Oral arguments are scheduled in January 2026.
<i>Ozturk v. Hyde</i>	Sealed	International Tufts University student Rumeysa Ozturk filed this lawsuit following her detention by plainclothes ICE officers after she co-authored an op-ed in a student newspaper criticizing Tufts’ response to student activism in response to the war in Gaza.	“[Öztürk’s] substantial claims, which have been largely un rebutted by the government, are that her detention is retaliation for her op-ed in a school newspaper and that her detention is punitive, in part to serve as a message to others contemplating similar speech.” — Opinion at 27	Motion for release granted in part on First Amendment grounds. Earlier decision in the case from April 18, 2025, appealed to the U.S. Court of Appeals for the Second Circuit. Oral arguments were held on Sept. 30, 2025.

IV. Trump is Defunding and Extorting Universities

The Trump administration is defunding universities. To quantify the impact of Trump's attacks, HELP Committee Minority Staff compared higher education spending between January and September 2024 to higher education spending between January and September 2025 according to a government database (USAspending.gov).

Since Trump took office, he has effectively cut nearly \$3 billion of federal funding to institutions of higher education. The Trump administration distributed \$2,759,507,420 less to institutions of higher education in his first nine months in office than was distributed over the same period in 2024, despite no change in congressional appropriations.⁹

While the administration and the Department of Government Efficiency (DOGE) claimed these cuts generated taxpayer savings and eliminated diversity, equity, and inclusion programs, these indiscriminate cuts have halted lifesaving medical research, efforts to combat climate change, teacher preparation programs, and countless other critical initiatives.¹⁰

In addition to these indiscriminate funding cuts, the administration has also used targeted civil rights investigations to threaten to freeze or cancel funds from universities. The Department of Education's Office for Civil Rights initiated civil rights investigations into 63 universities and sent warnings to 60 universities¹¹ of potential enforcement action over alleged antisemitism and discrimination based on race or sex.

The administration escalated enforcement actions against Brown University, Columbia University, Harvard University, the University of California, Los Angeles (UCLA), and the University of Pennsylvania by freezing billions of dollars in federal grants and contracts across numerous federal agencies. The administration froze \$510 million from Brown,¹² \$1.3 billion from Columbia,¹³ and \$2.2 billion from Harvard.¹⁴ Trump also suspended \$584 million from

⁹ "House Passes H.R. 1968, Full-Year Continuing Appropriations and Extensions Act, 2025," House Committee on Appropriations - Republicans, March 11, 2025, <https://appropriations.house.gov/news/press-releases/house-passes-hr-1968-full-year-continuing-appropriations-and-extensions-act>.

¹⁰ Greta Bedekovics, and Will Ragland, "Mapping Federal Funding Cuts to U.S. Colleges and Universities," Center for American Progress, July 23, 2025, <https://www.americanprogress.org/article/mapping-federal-funding-cuts-to-us-colleges-and-universities/>

¹¹ "U.S. Department of Education's Office for Civil Rights Sends Letters to 60 Universities Under Investigation for Antisemitic Discrimination and Harassment," U.S. Department of Education, March 10, 2025, <https://www.ed.gov/about/news/press-release/us-department-of-educations-office-civil-rights-sends-letters-60-universities-under-investigation-antisemitic-discrimination-and-harassment>

¹² Anemona Hartocollis, Alan Blinder, Michael C. Bender and Vimal Patel, "Trump Administration Set to Pause \$510 Million for Brown University," The New York Times, April 3, 2025, <https://www.nytimes.com/2025/04/03/us/trump-administration-brown-university-funding-pause.html>

¹³ "DOJ, HHS, ED, and GSA Announce Initial Cancellation of Grants and Contracts to Columbia University Worth \$400 Million," U.S. Department of Education, March 7, 2025, <https://www.ed.gov/about/news/press-release/doj-hhs-ed-and-gsa-announce-initial-cancellation-of-grants-and-contracts-columbia-university-worth-400-million>

¹⁴ Alvin Powell, "Trump administration freezes \$2.2 billion in grants to Harvard," Harvard T.H. School of Public Health, Harvard University, April 15, 2025, <https://hsph.harvard.edu/news/trump-administration-freezes-2-2-billion-in-grants-to-harvard/>

UCLA¹⁵, \$175 million from the University of Pennsylvania¹⁶, and \$790 million from Northwestern University.¹⁷

To unfreeze their funds, Brown University, Columbia University, Cornell University, UCLA, and Northwestern University agreed to settlement agreements that gave the administration unprecedented power over faculty hiring, course offerings, and student admissions. Harvard University has still not reached a settlement agreement.

