hate and intolerance will never be tolerated in our communities.

America's strength comes from our foundation of religious and political freedom, and when these core values are attacked, then we unite as one.

I am proud of the bipartisan and united effort shown in standing with the BAPS community of Long Island in this difficult moment.

Together we will always rise to defend the principles that bind us as Americans and reject hate in all its forms.

RECOGNIZING MEDICAL RESEARCH WEEK

(Mr. CARSON asked and was given permission to address the House for 1 minute.)

Mr. CARSON. Mr. Speaker, I am pleased to introduce a resolution recognizing Medical Research Week from September 16 through September 20, 2024.

This bipartisan resolution recognizes the breakthroughs of medical research improving health outcomes, securing global competitiveness, boosting job creation, educating the next generation of scientists, and strengthening our economic growth.

Mr. Speaker, I am proud to represent Indiana's Seventh District which has become a healthcare and innovation hub in America. In my district alone, the NIH has contributed $264 million in grants to 9 different research sites in 2023. In Indiana the NIH has supported 5,300 jobs for Hoosiers and over $1.1 billion of economic activity.

Mr. Speaker, I urge my colleagues to join me in supporting this resolution.

HONORING CHIEF JUSTICE HEAVICAN

(Mr. FLOOD asked and was given permission to address the House for 1 minute.)

Mr. FLOOD. Mr. Speaker, I rise today to honor Chief Justice Mike Heavican of the State of Nebraska who has announced his retirement after almost two decades of exemplary service as the head of Nebraska's Supreme Court and its entire judicial branch.

Through the years, the chief justice has led Nebraska's judiciary with integrity. Before his time on the bench, he served as a deputy county attorney, a county attorney, the U.S. Attorney, and then the chief justice.

Throughout his career he has preserved the independence of our judiciary while collaborating with the State's leaders to strengthen its engagement with the public.

During my time as Speaker of the Unicameral, I had the great honor of working with Chief Justice Heavican to establish the first and now annual tradition of the State of the Judiciary address to our State's legislature.

On behalf of the people of the first district, I want to extend best wishes to Chief Justice Heavican and our sincere gratitude for his decades of remarkable public service.

CELEBRATING NASA'S HIDDEN FIGURES CONGRESSIONAL GOLD MEDAL RECIPIENTS

(Mrs. BEATTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BEATTY. Mr. Speaker, today I rise with passion and pride as an Ohioan to celebrate yesterday's Congressional Gold Medal recipients: Dorothy Vaughan, Katherine Johnson, Mary Jackson, and Dr. Christine Darden, and all of the brilliant women who powered NASA's success during the space race.

Katherine Johnson's calculation made the Moon landing possible. Dorothy Vaughan became NASA's first Black supervisor. Mary Jackson broke barriers as NASA's first Black female engineer, and Dr. Christine Darden revolutionized supersonic flight.

Known as hidden figures, they calculated rocket trajectories, Earth orbits, and solved complex problems. Their genius was hidden by the shadows of segregation. They were the brains behind one of the greatest operations in history: the launch of Ohio astronaut and former U.S. Senator, John Glenn, into orbit.

Mr. Speaker, let us continue to honor their legacy in the days ahead.

CONGRATULATING LAMYAH N. BOONE

(Mr. DAVIS of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of North Carolina. Mr. Speaker, the National Society of High School Scholars announced that LaMyah Boone has been selected to join the prestigious organization.

Boone is a sophomore at KIPP Gaston College Preparatory. She is a member of her school's yearbook committee and the Dance Girls in the Panthers Marching Band.

Boone is the daughter of Kennedy and LaToya Boone. LaMyah is now a member of an exclusive community of scholars, a community that represents the bright future of eastern North Carolina.

Congratulations to LaMyah.

We look forward to seeing what the future has for her next.

ACCREDITATION FOR COLLEGE EXCELLENCE ACT OF 2023

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3724.

The SPEAKER pro tempore (Mr. MILLER of Ohio). Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 1455 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3724.

The Chair appoints the gentleman from Mississippi (Mr. GUEST) to preside over the Committee of the Whole.

