

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 4795  
OFFERED BY MS. FOXX OF NORTH CAROLINA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

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

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

7       Section 487(a) of the Higher Education Act of 1965  
8 (20 U.S.C. 1094(a)) is amended by adding at the end the  
9 following:

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

13               “(B) For purposes of this paragraph:

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

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

1 “(II) an entity licensed or regulated  
2 by, or organized under the laws of, such a  
3 country.

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

6 “(I) means a commercial action (in-  
7 cluding engaging in refusals to deal and  
8 terminating business activities) that—

9 “(aa) is intended to limit com-  
10 mercial relations with a major stra-  
11 tegic partner; and

12 “(bb) is not based on a valid  
13 business reason; and

14 “(II) does not include actions de-  
15 scribed in regulations issued to provide for  
16 the exceptions described in section  
17 1773(a)(2) of the Anti-Boycott Act of  
18 2018 (50 U.S.C. 4842(a)(2)).”.

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

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

23 **“SEC. 639. INSTITUTIONAL CERTIFICATIONS.**

24 “(a) ANNUAL REQUIREMENT FOR INSTITUTIONAL  
25 ELIGIBILITY.—Not later than July 31 of each calendar

1 year beginning on or after the date of enactment of the  
2 Protect Economic and Academic Freedom Act of 2025,  
3 an institution of higher education participating or apply-  
4 ing to participate in any program under this title shall  
5 submit to the Secretary the certification required under  
6 subsection (b). An institution that does not submit such  
7 certification by July 31 of a calendar year shall be ineli-  
8 gible to receive any funds under this title in the first fiscal  
9 year that begins after such July 31, including any funds  
10 under this title that would otherwise have been available  
11 to the institution in such fiscal year for a grant awarded  
12 during a previous fiscal year.

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

17 “(1) permit students and faculty of the certi-  
18 fying institution to participate in academic pro-  
19 grams, including conferences, teaching exchanges,  
20 cultural exchanges, study abroad programs, joint re-  
21 search, and other collaborative educational activities,  
22 in a major strategic partner (as defined in section  
23 487(a)(30)) of the United States in the same man-  
24 ner, and under the same terms and conditions, as  
25 students and faculty of the institution are permitted

1 to participate in academic programs in other foreign  
2 countries; and

3 “(2) permit students and faculty of postsec-  
4 ondary educational institutions in such a major stra-  
5 tegic partner to participate in academic programs of-  
6 fered by the certifying institution, including con-  
7 ferences, teaching exchanges, cultural exchanges,  
8 study abroad programs, joint research, and other  
9 collaborative educational activities, in the same man-  
10 ner, and under the same terms and conditions, as  
11 students and faculty of other foreign postsecondary  
12 educational institutions that are not in such a major  
13 strategic partner.

14 **“SEC. 639A. SENSE OF CONGRESS.**

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