Table 3. Settlement agreements between major universities and the Trump Administration

Name	Select terms of the settlement agreement	What they could have done with the money instead
Brown University	<ul style="list-style-type: none"> - Redirect \$50 million from university funds to workforce development in Rhode Island - Adopt the Trump administration's definition of male and female - Provide admissions data to the federal government to ensure no "unlawful" racial discrimination is occurring in their admissions. - End gender affirming care at Brown's school of medicine and affiliated hospitals. 	<u>With the settlement amount, Brown could fund more than 700 full-ride scholarships for its students.</u>
Columbia University	<ul style="list-style-type: none"> - Pay more than \$200 million to the federal government over the next three years, in addition to \$21 million to the Equal Employment Opportunity Commission, totaling \$221 million. - Commit the university to amending its antidiscrimination policies to use the International Holocaust Remembrance Alliance definition of antisemitism—a definition that many free speech organizations have condemned as chilling constitutionally protected speech. - Requires Columbia to assign a university administrator to review academic programming focused on regional areas, starting with the Middle East. - Forces Columbia to name new faculty members "with joint positions in both the Institute for Israel and Jewish Studies and the departments or fields of economics, political science" or the School of International and Public Affairs. - Requires the university to maintain a standing police force of at least 36 officers with arrest powers.¹⁸ 	<u>With the settlement amount, Columbia could fund more than 3,100 full-ride scholarships for its students.</u>

¹⁵ Julio Frenk, "Update on Protecting Our Research Mission," Office of the Chancellor, University of California Los Angeles, August 6, 2025, <https://chancellor.ucla.edu/messages/update-on-protecting-our-research-mission>

¹⁶ Alan Binder, and Michael C. Bender, "White House Plans to Pause \$175 Million for Penn Over Transgender Policy," The New York Times, March 19, 2025, <https://www.nytimes.com/2025/03/19/us/politics/trump-to-pause-175-million-for-university-of-pennsylvania-over-transgender-policy.html>

¹⁷ Michael C. Bender and Sheryl Gay Stolberg "Trump Administration Freeze \$1 Billion for Cornell and \$790 Million for Northwestern, Officials Say," The New York Times, April 8, 2025, <https://www.nytimes.com/2025/04/08/us/politics/cornell-northwestern-university-funds-trump.html?smid=nytcore-ios-share&referringSource=articleShare>

¹⁸ Pamel Bondi, Linda E. McMahon, Robert F. Kennedy Jr. and the Trustees of Columbia University, "Resolution Agreement Between the United States of America and Columbia University," July 23, 2025,

Name	Select terms of the settlement agreement	What they could have done with the money instead
Cornell University	<ul style="list-style-type: none"> - Pay a \$30 million penalty to the federal government over the next three years and redirect \$30 million in university funds to research programs for U.S. farmers. - Requires Cornell to provide undergraduate admissions data disaggregated by race, grade point average, and performance on standardized tests on a quarterly basis, which will be subjected to a comprehensive audit. 	<u>With the settlement amount, Cornell could fund more than 908 full-ride scholarships for its students.</u>
University of California, Los Angeles (UCLA)	<ul style="list-style-type: none"> - Pay \$1.2 billion to settle allegations, including \$172 million into a claims fund for individuals alleging they have been harmed by Title VI violations. - Ensure foreign students who are “anti-Western” are not admitted to the university. - Develop training materials to “socialize international students to the norms of a campus dedicated to free inquiry and open debate.” - Release demographic data annually for hired professors and students who have applied or been admitted. - Give the federal government access to “all UCLA staff, employees, facilities, documents, and data related to the agreement” not protected by attorney-client privilege.¹⁹ - End gender affirming care at UCLA’s school of medicine and affiliated hospitals. 	<u>With the settlement amount, UCLA could fund 27,818 full-ride scholarships for in-state students.</u>
Northwestern University	<ul style="list-style-type: none"> - Pay \$75 million to the federal government over the next three years. - Terminate the “Deering Meadow Agreement,” the university entered into with student protesters and reverse all policies that have been implemented related to the agreement since April 29, 2024. - Requires Northwestern to amend the student handbook to prohibit demonstrations in academic building, overnight demonstrations, on-campus displays, and other activities. - Eliminates the use of protected characteristics in the consideration for admissions, scholarship or financial aid awards, hiring, promotion, tenure, or compensation. - End gender affirming care at Northwestern’s school of medicine and affiliated hospitals. 	<u>With this settlement amount, Northwestern could fund 1,081 full-ride scholarships for its students.</u>