□ 1214

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3724) to amend the Higher Education Act of 1965 to prohibit recognized accrediting agencies and associations from requiring, encouraging, or coercing institutions of higher education to meet any political litmus test or violate any right protected by the Constitution as a condition of accreditation, with Mr. GUEST in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in the first section of House Resolution 1455 and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce or their respective designees.

The gentlewoman from North Carolina (Ms. FOXX), and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3724, the End Woke Higher Education Act. No woke week could possibly be complete without a robust debate regarding the state of free speech on college campuses. However, first I can't help but acknowledge the juxtaposition of this floor debate and debates in the university setting.

The Constitution's Speech and Debate Clause grants Members of Congress the absolute freedom of speech on the House floor. It is a privilege that has survived 248 years of nationhood.

Sadly, the privilege of the First Amendment and campus free speech has not. Therefore, I will use this time at this pulpit to make three conservative statements to express three truths that would otherwise be punishable offenses on today's college campuses.

Men and women are biologically different. This position held by swimmer Riley Gaines endangered her very life on a trip to San Francisco State University. Student activists assaulted Ms. Gaines during a speaking engagement, forcing police to lead her into a safe room.

DEI policies overlook qualified candidates. This sentiment expressed in a tweet by conservative-libertarian

Georgetown lecturer Ilya Shapiro led to a 122-day investigation and his eventual coerced resignation.

Finally, wear what you want on Halloween. This opinion, shared in an email by Professor Erika Christakis, sparked outrage at Yale. The unchecked student overreaction drove Professor Christakis to stop teaching classes.

Men and women are biologically different, DEI policies overlook qualified candidates, and wear what you want on Halloween—these three statements, as unobjectionable and inoffensive as they may seem, are widely censored on college campuses. That is because, for every example of retaliatory censorship, there are hundreds, if not thousands, of examples of self-censorship and social pressure to conform.

That is why I support H.R. 3724. Not only does H.R. 3724 aim to protect politically disfavored speech, but all speech. To achieve this goal, it would, among other things, mandate viewpoint neutrality in the college accreditation process, require robust free speech policies before public colleges access title IV funds, and prohibit universities from giving political litmus tests to students and faculty.

Mr. Chair, I thank Representative OWENS of Utah, Representative WILLIAMS of New York, Representative HOUCHIN of Indiana, Representative WALBERG of Michigan, Representative STEFANIK of New York, Representative CRENSHAW of Texas, Representative KILEY of California, and Representative MURPHY of North Carolina for their significant contributions to this bill.

With enough like-minded Members committed to the First Amendment, we can once again renew free expression as a pillar of post-secondary education.

Mr. Chair, I urge a ''yes'' vote on H.R. 3724, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to oppose H.R. 3724, what my Republican colleagues call the End Woke Higher Education Act.

H.R. 3724 seeks to circumvent the First Amendment to establish a whole new scheme to regulate speech and association rights on campus outside of established precedents and practices.

The First Amendment protects some of our most deeply cherished rights as Americans. Any student currently who believes their First Amendment rights are being violated can bring a Federal case against their public college or university. In doing so, they have over 200 years of precedent and case law that carefully define and determine what those rights are under the First Amendment.

This includes precedents that specifically address the unique nature of colleges and universities as public entities that both must uphold constitutional rights and must provide students with safe learning environments.

With today's bill, the majority would have us throw out all of the centuries of case law and replace it with a hastily drafted substitute that claims to remove barriers that limit constitutional rights.

What the bill actually does is make public colleges and universities, who could be acting in good faith attempting to protect the safety and security of everyone present on their campus, subject to monetary judgments and possible loss of title IV student aid, counter to Supreme Court precedent.

In so doing, my colleagues, who purport to favor limited government, are micromanaging how colleges and universities must handle their internal governance processes.

Another one of the harmful, misguided policies contained in the bill creates a license for religious student organizations at public institutions to discriminate against LGBTQ+ and other students by allowing these organizations to avoid nondiscrimination requirements that apply to all other student clubs funded by student activity fees.

Student groups are an essential part of the college experience, but if this bill becomes law, minority students would be forced to subsidize student groups that discriminate against them.

In addition to micromanaging how college campuses dispute the First Amendment cases, this bill would undermine the legitimacy of the college accreditation process. For decades, federally recognized accreditors have served as one-third of the oversight triad of the U.S. higher education system, along with States and the Federal Government.

