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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Higher Education Act of 1965 to prohibit an institution that participates in a nonexpressive commercial boycott of Israel from being eligible for certain funds under that Act, to require an institution that participates in certain programs under that Act to certify that students are not unreasonably obstructed from participating in academic programs in Israel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. Foxx introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Higher Education Act of 1965 to prohibit an institution that participates in a nonexpressive commercial boycott of Israel from being eligible for certain funds under that Act, to require an institution that participates in certain programs under that Act to certify that students are not unreasonably obstructed from participating in academic programs in Israel, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protect Economic and
3 Academic Freedom Act of 2025”.

4 **SEC. 2. INELIGIBILITY OF INSTITUTIONS OF HIGHER EDU-**
5 **CATION PARTICIPATING IN CERTAIN NON-**
6 **EXPRESSIVE COMMERCIAL BOYCOTTS.**

7 (a) INELIGIBILITY.—Part B of title I of the Higher
8 Education Act of 1965 (20 U.S.C. 1011 et seq.) is amend-
9 ed by adding at the end the following:

10 **“SEC. 124. INELIGIBILITY OF INSTITUTIONS PARTICI-**
11 **PATING IN CERTAIN NONEXPRESSIVE COM-**
12 **MERCIAL BOYCOTTS.**

13 “(a) IN GENERAL.—Not later than July 31 of each
14 year, an institution of higher education that participates
15 in any program under title IV shall certify to the Secretary
16 that the institution will not engage in a nonexpressive
17 commercial boycott of a major strategic partner of the
18 United States for the period beginning on the date of such
19 certification and ending on July 31 of the following year.

20 “(b) PUBLIC AVAILABILITY OF LIST; NOTIFICA-
21 TION.—Not later than 7 business days after July 31 of
22 each year, the Secretary shall—

23 “(1) identify and make publicly available on a
24 website of the Department a list of all institutions
25 of higher education described in subsection (a) that

1 did not submit a certification under such subsection
2 for such year; and

3 “(2) notify each institution of higher education
4 identified pursuant to paragraph (1) of such identi-
5 fication and inclusion on such list.

6 “(c) DEFINITIONS.—In this section:

7 “(1) MAJOR STRATEGIC PARTNER.—The term
8 ‘major strategic partner’ with respect to the United
9 States means—

10 “(A) a country described in section 4 of
11 Public Law 113–296; or

12 “(B) an entity licensed or regulated by, or
13 organized under the laws of, such a country.

14 “(2) NONEXPRESSIVE COMMERCIAL BOYCOTT
15 OF A MAJOR STRATEGIC PARTNER.—The term ‘non-
16 expressive commercial boycott of a major strategic
17 partner’—

18 “(A) means a commercial action (including
19 engaging in refusals to deal and terminating
20 business activities) that—

21 “(i) is intended to limit commercial
22 relations with a major strategic partner;
23 and

24 “(ii) is not based on a valid business
25 reason; and

1 “(B) does not include actions described in
2 regulations issued to provide for the exceptions
3 described in section 1773(a)(2) of the Anti-Boy-
4 cott Act of 2018 (50 U.S.C. 4842(a)(2)).”.

5 (b) PROGRAM PARTICIPATION AGREEMENT.—Section
6 487(a) of the Higher Education Act of 1965 (20 U.S.C.
7 1094(a)) is amended by adding at the end the following:

8 “(30) The institution will comply with the re-
9 quirements of section 124.”.

10 **SEC. 3. ELIGIBILITY FOR TITLE VI FUNDS.**

11 Title VI of the Higher Education Act of 1965 (20
12 U.S.C. 1121 et seq.) is amended by adding at the end
13 the following new sections:

14 **“SEC. 639. INSTITUTIONAL CERTIFICATIONS.**

15 “(a) ANNUAL REQUIREMENT FOR INSTITUTIONAL
16 ELIGIBILITY.—Not later than July 31 of each calendar
17 year beginning on or after the date of enactment of the
18 Protect Economic and Academic Freedom Act of 2025,
19 an institution of higher education participating or apply-
20 ing to participate in any program under this title shall
21 submit to the Secretary the certification required under
22 subsection (b). An institution that does not submit such
23 certification by July 31 of a calendar year shall be ineli-
24 gible to receive any funds under this title in the first fiscal
25 year that begins after such July 31, including any funds

1 under this title that would otherwise have been available
2 to the institution in such fiscal year for a grant awarded
3 during a previous fiscal year.

4 “(b) CERTIFICATION.—An institution shall certify to
5 the Secretary that, for the period beginning on the date
6 of such certification and ending on July 31 of the fol-
7 lowing year, the institution will—

8 “(1) permit students and faculty of the certi-
9 fying institution to participate in academic pro-
10 grams, including conferences, teaching exchanges,
11 cultural exchanges, study abroad programs, joint re-
12 search, and other collaborative educational activities,
13 in a major strategic partner (as defined in section
14 124) of the United States in the same manner, and
15 under the same terms and conditions, as students
16 and faculty of the institution are permitted to par-
17 ticipate in academic programs in other foreign coun-
18 tries; and

19 “(2) permit students and faculty of postsec-
20 ondary educational institutions in such a major stra-
21 tegic partner to participate in academic programs of-
22 fered by the certifying institution, including con-
23 ferences, teaching exchanges, cultural exchanges,
24 study abroad programs, joint research, and other
25 collaborative educational activities, in the same man-

1 ner, and under the same terms and conditions, as
2 students and faculty of other foreign postsecondary
3 educational institutions that are not in such a major
4 strategic partner.

5 **“SEC. 639A. SENSE OF CONGRESS.**

6 “‘It is the sense of Congress that limitations on coop-
7 erative efforts by institutions of higher education, con-
8 sortia of such institutions, or partnerships between non-
9 profit educational organizations and institutions of higher
10 education with a major strategic partner (as defined in
11 section 124) of the United States do not serve the secu-
12 rity, stability, and economic vitality of the United States.’”.