

## Introduction

1. This submission highlights serious violations of the right to education in the United States through state policies and legislative actions that restrict access to education and infringe on the rights to free expression and non-discrimination. These discriminatory actions disproportionately impact marginalized communities, including students of color, LGBTQ+ students, and those from low-income backgrounds. The United States has a duty to ensure equal access to quality education free from discrimination and ideological censorship.
2. The submission specifically addresses:
  - State-level legislation and policies introduced since 2021 that explicitly censor topics and materials that can be addressed in college and university classrooms.
  - State-level legislation and policies that undermine free expression on campuses by banning certain programming, weakening tenure-protections for faculty, or otherwise undermining the principle of institutional autonomy that undergirds academic freedom for faculty and students.
  - Recent federal orders and actions that expand the scope of these attacks, threatening the rights of specific students and programming that ensures equal access to higher education.
3. While the US government made progress toward the goals articulated in its National Report submitted as part of the third cycle of the UPR, PEN America is concerned by state legislative and executive initiatives that undermine that effort. More specifically, while the US National Report identifies the distribution of rights and responsibilities among local, state and federal governments as a strength that supports policy innovation for the goal of human rights, PEN America's analysis shows that recent state-level legislation targeting higher education serves the opposite end, limiting free expression on college and university campuses, prohibiting educational speech on topics central to understanding the history and legacy of racial and gender-based discrimination in the US, and banning programs designed to ensure all students have equal access to the support they need to thrive and succeed in their studies. Moreover, we are concerned that whereas federal policies and agencies had under previous administrations served as a bulwark in support of free expression and equal rights to education, they are now being instrumentalized to both chill free expression on campuses and ban efforts to ensure that all students are afforded an equitable path toward an education free from government censorship.

### **State legislation that explicitly censors higher education: “educational gag orders”**

4. The data collected in the America Censored Classrooms 2024 report shows that between 1 January, 2021 and 1 October, 2024, a staggering 372 “educational gag orders”—the term

PEN America uses to categorize legislation and policies that directly restrict educational speech in the classroom—were introduced in 46 states across the country, targeting K-12 and/or higher education.<sup>i</sup> Over that period, 46 of these gag orders passed in 23 states.

5. These bills aim to limit classroom discussions related to race, ethnicity, gender and sexuality—concepts that are essential for understanding US history and the social fabric of US democracy. Some bills explicitly ban content related to critical race theory,<sup>ii</sup> systemic and structural racism,<sup>iii</sup> or gender identity and sexual orientation.<sup>iv</sup> While many of these bills have not passed into law, their introduction, including bills that link proposals to limit educational speech with threats of financial penalties for educators and/or institutions, is likely to result in a chilling of speech by encouraging educators and institutions to self-censor.<sup>v</sup>
6. The gag orders that were passed in 2024 include some of the most extreme measures to limit educational speech in higher education that PEN America has encountered. Censorial bills or policies were enacted in Alabama, Florida, Indiana, Iowa, Tennessee, Texas and Utah.<sup>vi</sup> The bills enacted by Alabama and Florida are emblematic of the extreme censorial measures emerging from state legislatures; both include expansive provisions that limit what can be taught in US classrooms:
  - Alabama’s SB 129 targets public K–12 schools, colleges and universities and prohibits requiring students to attend or participate in coursework in which certain ideas related to race, color, religion, sex, ethnicity, or national origin are promoted. The bill draws on language from the Trump administration’s 2020 Executive Order 13950, “Combating Race and Sex Stereotyping,”<sup>vii</sup> but goes further by including language that prohibits teachers or faculty from assigning any readings whose authors describe feeling guilt for historical wrongs, a provision that would in effect ban a reading by a German citizen who expressed guilt over their country’s role in the Holocaust.<sup>viii</sup> These limitations severely impact teachers’ ability to provide students with accurate information about significant historical events and impose unacceptable restrictions on students’ access to an education free from government imposed ideology.
  - Florida’s HB 1291 takes an especially pernicious approach to censoring educational speech by explicitly limiting the curricula available in both public and private teacher certification programs. Using language recycled from previous bills, including FL SB 266 (2023), and referencing HB 7 (2022), known as the Stop WOKE Act, it includes a specific prohibition on teaching “theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.”<sup>ix</sup> Not only does this law specifically limit the educational rights of students enrolled in teacher training programs, it ensures downstream

consequences, embedding ignorance of the history of racial and gender-based discrimination in the US into the curriculum for generations to come.