Accreditation is meant to be the gold standard for college quality and performance. After all, accreditation is the gateway to billions of dollars of Federal student aid each year. I recognize that the accreditation systems need improvement, but, unfortunately, H.R. 3724 does not make constructive reforms. Rather, it is a baseless attempt to inject culture wars into an ever-important accreditation process.

For example, the ''prohibition on litmus tests'' invites additional Federal oversight into the accreditation process. Under this bill, accreditors may not assess a school's ''commitment to any ideology, belief, or viewpoint.''

The majority complains that this will prevent a school from losing accreditation if they do not have a diversity, equity, and inclusion office. The reality is that there is no evidence that that is happening.

There are, conversely, several examples of State officials pressuring schools not to teach certain classes or hold subjects that they believe cross the line between academic pursuit and ideological beliefs. That is why the bill is so dangerous.

For example, under this bill, the Department of Education could potentially revoke an accreditor's recognition if that accreditor required science programs to teach evolution. If the accreditor said, no, if it is science, you have got to teach evolution, the Department could potentially revoke the accreditation, suggesting that such standards were an attempt to force a university to commit to a specific partisan, political, or ideological viewpoint or belief.

Well, I think if you are going to teach a science course, that the accreditors ought to have the option of requiring the fundamental basis be science.

H.R. 3724 represents a solution in search of a problem, fundamentally seeks to undermine students' First Amendment rights and their right to be able to join a student organization free of discrimination, and it undermines our accreditation system.

Mr. Chair, I oppose the bill, and I reserve the balance of my time.

Ms. FOXX. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. WILLIAMS), the bill's sponsor.

Mr. WILLIAMS of New York. Mr. Chair, I thank Congresswoman FOXX for her courageous leadership in these historic and important times.

Mr. Chair, I am proud to speak in support of H.R. 3724, which includes my bill, the Respecting the First Amendment on Campus Act.

This package ensures transparency both in the accreditation process and at the institutional level, protecting the right to free speech, the liberty of religious conscience, and the safeguards against discrimination.

Our Nation's colleges and universities are at the very best when they facilitate the free, open, and civil exchange of ideas among students and faculty alike, with robust disagreements serving to teach students how to think and how to engage with those who come to the table with different perspectives.

In the interest of protecting students' ability to learn and grow from these interactions, this legislation ensures the universities do not stray from the guiding principles of the First Amendment. Throughout history, we have witnessed dangerous extremists weaponize educational institutions to promote their ideology and to suppress dissent. The open forum is worth protecting.

In the not-too-distant future, everyone in this Chamber will pass the torch to a new generation of leaders, not just in government, but in business, journalism, and every other sector of life.

We owe it to them to make sure that the educational halls in which they learn are more than a one-way conduit through which ideologues seek to cram their own views of the world on captive students. Their formative educational years should be spent thinking critically and discussing freely the issues that they will grapple with in their adult lives.

The prosperity of our Nation depends on that next generation and the ability

to think independently and engage productively with those who have different perspectives. Those are valuable tools they will have to use throughout their lives.

College students should feel secure in the knowledge that their rights are protected on campus, that campuses follow the law and certify their practices and policies on free speech to prospective students and families. Especially now, as students are increasingly unsure how their school will react to the turbulent political issues of today, it is necessary that institutions of higher education act with transparency and moral clarity, to protect the open forum and, by extension, the students they have been entrusted with.

This legislation speaks to universities directly: If you do not protect the lawful and Supreme Court-tested First Amendment rights of your students, you will lose your funding.

Mr. Chair, I urge the House to do right by our Nation's students and pass this bill.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. GOLDMAN).

□ 1230

Mr. GOLDMAN of New York. Mr. Chair, I thank the ranking member for yielding.

Mr. Chair, I rise today to discuss the next installment of Republican hypocrisy in the 118th Congress. This one relates to anti-Semitism.

My Republican colleagues have spent months haranguing university presidents for failing to protect Jewish students on college campuses, and on this, I agree. Many university presidents have failed to show appropriate moral clarity and leadership, but let me ask my colleagues on the other side of the aisle: Does the removal of a university president actually change the facts on the ground? Does it make Jewish students safer? The answer is unequivocally no, and certainly not in the near term.

