

Union Calendar No. 682

119TH CONGRESS
2D SESSION

H. R. 2555

[Report No. 119–781]

To amend the Higher Education Act of 1965 to provide for certain freedom of association protections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2025

Mrs. HOUCHIN (for herself and Mr. GARCIA of California) introduced the following bill; which was referred to the Committee on Education and Workforce

AUGUST 27, 2026

Additional sponsors: Mr. MANN, Mr. JOHNSON of South Dakota, Mr. CAREY, Mr. GROTHMAN, Mr. HAMADEH of Arizona, Mr. FRY, Mrs. HINSON, Mr. MOORE of Utah, Mr. WALKINSHAW, Mr. ROGERS of Alabama, Mr. HUDSON, Ms. VAN DUYNE, Mr. BISHOP, Ms. FOXX, Mr. BURCHETT, Ms. TENNEY, Ms. STEFANIK, Mr. TAYLOR, Mrs. KIGGANS of Virginia, Mr. NORMAN, Mr. GOTTHEIMER, Mr. WILLIAMS of Texas, Mr. SHREVE, Mrs. GRJALVA, Mr. AUSTIN SCOTT of Georgia, Mr. LALOTA, Mr. STEUBE, Ms. DAVIDS of Kansas, Mr. FINE, Mr. SESSIONS, Mr. VAN ORDEN, Ms. ADAMS, Mrs. MCBATH, Mrs. McCLAIN DELANEY, Ms. WILSON of Florida, Mrs. BICE, Mr. HARRIS of North Carolina, Mr. NEWHOUSE, Mr. ROSE, Mr. GUEST, Mr. SCHMIDT, Mr. WITTMAN, Mr. THOMPSON of Pennsylvania, Mr. LANDSMAN, and Mr. HILL of Arkansas

AUGUST 27, 2026

Deleted sponsors: Mr. GARCIA of California (added April 1, 2025; deleted June 25, 2026), Mr. BISHOP (added April 14, 2026; deleted April 20, 2026) and Mr. LANDSMAN (added June 25, 2026; deleted June 30, 2026)

AUGUST 27, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 1, 2025]

A BILL

To amend the Higher Education Act of 1965 to provide for certain freedom of association protections, 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 “Freedom of Association*
5 *in Higher Education Act of 2026”.*

6 **SEC. 2. PURPOSES.**

7 (a) *PURPOSES.—The purposes of this Act are as fol-*
8 *lows:*

9 (1) *Protect any student in a single-sex social or-*
10 *ganization or any single-sex social organization from*
11 *any adverse action by an institution of higher edu-*
12 *cation based on the membership practice of such orga-*
13 *nization of limiting membership only to individuals*
14 *of one sex.*

15 (2) *Ensure—*

16 (A) *any student at an institution of higher*
17 *education in a single-sex social organization is*
18 *treated without bias in comparison to students*
19 *who do not participate in single-sex social orga-*
20 *nizations; and*

21 (B) *any single-sex social organization is*
22 *treated by an institution of higher education*
23 *without bias in comparison to other social orga-*
24 *nizations that are not single-sex.*

1 (3) *Protect the rights of students to freely asso-*
 2 *ciate with and participate in single-sex social organi-*
 3 *zations.*

4 **SEC. 3. FREEDOM OF ASSOCIATION PROTECTIONS FOR STU-**
 5 **DENTS IN SINGLE-SEX SOCIAL ORGANIZA-**
 6 **TIONS.**

7 *Part B of title I of the Higher Education Act of 1965*
 8 *(20 U.S.C. 1011 et seq.) is amended by adding at the end*
 9 *the following:*

10 **“SEC. 124. FREEDOM OF ASSOCIATION PROTECTIONS FOR**
 11 **STUDENTS IN SINGLE-SEX SOCIAL ORGANIZA-**
 12 **TIONS.**

13 “(a) *UPHOLDING FREEDOM OF ASSOCIATION PROTEC-*
 14 *TIONS.—Any student (or group of students) enrolled in an*
 15 *institution of higher education that receives funds under*
 16 *this Act, including through an institution’s participation*
 17 *in any program under title IV, shall—*

18 “(1) *be able to form, apply to join, join, partici-*
 19 *pate in, or lead a single-sex social organization of the*
 20 *student’s sex, whether or not such organization is offi-*
 21 *cially recognized by the institution; and*

22 “(2) *if selected for membership by any single-sex*
 23 *social organization, be able to join, participate in, or*
 24 *lead such single-sex social organization, subject to the*

1 *standards of such organization for regulating its own*
2 *membership.*

3 “(b) *NONRETALIATION AGAINST STUDENTS OF SIN-*
4 *GLE-SEX SOCIAL ORGANIZATIONS.—An institution of high-*
5 *er education that receives funds under this Act, including*
6 *through an institution’s participation in any program*
7 *under title IV, shall not—*

8 “(1) *take any action to require or coerce a stu-*
9 *dent or prospective student who is a member or pro-*
10 *spective member of a single-sex social organization to*
11 *waive the protections provided under subsection (a),*
12 *including as a condition of enrolling in the institu-*
13 *tion;*

14 “(2) *take any adverse action against a single-sex*
15 *social organization, or a student who is a member or*
16 *a prospective member of a single-sex social organiza-*
17 *tion, based on the membership practice of such orga-*
18 *nization limiting membership only to individuals of*
19 *one sex; or*

20 “(3) *impose a recruitment restriction (including*
21 *a recruitment restriction relating to the schedule for*
22 *membership recruitment) on a single-sex social orga-*
23 *nization recognized by the institution, which is not*
24 *imposed upon other social organizations by the insti-*
25 *tution, unless the single-sex social organization (or a*