7. The wave of state-level gag orders peaked in 2022, when over 146 gag orders aimed at K-12 and/or higher education were introduced in 37 states from Alaska to Florida, from New Hampshire to Arizona. While the total number of gag orders introduced each year has declined since then—only 57 direct educational censorship bills or policies were introduced in 2024, of which 8 were enacted—this does not actually suggest a decrease in efforts to censor education. Rather, this reflects two factors: the number of states that have already passed gag orders (22 enacted a gag order prior to 2024 and 1 more state did so in 2024), and the new tactics legislators are deploying to censor education. The second section of this submission outlines the indirect means legislators are now increasingly using to chill free expression on campuses.
8. PEN America notes with concern the wave of bills targeting higher education introduced this legislative session. As of the date of this submission, at least 65 bills or policies that directly or indirectly censor higher education have been introduced in at least 25 states, an increase over previous years.<sup>x</sup> So far, 7 of these have been enacted. With 3 states enacting their first gag orders, the number of states with gag orders has risen to 26 (a majority of US states). North Carolina and West Virginia imposed censorship policies at the beginning of the year,<sup>xi</sup> and in early March, Wyoming became the first state to pass a bill censoring higher education in 2025. The new Wyoming law, HB 147, is a gag order and an expansive DEI ban that will prohibit a wide swath of campus programs from religious affinity groups and support for international students to single-sex dormitories.<sup>xii</sup> Arkansas, Kentucky, Ohio, and Utah have since enacted their own bills, and they will certainly not be the last states to follow suit.<sup>xiii</sup>

### **Indirect censorship of higher education: so-called “DEI bans” and attacks on tenure and institutional autonomy**

9. Since 2022, PEN America has documented a rise in state legislation that takes an indirect approach to censorship on college and university campuses. Instead of banning specific topics or terms in classrooms—an approach that is open to First Amendment challenges<sup>xiv</sup>—these bills undermine academic freedom by prohibiting offices, programs, and/or budget expenditures related to “Diversity, Equity and Inclusion” (so-called “DEI bans”), weakening or ending tenure protections for faculty, calling for “institutional neutrality” on a wide array of social issues, or otherwise infringing upon institutional autonomy.
10. In 2024, the number of bills introduced across the country that took this indirect approach to educational censorship actually surpassed the number of explicit “gag orders”

introduced affecting higher education.<sup>xv</sup> Those that were enacted in 2024 include Alabama SB 129, Iowa 2435, and Utah 261, each of which, like Wyoming HB 147, targeted DEI programming and offices; Indiana SB 202, which eliminated tenure protections; and Tennessee HB 2625, which took aim at the regional accreditation system, which sets curricular standards and ensures that institutions meet students' educational needs, and which has, historically, guarded universities from undue political influence.<sup>xvi</sup> So far in 2025, Arkansas, Ohio, and Kentucky, and Utah have already passed bills that are examples of this indirect approach to censoring campus speech.<sup>xvii</sup>

11. Laws that prohibit DEI offices, programs, and/or budget expenditures have broad impacts on college campuses, shuttering cultural centers (such as African-American or International Student Centers, Women's or Gender and Diversity Centers, and Interfaith Centers), and programs that provide valuable support services for marginalized students, including scholarship support and career exploration programming.<sup>xviii</sup> Moreover, the vague language used in many of the bills, coupled with provisions that levy financial or other penalties on institutions that fail to comply, have resulted in egregious examples of institutional overcompliance that further chill the climate for free expression. Texas and Iowa provide two salient examples:

- In 2023, Texas enacted SB 17, a total ban on DEI offices and programming in public colleges and universities.<sup>xix</sup> This resulted in significant cuts to staffing and student services at campuses across the state, with over three hundred positions eliminated in the University of Texas system alone.<sup>xx</sup> Although the bill had a specific exclusion for academic courses and classroom instruction, the categorical ban on DEI programming led to egregious overcompliance at the University of North Texas (UNT), where officials have sought to purge references to DEI-related concepts from course descriptions and even faculty research.<sup>xxi</sup> The precariousness of free expression in this environment is illustrated by the removal of student art on display at UNT following a written complaint from state lawmakers about its political content.<sup>xxii</sup>
- Iowa's SF 2435, enacted in 2024 and set to take effect in July 2025, is a DEI ban so broad that it doesn't just ban DEI programming or offices, but requires universities to remain neutral on almost any topic related to social dynamics, specifically "unconscious or implicit bias, cultural appropriation, allyship, transgender ideology, microaggressions, group marginalization, antiracism, systemic oppression, social justice, intersectionality, neo-pronouns, heteronormativity, disparate impact, gender theory, racial privilege, sexual privilege, or any related formulation of these concepts."<sup>xxiii</sup> Even before the law has gone into effect, universities have shuttered offices and cut student services. More recently, they have been directed both to "scrub" any reference to diversity, equity and inclusion from university websites and to undertake a review of

academic programs, making this an egregious example of overcompliance.<sup>xxiv</sup> Moreover, Iowa state legislators have introduced another 8 bills this session, including HF 576, which specifically targets the political speech of international students.<sup>xxv</sup> The enactment of any of these bills would further undermine the public higher education system in the state and cause real harm to Iowa students.

### **Federal actions undermine students' rights and the programs that ensure equal access to higher education nationally**

12. Since January 2025, the landscape for education across the country has grown dangerously uncertain. The administration is racing to dismantle government programs, issuing in the first 2 months of its term over 90 Executive Orders (EO), many of which specifically impact education, including a broad ban on diversity, equity, and inclusion offices, which is resulting in the systematic censoring of information available from government sources on the internet and in libraries,<sup>xxvi</sup> the rescinding of grants for scientific and medical researchers,<sup>xxvii</sup> and even a prohibition on the participation of transgender athletes in intercollegiate competition.<sup>xxviii</sup> The administration is using accusations of antisemitism to justify crippling financial attacks against specific universities,<sup>xxix</sup> and at the same time threatening to deport foreign students, including legal permanent residents, for participating in political protests in support of Palestine.<sup>xxx</sup>
13. A “Dear Colleague” letter issued by the Department of Education on 14 February, 2025, put all colleges and universities on notice that they may face penalties if they do not eliminate all programs that support diversity, equity and inclusion, and misrepresented legal precedent as a justification for this punitive threat.<sup>xxxi</sup> On 14 March, the administration moved to shutter the Institute of Museum and Library Services, which provides funding and support for both public and academic libraries,<sup>xxxii</sup> and then, on 20 March, fulfilled its promise to call for the end of the Federal Department of Education, which administers essential services for students in both K-12 and post-secondary systems.<sup>xxxiii</sup>
14. To say that the accumulated effect of all of these actions is disastrous would be to downplay the situation. Legal challenges are underway,<sup>xxxiv</sup> but that is a slow process and does not fully stop the damage already occurring. Higher education in the US, long a beacon of academic excellence for the world, is facing existential threats on multiple fronts and, while the consequences are reverberating through higher education globally, it is students in the US who will ultimately bear the brunt of the damage.

