

112TH CONGRESS
2^D SESSION

H. R. 2117

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2012

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To prohibit the Department of Education from overreaching
into academic affairs and program eligibility under title
IV of the Higher Education Act of 1965.

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 “Protecting Academic
3 Freedom in Higher Education Act”.

4 **SEC. 2. REPEAL OF REGULATIONS RELATING TO STATE AU-**
5 **THORIZATION AND DEFINING CREDIT HOUR.**

6 (a) REGULATIONS REPEALED.—

7 (1) REPEAL.—The following regulations (in-
8 cluding any supplement or revision to such regula-
9 tions) are repealed and shall have no legal effect:

10 (A) STATE AUTHORIZATION.—Sections
11 600.4(a)(3), 600.5(a)(4), 600.6(a)(3), 600.9,
12 and 668.43(b) of title 34, Code of Federal Reg-
13 ulations (relating to State authorization), as
14 added or amended by the final regulations pub-
15 lished by the Department of Education in the
16 Federal Register on October 29, 2010 (75 Fed.
17 Reg. 66832 et seq.).

18 (B) DEFINITION OF CREDIT HOUR.—The
19 definition of the term “credit hour” in section
20 600.2 of title 34, Code of Federal Regulations,
21 as added by the final regulations published by
22 the Department of Education in the Federal
23 Register on October 29, 2010 (75 Fed. Reg.
24 66946), and clauses (i)(A), (ii), and (iii) of sub-
25 section (k)(2) of section 668.8 of such title, as

1 amended by such final regulations (75 Fed.
2 Reg. 66949 et seq.).

3 (2) EFFECT OF REPEAL.—To the extent that
4 regulations repealed by paragraph (1) amended reg-
5 ulations that were in effect on June 30, 2011, the
6 provisions of the regulations that were in effect on
7 June 30, 2011, and were so amended are restored
8 and revived as if the regulations repealed by para-
9 graph (1) had not taken effect.

10 (b) REGULATIONS DEFINING CREDIT HOUR PROHIB-
11 ITED.—The Secretary of Education shall not promulgate
12 or enforce any regulation or rule that defines the term
13 “credit hour” for any purpose under the Higher Edu-
14 cation Act of 1965 on or after the date of enactment of
15 this section.

 Passed the House of Representatives February 28,
2012.

Attest:

KAREN L. HAAS,

Clerk.