

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE  
OFFERED BY MR. Allen**

Redesignate section 1001 as section 1001A.

Before section 1001A, as so redesignated, insert the  
following:

1 **SEC. 1001. GENERAL DEFINITION OF INSTITUTION OF**  
2 **HIGHER EDUCATION.**

3 Section 101(a) of the Higher Education Act of 1965  
4 (20 U.S.C. 1001(a)) is amended—

5 (1) in paragraph (4), by striking “; and” at the  
6 end and inserting a semicolon;

7 (2) in paragraph (5), by striking the period at  
8 the end and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(6) does not offer any in-State tuition or fee  
11 rate to an alien who is not lawfully present in the  
12 United States.”.