### **Conclusion: Specific Recommendations for the UN UPR**

15. We urge the UN to reiterate its calls for the US to:

- “address racial or ethnic disparities in all spheres of life”;
- “condem[n] and addres[s] long-standing structural discrimination on the basis of race and comba[t] all forms of racial discrimination, xenophobia and other forms of intolerance”;
- stand in opposition to “all forms of hate speech” and “promot[e] understanding, tolerance, and diversity between ethnic or racial groups by acknowledging their contribution to the history and diversity of the United States of America”;
- ensure “adequate access to quality education for all” and that the school curriculum in each state reflect appropriately the history of the transatlantic trade in Africans, enslavement and segregation.”<sup>xxxv</sup>

16. We further urge the UN:

- to recognize the spate of state-level legislation censoring higher education, coupled with new federal attacks on education and the values of diversity, equity, and inclusion, as a significant threat to the present and future of the US democracy;
- to call on the US to repeal all executive orders implementing and/or contributing to national censorship in public education, particularly provisions targeting the free expression of women; people with disabilities; and ethnic, sexual, and gender minorities.

17. If the right to education is enshrined in the Universal Declaration of Human Rights, it is because access to an education free of government censorship is not only essential to the ability of each individual to realize their potential, but central to the health of a democratic society.

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<sup>i</sup> PEN America, “America’s Censored Classrooms 2024: Refining the Art of Censorship,” <https://pen.org/report/americas-censored-classrooms-2024/>.

<sup>ii</sup> See for example South Carolina HB 4325 (2022), <https://legiscan.com/SC/text/H4325/id/2388908>.

<sup>iii</sup> See for example, Florida SB 266 (2023), <https://legiscan.com/FL/bill/S0266/2023>.

<sup>iv</sup> See for example West Virginia HB 5656 (2024), <https://legiscan.com/WV/bill/HB5656/2024>.

<sup>v</sup> PEN America and the American Association of University Professors have written about this, describing this sort of self-censorship as “anticipatory obedience,” “anticipatory compliance,” or “overcompliance”; see the AAUP’s report “Against Anticipatory Obedience” (2025), <https://www.aaup.org/report/against-anticipatory-obedience#4>; see also PEN America’s “America’s Censored Classrooms 2024: Refining the Art of Censorship,” <https://pen.org/report/americas-censored-classrooms-2024/>.

<sup>vi</sup> See Alabama SB 129, <https://legiscan.com/AL/text/SB129/2024>; Florida HB 1291, <https://legiscan.com/FL/bill/H1291/2024>; Indiana SB 202, <https://legiscan.com/IN/bill/SB0202/2024>; Iowa SF 2435,

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<https://legiscan.com/IA/bill/SF2435/2023>; Tennessee SB 2528, <https://legiscan.com/TN/bill/SB2528/2023>; Texas Executive Order GA-44, [https://gov.texas.gov/uploads/files/press/EO-GA-44\\_antisemitism\\_in\\_institutions\\_of\\_higher\\_ed\\_IMAGE\\_03-27-2024.pdf](https://gov.texas.gov/uploads/files/press/EO-GA-44_antisemitism_in_institutions_of_higher_ed_IMAGE_03-27-2024.pdf); and Utah HB 261, <https://legiscan.com/UT/bill/HB0261/2024>; details about each can be found in the PEN America Index of Educational Gag Orders, <https://airtable.com/appg59iDuPhlLPPFp/shrtwubfBUo2tuHyO/tblZ40w5HLBuTK9vs/viw5IFPxKHGkamF0k?blocks=hide%5D>.

<sup>vii</sup> Executive Order 13950, “Combating Race and Sex Stereotyping,” <https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-combating-race-sex-stereotyping/>.

<sup>viii</sup> See Alabama SB 129 (2024), <https://legiscan.com/AL/text/SB129/2024>; and see also the PEN America Index of Educational Gag Orders, <https://airtable.com/appg59iDuPhlLPPFp/shrtwubfBUo2tuHyO/tblZ40w5HLBuTK9vs/viw5IFPxKHGkamF0k?blocks=hide%5D>.

