

119TH CONGRESS
2D SESSION

H. R. 4795

AN ACT

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Economic and
 5 Academic Freedom Act of 2026”.

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

9 Section 487(a) of the Higher Education Act of 1965
 10 (20 U.S.C. 1094(a)) is amended by adding at the end the
 11 following:

12 “(30)(A) The institution will not engage in a
 13 nonexpressive commercial boycott of a major stra-
 14 tegic partner of the United States.

15 “(B) For purposes of this paragraph:

16 “(i) The term ‘major strategic partner’
 17 means, with respect to the United States—

18 “(I) a country described in section 4
 19 of Public Law 113–296; or

20 “(II) an entity licensed or regulated
 21 by, or organized under the laws of, such a
 22 country.

23 “(ii) The term ‘nonexpressive commercial
 24 boycott of a major strategic partner’—

1 “(I) means a commercial action (in-
 2 cluding engaging in refusals to deal and
 3 terminating business activities) that—

4 “(aa) is intended to limit com-
 5 mercial relations with a major stra-
 6 tegic partner; and

7 “(bb) is not based on a valid
 8 business reason; and

9 “(II) does not include actions de-
 10 scribed in regulations issued to provide for
 11 the exceptions described in section
 12 1773(a)(2) of the Anti-Boycott Act of
 13 2018 (50 U.S.C. 4842(a)(2)).”.

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

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

18 **“SEC. 639. INSTITUTIONAL CERTIFICATIONS.**

19 “(a) ANNUAL REQUIREMENT FOR INSTITUTIONAL
 20 ELIGIBILITY.—Not later than July 31 of each calendar
 21 year beginning on or after the date of enactment of the
 22 Protect Economic and Academic Freedom Act of 2026,
 23 an institution of higher education participating or apply-
 24 ing to participate in any program under this title shall
 25 submit to the Secretary the certification required under

1 subsection (b). An institution that does not submit such
2 certification by July 31 of a calendar year shall be ineli-
3 gible to receive any funds under this title in the first fiscal
4 year that begins after such July 31, including any funds
5 under this title that would otherwise have been available
6 to the institution in such fiscal year for a grant awarded
7 during a previous fiscal year.

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

12 “(1) permit students and faculty of the certi-
13 fying institution to participate in academic pro-
14 grams, including conferences, teaching exchanges,
15 cultural exchanges, study abroad programs, joint re-
16 search, and other collaborative educational activities,
17 in a major strategic partner (as defined in section
18 487(a)(30)) of the United States in the same man-
19 ner, and under the same terms and conditions, as
20 students and faculty of the institution are permitted
21 to participate in academic programs in other foreign
22 countries; and

23 “(2) permit students and faculty of postsec-
24 ondary educational institutions in such a major stra-
25 tegic partner to participate in academic programs of-

1 ferred by the certifying institution, including con-
2 ferences, teaching exchanges, cultural exchanges,
3 study abroad programs, joint research, and other
4 collaborative educational activities, in the same man-
5 ner, and under the same terms and conditions, as
6 students and faculty of other foreign postsecondary
7 educational institutions that are not in such a major
8 strategic partner.

9 **“SEC. 639A. SENSE OF CONGRESS.**

10 “It is the sense of Congress that limitations on coop-
11 erative efforts by institutions of higher education, con-
12 sortia of such institutions, or partnerships between non-
13 profit educational organizations and institutions of higher
14 education with a major strategic partner (as defined in
15 section 487(a)(30)) of the United States do not serve the
16 security, stability, and economic vitality of the United
17 States.”.

 Passed the House of Representatives September 3,
2026.

 Attest:

Clerk.

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