I have spoken to Jewish students all around the country, and they remain scared and afraid as anti-Semitic encampments and protests have grown more threatening and even violent.

Despite all of their lipservice about combating anti-Semitism, this Republican bill makes it significantly more difficult for universities to keep Jewish students safe.

Under the guise of ending wokeness on college campuses, this bill would strip universities of their ability to enforce reasonable restrictions on campus protests. It limits time, place, and manner restrictions and allows for no-notice spontaneous protests, including anywhere on campus, such as Hillels.

That is right. The bill makes it easier for agitators and others to come onto college campuses and engage in anti-Semitic protests or encampments. Once again, all talk, no action from my Republican colleagues.

The most effective way for the Federal Government to combat anti-Semitism on campus is through the enforcement of the title VI antidiscrimination law by the Office for Civil Rights in the Department of Education, which requires universities to remedy any violations that make Jewish students or any other students unable to safely and securely get the education that they deserve.

Since October 7, OCR has opened more than 150 investigations into campus anti-Semitism, but they don't have anywhere near the resources to fully pursue those investigations—never mind that Donald Trump's Project 2025 wants to eliminate the Department of Education altogether, including the Office for Civil Rights.

If Republicans truly cared about Jewish students, as they say, they would support my Showing Up for Students Act, which would increase funding for OCR so that we can actually combat anti-Semitism on the ground at universities around the country. Yet, not a single Republican has cosponsored this bill—not one.

The Acting CHAIR (Mr. PERRY). The time of the gentleman has expired.

Mr. SCOTT of Virginia. Mr. Chair, I yield an additional 1 minute to the gentleman from New York.

Mr. GOLDMAN of New York. Mr. Chair, instead, in the last budget, Republicans insisted on cutting funding for OCR, further hampering OCR's ability to fight anti-Semitism.

I, once again, ask my colleagues on the other side of the aisle to stop using anti-Semitism as a political weapon and join us to actually solve the problem. If you care about anti-Semitism on college campuses, you must oppose H.R. 3724 and instead join my Showing Up for Students Act so Congress can be part of the solution, not the problem.

Ms. FOXX. Mr. Chair, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Chair, I rise in strong support of the End Woke Higher Education Act, which upholds Americans' constitutional liberties and supports academic freedom on college campuses.

Sadly, over the years, we have seen our Nation's college campuses diverge from being places of thoughtful debate to a breeding ground for illiberal thought. Shoutdowns, disciplinary action, and political litmus tests have become pervasive on college campuses.

This trend threatens both our constitutionally guaranteed rights and the value of a college education. If we are to remain a tolerant society accepting of a diversity of ideas, then colleges need to be an open arena for thoughtful debate, discussion, and, of course, faith.

To protect individuals' faith on campus, H.R. 3724 also includes text from the Equal Campus Access Act, my bill to ensure commonsense protections for religious student organizations.

Over the years, we have seen a concerning increase of incidents on college campuses where religious student organizations have lost rights, benefits, and privileges due to faith-based practices.

Across the country, student groups are formed and meet to discuss political, social, or religious ideas and beliefs. These groups enrich the student experience and campus life. These groups must apply to the university for recognition, which allows them to use university space and receive student activity funding available to other recognized groups. However, religious groups have often been blocked from this recognition, putting their organization at risk.

The Equal Campus Access Act would clarify that no funds shall be made available to a public institution that denies a religious student group any rights similarly afforded to other organizations because of the religious group's beliefs, practices, or leadership standards.

Notably, in my State of Michigan, a religious student organization that had been a recognized student group at Wayne State University since 1956 was derecognized simply because it required its leaders to agree with its religious beliefs. The students had to sue their university in order to receive recognition, where a judge found the university had, in fact, violated the students' rights.

Students should not have to give up their First Amendment rights of speech, religion, and association to attend a public college.

I thank the chairwoman for including my bill in this package and Representatives BURGESS OWENS and BRANDON WILLIAMS for their leadership.

Mr. Chair, I urge my colleagues to support this bill.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, we have received a letter from the American Council on Education, which says, in part, rather than respecting the First Amendment and what has been done to apply its principles across a wide range of higher education institutions, the provisions of title II of H.R. 3724 would undermine campus efforts to foster free speech and ensure student safety.