<sup>ix</sup> See Florida HB 1291 (2024), <https://legiscan.com/FL/bill/H1291/2024>; the PEN America Index of Educational Gag Orders includes entries for each of these Florida bills, <https://airtable.com/appg59iDuPhlLPPFp/shrtwubfBUo2tuHyO/tblZ40w5HLBuTK9vs/viw5IFPxKHGkamF0k?blocks=hide%5D>.

<sup>x</sup> For comparison, in 2023, 49 of these bills or policies were introduced and, in 2024, only 45. See the PEN America Index of Educational Gag Orders, <https://airtable.com/appg59iDuPhlLPPFp/shrtwubfBUo2tuHyO/tblZ40w5HLBuTK9vs/viw5IFPxKHGkamF0k?blocks=hide%5D>.

<sup>xi</sup> See North Carolina University of North Carolina System Policy, <https://wlos.com/resources/pdf/fbb52d7a-106e-4470-940a-443a61a0ff4b-February5MemorandumRegardingFederalContractingCompliance.pdf>; and West Virginia Executive Order No. 3-25, <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=97521>.

<sup>xii</sup> See PEN America, “Newly Signed Wyoming Law Will Take a Battering Ram to Public Education and Government Services,” 14 March, 2025, <https://pen.org/press-release/newly-signed-wyoming-law-will-take-a-battering-ram-to-public-education-and-government-services/>.

<sup>xiii</sup> See Arkansas HB 1512, <https://legiscan.com/AR/text/HB1512/id/3181560>; Kentucky HB 4, <https://legiscan.com/KY/text/HB4/id/3192808>; Ohio SB 1, <https://legiscan.com/OH/text/SB1/id/3116872>; and Utah HB 334, <https://legiscan.com/UT/text/SB0334/id/3157191>.

<sup>xiv</sup> In May 2024, the American Civil Liberties Union (ACLU) successfully challenged a New Hampshire gag order on First Amendment Grounds, <https://www.aclu.org/press-releases/victory-court-declares-nh-classroom-censorship-law-unconstitutional>.

<sup>xv</sup> There were 27 explicit gag orders targeting higher education introduced in legislatures across the country in 2024, compared to 29 bills that targeted other campus policies, including DEI and tenure. See PEN America’s report “America’s Censored Classrooms 2024: Refining the Art of Censorship,” <https://pen.org/report/americas-censored-classrooms-2024/>.

<sup>xvi</sup> For details on these bills, see PEN America’s Index of Educational Gag Orders, <https://airtable.com/appg59iDuPhlLPPFp/shrtwubfBUo2tuHyO/tblZ40w5HLBuTK9vs/viw5IFPxKHGkamF0k?blocks=hide%5D>. For how accreditation buffers universities from political influence, PEN America’s “America’s Censored Classrooms 2023: Lawmakers Shift Strategies as Resistance Rises,” 9 November, 2023, <https://pen.org/report/americas-censored->

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<sup>xvii</sup> See Arkansas HB 1512, <https://legiscan.com/AR/text/HB1512/id/3181560> (also Arkansas SB 246, <https://legiscan.com/AR/text/SB246/id/3181507>) and Ohio SB 1, <https://legiscan.com/OH/text/SB1/id/3182144>, both of which combine explicit gag orders with provisions restricting DEI, accreditation and shared governance; and Utah HB 334, <https://legiscan.com/UT/text/SB0334/id/3157191>, which places undue restrictions on general education. Kentucky HB 4, <https://legiscan.com/KY/text/HB4/id/3174534> is primarily a DEI ban; it was enacted after the legislature overrode the veto of Gov. Beshear on 28 March, 2025. This article by Tom Hodson provides context on the sustained legislative assault on higher education in Ohio, “Senate Bill 1 guts academic freedom and reshapes Ohio’s public universities,” *Ohio Capital Journal*, 20 March, 2025, <https://ohiocapitaljournal.com/2025/03/20/senate-bill-1-guts-academic-freedom-and-reshapes-ohios-public-universities/>.