<https://president.columbia.edu/sites/president.columbia.edu/files/content/July%202025%20Announcement/Columbia%20University%20Resolution%20Agreement.pdf>

¹⁹ Jaweed Kaleem, “Here Are The Details Of Trump’s \$1.2-Billion Call To Remake UCLA In A Conservative Image,” Los Angeles Times, September 15, 2025, <https://www.latimes.com/california/story/2025-09-15/trump-doj-proposed-settlement-demand-letter-ucla-university-of-california>

The Compact for Academic Excellence in Higher Education

On October 1, 2025, the White House issued a memorandum to nine colleges and universities titled the “Compact for Academic Excellence in Higher Education” (The Compact).²⁰ The Compact threatens to revoke federal funding for institutions that do not pledge allegiance to President Trump’s ideological agenda.

The Compact was sent to the University of Arizona, Brown University, Dartmouth College, the Massachusetts Institute of Technology (M.I.T.), the University of Pennsylvania, the University of Southern California, the University of Virginia, Vanderbilt University, and the University of Texas at Austin. Reports indicate that four additional institutions, Arizona State University, the University of Kansas, Washington University in St. Louis, and Syracuse University were also asked to sign the Compact.²¹ The institutions invited to sign The Compact already faced hundreds of millions of dollars in funds frozen earlier this year, according to the Center for American Progress.²²

The Compact’s terms are egregious. For example, the Compact explicitly restricts speech on college campuses by requiring university employees to “abstain” from all “actions or speech relating to societal and political events” unless those events directly affect the university.²³ The Compact also requires institutions to eliminate any “institutional units”—presumably departments or offices—that “purposefully punish, belittle, and even spark violence against conservative ideas.”²⁴ The Compact even dictates the percentage of international students that universities can admit, and requires them to reject international students who “demonstrate hostility to the United States, its allies, or its values.”²⁵

²⁰ The White House, “Compact For Academic Excellence In Higher Education,” The Washington Examiner, 2025, <https://www.washingtonexaminer.com/wp-content/uploads/2025/10/Compact-for-Academic-Excellence-in-Higher-Education-10.1.pdf>

²¹ Elissa Nadworny, “As Deadline For Trump's Colleges Compact Looms, Schools Signal Dissent,” National Public Radio, October 20, 2025, <https://www.npr.org/2025/10/20/nx-sl-5579618/trump-college-university-compact-uva-mit-dartmouth>

²² Greta Bedekovics, and Will Ragland, “Mapping Federal Funding Cuts to U.S. Colleges and Universities,” Center for American Progress, July 23, 2025, <https://www.americanprogress.org/article/mapping-federal-funding-cuts-to-us-colleges-and-universities/>

²³ The White House, “Compact For Academic Excellence In Higher Education,” The Washington Examiner, 2025, <https://www.washingtonexaminer.com/wp-content/uploads/2025/10/Compact-for-Academic-Excellence-in-Higher-Education-10.1.pdf>

²⁴ The White House, “Compact For Academic Excellence In Higher Education,” The Washington Examiner, 2025, <https://www.washingtonexaminer.com/wp-content/uploads/2025/10/Compact-for-Academic-Excellence-in-Higher-Education-10.1.pdf>

²⁵ The White House, “Compact For Academic Excellence In Higher Education,” The Washington Examiner, 2025, <https://www.washingtonexaminer.com/wp-content/uploads/2025/10/Compact-for-Academic-Excellence-in-Higher-Education-10.1.pdf>

The Compact and later statements from the White House threaten the recipient institutions with loss of all federal funding if they refuse to adhere to the Compact's demands. However, the Supreme Court has unequivocally held that the "government cannot condition a benefit on a recipient having to give up a constitutional right."²⁶ The Compact, by hinging access to federal funding on clear violations of student and faculty freedom of speech, is coercive and unconstitutional. Constitutional scholars across the political spectrum have condemned the compact, calling it "extortion, plain and simple,"²⁷ and raised concerns of its "many lawless and unconstitutional provisions, which begin but do not end with First Amendment violations."²⁸

The recipients of the Compact were given until October 20, 2025, to agree to its demands. All but two of the thirteen institutions publicly rejected the Compact. The University of Texas and Vanderbilt University were the only two institutions not to publicly announce that they rejected the proposal.

