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(Original Signature of Member)

118TH CONGRESS
2D 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.

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.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Economic
5 Freedom Act”.

1 **SEC. 2. INELIGIBILITY OF INSTITUTIONS OF HIGHER EDU-**
2 **CATION PARTICIPATING IN A NONEXPRES-**
3 **SIVE COMMERCIAL BOYCOTT OF ISRAEL.**

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

7 **“SEC. 124. INELIGIBILITY OF INSTITUTIONS PARTICI-**
8 **PATING IN A NONEXPRESSIVE COMMERCIAL**
9 **BOYCOTT OF ISRAEL.**

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

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

20 “(1) identify and make publicly available on a
21 website of the Department a list of all institutions
22 of higher education described in subsection (a) that
23 did not submit a certification under such subsection
24 for such year; and

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

4 “(c) NONEXPRESSIVE COMMERCIAL BOYCOTT OF
5 ISRAEL DEFINED.—In this section, the term ‘nonexpres-
6 sive commercial boycott of Israel’—

7 “(1) means a commercial action (including en-
8 gaging in refusals to deal and terminating business
9 activities) that is intended to limit commercial rela-
10 tions with Israel or persons or entities doing busi-
11 ness in Israel or in Israeli-controlled territories; and

12 “(2) does not include actions described in regu-
13 lations issued to provide for the exceptions described
14 in section 1773(a)(2) of the Anti-Boycott Act of
15 2018 (50 U.S.C. 4842(a)(2)).”.

16 (b) PROGRAM PARTICIPATION AGREEMENT.—Section
17 487(a) of the Higher Education Act of 1965 (20 U.S.C.
18 1094(a)) is amended by adding at the end the following:

19 “(30) The institution will comply with the re-
20 quirement of section 124.”.