1 *council of similar organizations) and the institution*
2 *have entered into a mutually agreed upon written*
3 *agreement that allows the institution to impose such*
4 *restriction.*

5 *“(c) RULES OF CONSTRUCTION.—Nothing in this sec-*
6 *tion shall be construed to—*

7 *“(1) require an institution of higher education to*
8 *officially recognize a single-sex social organization;*

9 *“(2) prohibit an institution of higher education*
10 *from taking an adverse action against a student who*
11 *forms, applies to join, joins, participates in, or leads*
12 *a single-sex social organization—*

13 *“(A) due to academic or nonacademic mis-*
14 *conduct;*

15 *“(B) because the stated purpose of such or-*
16 *ganization is directed to inciting or producing*
17 *imminent lawless action and is likely to incite*
18 *or produce such action; or*

19 *“(C) in the case of private institutions, be-*
20 *cause the institution determines that the purpose*
21 *of such organization is incompatible with the re-*
22 *ligious mission of the institution,*
23 *provided that the adverse action is not based on the*
24 *membership practice of the organization of limiting*
25 *membership only to individuals of one sex;*

1 “(3) prevent a single-sex social organization
2 from regulating its own membership;

3 “(4) inhibit the ability of the faculty of an insti-
4 tution of higher education to express an opinion (ei-
5 ther individually or collectively) about membership in
6 a single-sex social organization, or otherwise inhibit
7 the academic freedom of such faculty to research,
8 write, or publish material about membership in such
9 an organization; or

10 “(5) create enforceable rights against a single-sex
11 social organization or against an institution of higher
12 education due to the decision of such organization to
13 deny membership to an individual student.

14 “(d) DEFINITIONS.—In this section:

15 “(1) ADVERSE ACTION.—The term ‘adverse ac-
16 tion’ includes the following actions taken by an insti-
17 tution of higher education with respect to a single-sex
18 social organization or a member or prospective mem-
19 ber of a single-sex social organization:

20 “(A) Expulsion, suspension, probation, cen-
21 sure, condemnation, formal reprimand, or any
22 other disciplinary action, coercive action, or
23 sanction taken by an institution of higher edu-
24 cation or an administrative unit of such institu-
25 tion.

1 “(B) *An oral or written warning with re-*
2 *spect to an action described in subparagraph (A)*
3 *made by an official of an institution of higher*
4 *education acting in their official capacity.*

5 “(C) *An action to deny participation in*
6 *any education program or activity, including the*
7 *withholding of any rights, privileges, or opportu-*
8 *nities afforded other students on campus.*

9 “(D) *An action to withhold, in whole or in*
10 *part, any financial assistance (including schol-*
11 *arships and on-campus employment), or denying*
12 *the opportunity to apply for financial assistance,*
13 *a scholarship, a graduate fellowship, or on-cam-*
14 *pus employment.*

15 “(E) *An action to deny or restrict access to*
16 *on-campus housing.*

17 “(F) *An action to deny any certification,*
18 *endorsement, or letter of recommendation that*
19 *may be required by a student’s current or future*
20 *employer, a government agency, a licensing*
21 *board, an institution of higher education, a*
22 *scholarship program, or a graduate fellowship to*
23 *which the student applies or seeks to apply.*

24 “(G) *An action to deny participation in*
25 *any sports team, club, or other student organiza-*

1 *tion, including a denial of any leadership posi-*
2 *tion in any sports team, club, or other student*
3 *organization.*

4 *“(H) An action to withdraw the institu-*
5 *tion’s official recognition of such organization.*

6 *“(I) An action to require any student to*
7 *certify that such student is not a member of a*
8 *single-sex social organization or to disclose the*
9 *student’s membership in a single-sex social orga-*
10 *nization in a manner that is different from dis-*
11 *closure of a student’s membership in a social or-*
12 *ganization that is not a single-sex social organi-*
13 *zation.*

14 *“(J) An action to interject an institution’s*
15 *own criteria into the membership practices of the*
16 *organization in any manner that conflicts with*
17 *the rights of such organization under title IX of*
18 *the Education Amendments of 1972 (20 U.S.C.*
19 *1681 et seq.) or this section.*

20 *“(K) An action to impose additional re-*
21 *quirements on or with respect to advisors serving*
22 *a single-sex social organization that are not im-*
23 *posed on social organizations that are not single-*
24 *sex social organizations.*

1 “(2) *SINGLE-SEX SOCIAL ORGANIZATION.*—The
2 *term ‘single-sex social organization’ means—*

3 “(A) *a social fraternity or sorority de-*
4 *scribed in section 501(c) of the Internal Revenue*
5 *Code of 1986 which is exempt from taxation*
6 *under section 501(a) of such Code, or a social or-*
7 *ganization that has been historically single-sex,*
8 *the active membership of which consists pri-*
9 *marily of students or alumni of an institution of*
10 *higher education; or*

11 “(B) *a single-sex private social club (in-*
12 *cluding an independent organization located off-*
13 *campus) that consists primarily of students or*
14 *alumni of an institution of higher education.*

15 “(3) *SEX.*—The term ‘sex’ means the biological
16 *sex of an individual, either male or female.*

17 “(A) *FEMALE.*—The term ‘female’ means an
18 *individual who has, had, will have, or would*
19 *have, but for a congenital anomaly or inten-*
20 *tional or unintentional disruption, the reproduc-*
21 *tive system that at some point produces, trans-*
22 *ports, and utilizes eggs for fertilization.*

23 “(B) *MALE.*—The term ‘male’ means an in-
24 *dividual who has, had, will have, or would have,*
25 *but for a congenital anomaly or intentional or*

1 *unintentional disruption, the reproductive sys-*
2 *tem that at some point produces, transports, and*
3 *utilizes sperm for fertilization.”.*

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