The Compact demonstrates the extent to which the administration is willing to exert control over universities and colleges—even those who previously entered into settlement agreements with the administration. Some institutions who settled did so under the belief that reaching an agreement would protect their institution, students, and faculty from further punitive action. For example, on July 30, 2025, Brown University reached an agreement with the administration, in her letter to the university community following the agreement, Brown University President Christina Paxton wrote:

The voluntary agreement will reinstate payments for active research grants and restore Brown's ability to compete for new federal grants and contracts, while also meeting the core imperative of preserving the ability for our students and scholars — both domestic and international — to teach and learn without government intrusion.²⁹

But months later, on October 1, 2025, Brown University was one of the institutions asked to sign the Compact and make additional concessions. Brown University is not alone. The University of Pennsylvania had also previously agreed to the administration's demands through settlements, and the University of Virginia was also asked to sign the Compact, even after the university's

²⁶ "National Federation of Independent Business v. Sebelius," Oyez, Accessed October 30, 2025, <https://www.oyez.org/cases/2011/11-393>

²⁷ The White House, "Compact For Academic Excellence In Higher Education," The Washington Examiner, 2025, <https://www.washingtonexaminer.com/wp-content/uploads/2025/10/Compact-for-Academic-Excellence-in-Higher-Education-10.1.pdf>

²⁸ Erwin Chemerinsky, "Trump's 'Compact' With Universities Is Just Extortion," The New York Times, October 2, 2025, <https://www.nytimes.com/2025/10/02/opinion/trump-compact-universities-constitution.html>

²⁹ "Agreement with Federal Government to Restore Brown Research Funding, Resolve Compliance Reviews," Brown University, July 30, 2025, <https://www.brown.edu/news/2025-07-30/brown-united-states-resolution-agreement>

president, Jim Ryan, stepped down on June 27, 2025, in response to the Department of Justice's civil rights investigation.

V. Trump's Attacks on Students' Free Speech

In addition to coercing colleges and universities, President Trump has been clear that he intends to punish students who do not agree with his viewpoints. In a March 4, 2025 Truth Social Post, President Trump said, **“All Federal Funding will STOP for any College, School, or University that allows illegal protests. Agitators will be imprisoned/or permanently sent back to the country from which they came. American students will be permanently expelled or, depending on on the crime, arrested. NO MASKS! Thank you for your attention to this matter.”**³⁰

College students—especially international students—have been subjected to disciplinary and legal actions for expressing political views contrary to the Trump administration's preferred views, especially regarding Israel and Palestine. Secretary of State Marco Rubio has used broad authority from the Immigration and Nationality Act of 1952 “to revoke visas from foreigners deemed to be a threat.”³¹ In practice, the administration has used this authority to take immigration enforcement actions against international students for otherwise constitutionally protected free speech on the grounds that it constitutes “pro-Hamas” activities.³²

In the past year, court records show that at least eight international students have been detained, had their visas revoked, or been threatened with permanent deportation for exercising their First Amendment rights.³³ The Trump administration has gone after students for participating in campus protests against the war in Gaza, engaging in social media activity indicating support for the Palestinian people, and publishing op-eds in campus newspapers expressing concerns about American foreign policy and their college's response to or involvement in such policies.³⁴

³⁰ Donald Trump (@realDonaldTrump), Truth Social, March 4, 2025, <https://truthsocial.com/@realDonaldTrump/114104167452161158>

³¹ Marc Caputo, "Scoop: State Dept. to use AI to revoke visas of foreign students who appear 'pro-Hamas,'" Axios, March 6, 2025, <https://www.axios.com/2025/03/06/state-department-ai-revoke-foreign-student-visas-hamas>

³² Madeline Halpert, “Marco Rubio Says US Revoked At Least 300 Foreign Students' Visas,” British Broadcasting Corporation, 27 March 2025, <https://www.bbc.com/news/articles/c75720q9d7lo>

³³ Since January 2025, some of the highest profile cases of international students detained by ICE include Mahmoud Khalil, Rumeysa Öztürk, Yunseo Chung, Badar Khan Suri, Leqaa Kordia, Alireza Doroudi, Momodou Taal, and Mohsen Mahdawi. Miranda Jeyaretnam, “These Are the Students Targeted by Trump's Immigration Enforcement Over Campus Activism,” TIME, April 1 2025, <https://time.com/7272060/international-students-targeted-trump-ice-detention-deport-campus-palestinian-activism/>