<sup>xviii</sup> See Courtney Tanner, “These 2 Utah universities are eliminating all cultural centers—going beyond the state’s anti-DEI requirements,” *The Salt Lake Tribune*, 25 June, 2024, <https://www.sltrib.com/news/education/2024/06/25/these-2-utah-universities-are/>; and Liam Knox, “Texas minority scholarships frozen, amended due to DEI ban,” *Inside Higher Ed*, 18 June, 2024, <https://www.insidehighered.com/news/quick-takes/2024/06/18/texas-minority-scholarships-frozen-amended-due-dei-ban>.

<sup>xix</sup> See Texas SB 17, <https://legiscan.com/TX/bill/SB17/2023>.

<sup>xx</sup> According to news reports, the dismantling of DEI offices in Texas began even before the law went into effect in January 2024 and resulted in the elimination of over 35 offices and centers and over 350 full- and part-time jobs, with the greatest impact in the University of Texas system; see Morgan Young, “The War on DEI: An in-depth look at the Texas DEI law’s impact on college campuses as lawmakers move to expand the legislation,” WFAA, 27 February, 2025, <https://www.wfaa.com/article/news/education/texas-dei-universities-diversity-equity-inclusion/287-342739c0-4c34-4a2b-9988-f5644054a0b9>.

<sup>xxi</sup> See PEN America’s statement “Condemning the University of North Texas System’s Extreme Overcompliance in Implementing a DEI Ban,” 14 November, 2024, <https://pen.org/press-release/pen-america-condemns-university-of-north-texas-systems-extreme-overcompliance-in-implementing-a-dei-ban/>.

<sup>xxii</sup> See Jessica Priest, “Part of pro-Palestinian student art exhibit at UNT removed amid antisemitism complaints by state lawmakers,” *Texas Tribune*, 4 March, 2025, <https://www.texastribune.org/2025/03/04/university-north-texas-pro-palestine-student-art-exhibit/>.

<sup>xxiii</sup> See PEN America’s Index of Educational Gag Orders, <https://airtable.com/appg59iDuPhlLPPFp/shrtwubfBUo2tuHyO/tblZ40w5HLBuTK9vs/viw51FPxKHGkamF0k?blocks=hide%5D>.

<sup>xxiv</sup> See Celia Brocker, “Iowa State students rally against a state law that shut down the school’s DEI office,” *Ames Tribune*, 24 October, 2024, <https://www.amestrib.com/story/news/local/2024/10/24/iowa-state-dei-ban-isu-protest-ames-iowa/75811043007/>; and Brooklyn Draisy, “Iowa Board of Regents president directs universities to scrub websites of DEI,” *Iowa Capital Dispatch*, 27 February, 2025, <https://iowacapitaldispatch.com/2025/02/27/iowa-board-of-regents-president-directs-universities-to-scrub-websites-of-dei/>. In May 2024, PEN America called on the governor to veto the bill because of its broad threat to academic freedom, Jeremy C. Young and Sam LaFrance, “Kim Reynolds must veto the nation’s most extreme ban on DEI and expression,” *Des Moines*

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Register, 1 May, 2024, <https://www.desmoinesregister.com/story/opinion/columnists/2024/05/01/iowa-dei-ban-public-universities-expressing-ideas-kim-reynolds/73523882007/>.

<sup>xxv</sup> See Iowa HF 576, <https://legiscan.com/IA/text/HF576/id/3138745>.

<sup>xxvi</sup> See Jonathan Cooper, “A list of government web pages that have gone dark to comply with Trump orders,” *Associated Press*, 31 January, 2025, <https://apnews.com/article/government-websites-changes-trump-transgender-dei-orders-383fc983c6ca48804f1404cbc61ee9e9>; Karen Yourish, et al., “These Words are Disappearing in the New Trump Administration,” *New York Times*, 7 March, 2025, <https://www.nytimes.com/interactive/2025/03/07/us/trump-federal-agencies-websites-words-dei.html>; and John Ismay and Kate Selig, “Naval Academy Takes Steps to End Diversity Policies in Books and Admissions,” *New York Times*, 29 March, 2025, <https://www.nytimes.com/2025/03/28/us/politics/naval-academy-diversity-affirmative-action.html>.