³⁴ Ibid

More broadly, the State Department has terminated thousands of student visas and intensified screening for visa applicants, including scrutinizing applicants' social media activity.³⁵ The State Department has also added new reasons for terminating a visa, including a strict "Catch-and-Revoke" policy, which allows visa revocations for minor violations like traffic tickets. Other actions include:

- In April 2025, the administration terminated more than 1,800 students from the Student and Exchange Visitors Information System (SEVIS), impacting students in over 280 colleges.³⁶
- On April 25, 2025, the administration said it would restore the legal status for international students whose records were terminated, but reports since then have indicated statuses are being terminated again.³⁷
- On May 27, 2025, during peak admissions season, the State Department ordered all embassies and consular sections to halt new visa interviews for international students.³⁸

According to the U.S. State Department, the Trump administration has revoked more than 6,000 international student visas, including for academic speech, opinions published in student newspapers, and presence at campus protests that was considered "support for terrorism."³⁹

The administration's enforcement actions have had a severely chilling effect on international student enrollment, with the latest estimates from the Institute of International Education showing a 17% decline in international student enrollment in the fall of 2025 compared to the

³⁵ "Announcement of Expanded Screening and Vetting for Visa Applicants," U.S. Department of State, June 18, 2025, <https://www.state.gov/releases/office-of-the-spokesperson/2025/06/announcement-of-expanded-screening-and-vetting-for-visa-applicants>

³⁶ Ashley Mowreader, "Where Students Have Had Their Visas Revoked," Inside Higher Ed, April 25, 2025, <https://www.insidehighered.com/news/global/international-students-us/2025/04/07/where-students-have-had-their-visas-revoked>

³⁷ "NAFSA SEVIS Record Reactivation and Re-termination Dashboard," NAFSA: Association of International Educators, Accessed October 30, 2025, <https://www.nafsa.org/policy-and-advocacy/nafsa-sevis-record-reactivation-and-re-termination-dashboard>

³⁸ "State Department Pauses Or Delays Interviews And Approvals For Student And Exchange Visitor Visas," Economic Policy Institute, June 12, 2025, <https://www.epi.org/policywatch/state-department-pauses-interviews-for-student-and-exchange-visitor-visas-to-do-additional-vetting-of-social-media-accounts/#:~:text=A%20State%20Department%20cable%20dated,anticipate%20in%20the%20coming%20days.%E2%80%9D>

³⁹ Ana Faguy, "US State Department Revokes 6,000 Student Visas," British Broadcasting Corporation, August 18, 2025, <https://www.bbc.com/news/articles/cz93vznxd07o>

fall of 2024.⁴⁰ The same analysis suggests the U.S. economy will lose an estimated \$1 billion and 23,000 jobs as a result of the decline in international student enrollment.⁴¹

VI. Trump’s Attacks on Faculty Free Speech

At the National Conservatism Conference in 2021, then-Senator J.D. Vance said, “the professors are the enemy” and “we have to honestly and aggressively attack the universities in this country.”⁴² Beyond cutting research funding and undermining freedom of speech of students and faculty, the Trump administration has taken action to threaten and punish individual university personnel who do not conform to their political views.

The Trump administration has severely chilled faculty speech. A July 2025 survey found that nearly three-quarters of college presidents are “extremely concerned” about the current administration’s impact on higher education, and an additional 13 percent are “moderately concerned.”⁴³

To understand the scope of Trump’s attacks, HELP Committee Minority Staff searched public outlets for reports of faculty and staff who have resigned, been fired, or left the United States since President Trump was elected in November 2024.

HELP Minority Staff identified at least 58 instances where faculty and staff have resigned, been fired for their views, or fled the U.S. since Trump was elected, including at least eight cases where researchers left out of concern that they would not be able to continue their research under Trump, according to public reports.

⁴⁰ Todd Wallack, Maham Javaid, Susan Svrluga, “How foreign student enrollment is shifting in the U.S., in 6 charts,” The Washington Post, November 17, 2025,

https://www.washingtonpost.com/education/2025/11/17/foreign-student-enrollment-data/?utm_source=alert&utm_medium=email&utm_campaign=wp_news_alert_revere&location=alert

⁴¹ Todd Wallack, Maham Javaid, Susan Svrluga, “How foreign student enrollment is shifting in the U.S., in 6 charts,” The Washington Post, November 17, 2025,

https://www.washingtonpost.com/education/2025/11/17/foreign-student-enrollment-data/?utm_source=alert&utm_medium=email&utm_campaign=wp_news_alert_revere&location=alert

⁴² National Conservatism, 2021, “J.D. Vance | the Universities Are the Enemy | National Conservatism Conference II,” YouTube, November 10, 2021, <https://www.youtube.com/watch?v=0FR65Cifnhw>

⁴³ “ACE Survey: Majority of College Presidents “Extremely Concerned” About Federal Policy Direction,” American Council of Education, September 15, 2025, <https://www.acenet.edu/News-Room/Pages/Pulse-Point-Presidents-Concerned-Fall-2025.aspx>

Examples include:

- Dr. Jason Stanley⁴⁴, whose research focuses on political philosophy, propaganda, and fascism, became the third Yale faculty member to resign⁴⁵ and leave for Canada over concerns about attacks on higher education.
- Dr. Pauline Shanks Kaurin,⁴⁶ former military ethics professor at the Naval War College, resigned because she felt she no longer had the academic freedom necessary to do her job following Trump's "Restoring America's Fighting Force" executive order.⁴⁷
- Dr. Mark Bray, a former Rutgers University faculty whose research focuses on fascist and antifascist movements, became a target for conservative student groups that circulated a petition to fire Bray, who they call "an outspoken, well-known antifa member."⁴⁸ Bray received death threats against himself and his family, and after notifying the university and filing a police report, ultimately decided to leave for Spain to protect his family.⁴⁹

University presidents have also been targeted:

- In June 2025, University of Virginia (UVA) president Jim Ryan stepped down after the Department of Justice concluded that his resignation was necessary to close five of the school's seven open civil rights investigations and reinstate federal funding. Later, Ryan revealed that the DOJ threatened to "rain hell on UVA" if he did not resign.⁵⁰
- On September 4th, 2025, following political pressure from Congressional Republicans, Northwestern University President Mark Schill resigned.⁵¹ Republican members of Congress criticized Schill when he was called to testify before the House Education and Workforce Committee in a 2024 hearing on college responses to campus protests and antisemitism allegations.

⁴⁴ Rachel Leingang, "Yale Professor who Studies Fascism Fleeing US to Work in Canada," The Guardian, March 26, 2025, <https://www.theguardian.com/us-news/2025/mar/26/yale-professor-fascism-canada>

⁴⁵ Ariela Lopez and Yolanda Wang, "Three Prominent Yale Professors Depart for Canadian University, Citing Trump Fears," Yale Daily News, March 27, 2025, [Three prominent Yale professors depart for Canadian university, citing Trump fears - Yale Daily News](#)

⁴⁶ Tom Nichols, "A Military-Ethics Professor Resigns in Protest," The Atlantic, June 25, 2025, [A Military-Ethics Professor Resigns in Protest - The Atlantic](#)

⁴⁷ Exec. Order No. 14185, 90 FR 8763 (2025) <https://www.whitehouse.gov/presidential-actions/2025/01/restoring-america-fighting-force/>

⁴⁸ Megyn Doyle, "Remove Antifa Financier & Professor, Mark Bray from Rutgers University," Change.org, October 5, 2025, [Petition · Remove Antifa financier & Professor, Mark bray from Rutgers University - New Brunswick, United States · Change.org](#)

⁴⁹ Adi Guajardo, "Rutgers Professor Flees U.S. for Spain, claims he Received Death Threats," CBS News New York, October 11, 2025, [Rutgers professor flees U.S. for Spain, claims he received death threats - CBS New York](#)

⁵⁰ James E. Ryan, "Dear Faculty Senators," University of Virginia School of Law, Augusta Free Press, November 14, 2025, [Full-jim-Ryan-response-UVA.pdf](#)

⁵¹ Michael Schill, "President Michael Schill Announces Resignation," Northwestern University, September 4, 2025, <https://www.northwestern.edu/leadership-notes/2025/president-michael-schill-announces-resignation.html>

The U.S. is losing scholars because of the Trump administration's attack on free speech. As the Trump administration pushes out researchers, other countries have opened their doors to American scholars—from Australia to Canada to France.⁵² Countries have made significant investments to recruit “researchers who are in the United States and are being scorned by the current administration,” as described by Spain's Minister of Science and Innovation.⁵³ The Austrian Academy of Sciences president said, “Thank Trump for this brain gain”. The President of the Australian Academy of Science described this as an “unparalleled opportunity to attract the smartest minds leaving the United States”⁵⁴ and Canada's Industry Minister has said “While certain countries are turning their back on academic freedom and cutting research and weakening science... we are doubling down.”⁵⁵ This year, seven countries have invested nearly \$1.4 billion in programs to recruit foreign researchers.⁵⁶