<sup>xxvii</sup> See Kathryn Palmer, “Trump Orders Disrupt Academic Research,” *Inside Higher Ed*, 3 February, 2025, <https://www.insidehighered.com/news/government/science-research-policy/2025/02/03/how-trumps-executive-orders-are-disrupting>.

<sup>xxviii</sup> See Talya Minsberg, “What to Know About Trump’s Executive Order on Trans Athletes,” *New York Times*, 5 February, 2025, <https://www.nytimes.com/2025/02/05/us/politics/trump-trans-athletes-executive-order.html>.

<sup>xxix</sup> See Jake Offenhartz, “Under threat from Trump, Columbia University agrees to policy changes,” *Associated Press*, 21 March, 2025, <https://apnews.com/article/columbia-university-funding-trump-fa70143c715df8fd4ef337c0e1ccf872>.

<sup>xxx</sup> See Adrian Florido, “Trump executive order aims to deport international students who have protested Israel,” *NPR*, 6 February, 2025, <https://www.npr.org/2025/02/06/nx-s1-5281179/trump-executive-order-aims-to-deport-international-students-who-have-protested-israel>; and more specifically about the targeting of students at Columbia University, Jonah E. Bromwich and Hamed Aleaziz, “Columbia Student Hunted by ICE Sues to Prevent Deportation,” *New York Times*, 25 March, 2025, <https://www.nytimes.com/2025/03/24/nyregion/columbia-student-ice-suit-yunseo-chung.html>; and also Jenna Russell, et al., “Federal Government Details International Student at Tufts,” *New York Times*, 26 March, 2025, <https://www.nytimes.com/2025/03/26/us/ice-tufts-student-detained-rumeysa-ozturk.html>.

<sup>xxxi</sup> For details of the legal challenge filed by the National Education Association (NEA) and the ACLU, see Naaz Modan, “NEA, ACLU challenge Education Department’s DEI letter,” *Higher Ed Dive*, 5 March, 2025, <https://www.highereddive.com/news/nea-aclu-lawsuit-education-departments-dei-letter/741714/>.

<sup>xxxii</sup> See Hillel Italie, “What’s happening with the Institute of Museum and Library Services after Trump’s executive order,” *Associated Press*, 20 March, 2025, <https://apnews.com/article/institute-doge-musk-museum-library-services-executive-order-trump-30ebde013ce3e9f97e2f4af72c869c0b>; and PEN America, “Gutting Federal Library and Museum Funding Agency Will Undermine the Freedoms to Read and Learn,” 21 March, 2025, <https://pen.org/press-release/gutting-federal-library-and-museum-funding-agency-will-undermine-the-freedoms-to-read-and-learn/>.

<sup>xxxiii</sup> See Maria Carrasco, “Trump Signs Executive Order Seeking to Dismantle ED,” National Association of Student Financial Aid Administrators (NASFAA), 31 March, 2025, [https://www.nasfaa.org/news-item/35894/Trump\\_Signs\\_Executive\\_Order\\_Seeking\\_to\\_Dismantle\\_ED](https://www.nasfaa.org/news-item/35894/Trump_Signs_Executive_Order_Seeking_to_Dismantle_ED).

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<sup>xxxiv</sup> Just Security maintains a comprehensive listing of the multiple legal challenges to Trump administration actions, including 174 cases as of 7 April, 2025. See Just Security, “Litigation Tracker: Legal Challenges to Trump Administration Actions,” 7 April, 2025, <https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/>.

<sup>xxxv</sup> Letter from High Commissioner Bachlet to US Secretary of State Antony Blinken, 17 May, 2021, <https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session36/US/HCLetter-USA.pdf>.