⁵² Sources: Marcelo Jauregui-Volpe, “As American Science Faces Cuts, Other Countries See an Opportunity,” Association of American Universities, June 27, 2025, <https://www.aau.edu/newsroom/leading-research-universities-report/american-science-faces-cuts-other-countries-see>; Patricia Cohen, “The World Is Wooing U.S. Researchers Shunned by Trump,” The New York Times, May 15, 2025,

<https://www.nytimes.com/2025/05/14/business/economy/trump-research-brain-drain.html> ; ^[1] “Join us in Shaping Australia's Future: Academy of Science Leads Establishment of a Global Talent Attraction Program,” Australian Academy of Science, April 17, 2025, <https://www.science.org.au/news-and-events/news-and-media-releases/australian-academy-of-science-leads-establishment-of-a-global-talent-attraction-program> “France and EU Host 'Choose Europe for Science' Conference to Attract US Scientists,” Le Monde, May 5, 2025, https://www.lemonde.fr/en/science/article/2025/05/05/france-and-eu-host-choose-europe-for-science-conference-to-lure-us-scientists_6740919_10.html; “100 Million NOK to Attract International Researchers,” The Research Council of Norway, April 25, 2025, <https://www.forskningradet.no/en/news/2025/100-million-nok-to-attract-international-researchers/>

⁵³ Marcelo Jauregui-Volpe, “As American Science Faces Cuts, Other Countries See an Opportunity,” Association of American Universities, June 27, 2025, <https://www.aau.edu/newsroom/leading-research-universities-report/american-science-faces-cuts-other-countries-see>

⁵⁴ Caitlin Cassidy, “Australia to Woo US's ‘Smartest Minds’ Disfranchised by Trump Research Cuts,” The Guardian, April 17, 2025, <https://www.theguardian.com/education/2025/apr/17/australian-academy-of-science-global-talent-attraction-program-trump-research-cuts>

⁵⁵ <https://universityaffairs.ca/news/feds-launch-1-7-billion-international-talent-attraction-program/>

⁵⁶ Sources: Ara. (2025, April 8). *This is Spain's plan to recruit prestigious researchers “despised” by Trump*. Ara in English. https://en.ara.cat/science-technology/the-spanish-government-will-allocate-up-to-45-million-euros-to-attract-prestigious-researchers_1_5341216.html;

Natasha Donn, “Portugal Joins European Efforts to Lure US Researchers Fleeing Trump Regime,” The Resident, May 5, 2025, <https://www-portugalresident-com.webpkgcache.com/doc/-/s/www.portugalresident.com/portugal-joins-european-efforts-to-lure-us-researchers-fleeing-trump-regime/>;

Matthew Davidson, “Norway Moves to Snatch up US Researchers - Research Professional News,” Research Professional News, November 17, 2025, <https://www.researchprofessionalnews.com/rr-news-europe-nordics-2025-11-norway-moves-to-snatch-up-us-researchers/>;

Matthew Gault, “‘We Are Witnessing a New Brain Drain’ as Scientists Flee America for France,” Gizmodo, March 31, 2025, <https://gizmodo.com/we-are-witnessing-a-new-brain-drain-as-scientists-flee-america-for-france-2000575654>; Peter Kyle and Jonathan Reynolds, “UK Launches Global Talent Drive to Attract World-Leading Researchers and Innovators,” GOV.UK, June 22, 2025,

<https://www.gov.uk/government/news/uk-launches-global-talent-drive-to-attract-world-leading-researchers-and-innovators>; CBC Radio Canada, “Canada Seeks Star Academics from Abroad, but Stable Funding for Higher Education Remains a Concern,” MSN, 14AD, <https://www.msn.com/en-ca/news/canada/canada-seeks-star-academics-from-abroad-but-stable-funding-for-higher-education-remains-a-concern/ar-AA1QqH0u?ocid=BingNewsVerp>;

“Harvard, Princeton, MIT: 25 Top Researchers Are Moving from the US to Austria with Oeaw Fellowships,” Österreichische Akademie der Wissenschaften, September 25, 2025,

VII. Trump's Next Frontier: College Accreditation as a Political Weapon

The accreditation process determines whether institutions of higher education meet the standards required for their students to be eligible for critical federal student aid, like Pell Grants and federal direct loans. Although the accrediting agencies are independent, nonprofit organizations, their authority to accredit colleges and universities comes at the discretion of the Department of Education.

When seeking reelection, Trump referred to accreditation as his “secret weapon”⁵⁷. In a July 17, 2023, campaign video, Trump vowed to fire accreditors that disagree with him and replace them with new ones:

“When I return to the White House, I will fire the radical Left accreditors that have allowed our colleges to become dominated by Marxist Maniacs and lunatics. We will then accept applications for new accreditors who will impose real standards on colleges once again and once and for all.”⁵⁸

President Trump's executive order on accreditation details how the administration and its allies envision weaponizing the accreditation process to shape higher education. While *The Higher Education Act* prohibits the Department of Education from unilaterally imposing broad requirements on accreditors,⁵⁹ the executive order directs the Department of Education to:

- “[H]old accountable... accreditors who fail to meet the applicable recognition criteria or otherwise violate Federal law, including by requiring institutions seeking accreditation to engage in unlawful discrimination... under the guise of ‘diversity, equity, and inclusion’ initiatives.”
- “[T]ake appropriate steps” to ensure that accreditors require institutions have “academic programs free from unlawful discrimination,” as the Trump administration defines it.
- Mandate that accreditors require institutions focus on “student outcomes... without respect to race, ethnicity, or sex,” which is in direct violation of the Higher Education Act's prohibition against the Department of Education mandating specific metrics or thresholds that accreditors must use in their approvals processes.

<https://www.oeaw.ac.at/en/news/harvard-princeton-mit-25-top-researchers-are-moving-from-the-us-to-austria-with-oeaw-scholarships>.

⁵⁷ “Agenda47: Protecting Students from the Radical Left and Marxist Maniacs Infecting Educational Institutions,” donaldjtrump.com, July 17, 2025, <https://www.donaldjtrump.com/agenda47/agenda47-protecting-students-from-the-radical-left-and-marxist-maniacs-infecting-educational-institutions>

⁵⁸ “Agenda47: Protecting Students from the Radical Left and Marxist Maniacs Infecting Educational Institutions,” donaldjtrump.com, July 17, 2025, <https://www.donaldjtrump.com/agenda47/agenda47-protecting-students-from-the-radical-left-and-marxist-maniacs-infecting-educational-institutions>

⁵⁹ 20 U.S.C. § 1099b

- Resume recognizing new accreditors, streamline the Department’s accreditor approval process, and launch a pilot program to ease approvals of “new and innovative” higher education programs.⁶⁰

President Trump has already turned to the accreditation process to further escalate enforcement actions against universities this year. After the conclusion of the Department of Education’s Title VI investigations into Columbia and Harvard, the administration sent a series of letters to their accreditors, suggesting that the institutions may be in violation of their accreditation standards.⁶¹ If the institutions’ accreditors determined that Columbia or Harvard did not meet their standards, the institutions would lose millions from federal student aid, prompting thousands of students to lose access to the funds they depend on to enroll—in addition to the hundreds of millions already lost in federal research funding.

VIII. Conclusion

Rather than addressing the actual needs of colleges, universities, and students, President Trump is extorting institutions of higher education into serving his ideological agenda, in flagrant violation of the First Amendment.

The Trump administration has coerced institutions through baseless investigations and settlements requiring schools to pay massive sums and give the government unprecedented control over what their faculty can say, whom they can hire, what they can teach, and which students they must reject because of their political views. And no Department of Education power is too technical or obscure to be weaponized by the Trump administration, which intends to use the pivotal accreditation process to further control colleges and universities.

Too many people have fought and died to defend American democracy. We cannot allow the Trump administration’s attacks on free speech to continue.

⁶⁰ Exec. Order 14279, 90 FR 17529 (2025) <https://www.whitehouse.gov/presidential-actions/2025/04/reforming-accreditation-to-strengthen-higher-education/>

⁶¹ “U.S. Department of Education and Health and Human Services Notify Columbia University’s Accreditor of Columbia’s Title VI Violation,” U.S. Departments of Education, June 4, 2025, <https://www.ed.gov/about/news/press-release/us-department-of-education-notifies-columbia-universitys-accreditor-of-columbias-title-vi-violation>
 “U.S. Departments of Education and Health and Human Services Notify Harvard University’s Accreditor of Harvard’s Title VI Violation,” U.S. Departments of Education, July 9, 2025, <https://www.ed.gov/about/news/press-release/us-departments-of-education-and-health-and-human-services-notify-harvard-universitys-accreditor-of-harvards-title-vi-violation>