We are particularly concerned with the impact this legislation would have on campuses' ability to prevent discrimination and hateful incidents at a time of widespread national attention.

Mr. Chair, I include in the RECORD a letter from the American Council on Education.

AMERICAN COUNCIL ON EDUCATION,
September 17, 2024.

Hon. MIKE JOHNSON,
Speaker, House of Representatives,
Washington DC.

Hon. HAKEEM JEFFRIES,
Minority Leader, House of Representatives,
Washington DC.

DEAR SPEAKER JOHNSON AND MINORITY LEADER JEFFRIES: On behalf of the undersigned higher education associations, we write regarding H.R. 3724, the End Woke Higher Education Act, which will be considered by the U.S. House of Representatives

this week. Title II of H.R. 3724 incorporates the provisions of H.R. 7683, the Respecting the First Amendment on Campus Act. We opposed the Respecting the First Amendment on Campus Act during its consideration by the Committee on Education and the Workforce. We now ask you to remove Title II from H.R. 3724 as it would undermine efforts to protect free speech on campus and provide safe learning environments free from discrimination. If Title II is not removed from the underlying bill, we would urge you and your members to oppose the bill if it is considered on the floor.

Colleges and universities are strongly committed to fostering open, intellectually engaging debate enriched by a diverse set of voices and perspectives. Freedom of speech, free inquiry, and academic freedom are fundamental to the quest for knowledge and to the educational mission of higher education institutions. Institutions take seriously their obligations to uphold the laws protecting these freedoms, which, for public institutions, include the First Amendment. Consistent with these obligations, institutions must also provide safe learning environments that are free from discrimination and harassment and in compliance with applicable federal and state laws, including Title VI of the Civil Rights Act. Any proposed federal legislation in this area must reflect these twin institutional obligations.

Despite Title II's purported aims of ensuring that public institutions uphold First Amendment protections and provide clarity regarding campus speech policies, Title II would instead create new counterproductive federal mandates, undermining the goals it seeks to advance. Title II would impose a rigid, highly prescriptive, and costly regulatory and enforcement framework on nearly 1,900 public colleges and universities. Already subject to the protections afforded by the First Amendment, public institutions would have to implement a new campus-wide compliance scheme on top of existing policies and practices. As an example of the difficult and costly mandates that the legislation would impose, it would require institutions to develop ''objective, content- and view-point neutral and exhaustive standards'' in allocating funds to student organizations, which are extraordinarily varied. This could create a regulatory quagmire.

Under Title II's enforcement provisions, failure to comply with even minor reporting or disclosure requirements could result in loss of Title IV funding for an entire award year and often significantly longer. Penalizing students with a loss of financial aid does nothing to further the goals of this legislation and is disproportional to the underlying violation. While the bill exempts private institutions from some of its most onerous requirements, the legislation would nonetheless create a dangerous precedent that encourages further governmental intrusions into matters of academic freedom and institutional autonomy, which would undoubtedly have a chilling effect on private institutions as well.

In addition to the needlessly harsh penalty of loss of Title IV aid, the legislation would also spawn costly and time-consuming litigation by creating a new federal cause of action allowing individuals to sue a public institution for damages for any violation of Title II's requirements. Adding this new cause of action on top of existing legal remedies is unnecessary, duplicative, and would harmfully drain institutional resources away from efforts to protect students and campus free speech. Further, the bill would take the unprecedented and troubling step of waiving a public institution's sovereign immunity rights under the 11th Amendment based on its receipt of Title IV funding.

Given the recent focus of the Education and the Workforce Committee and other House Committees on incidents of antisemitism and the need for campuses to provide safe, discrimination-free environments for all students, we are mystified by Title II's inclusion of provisions that would tie the hands of campus administrators to address these issues, likely making campuses less safe. For example, the bill would mandate that any publicly accessible area of the campus be designated as a ''public forum,'' open to anyone—even if they are not a student, staff, or faculty member—making it more difficult for institutions to secure their campuses against outside agitators like the kind seen in some recent protests over the Israel-Hamas war. Further, Title II would prohibit institutions from factoring in potential student and public reactions when determining security fees for events, limiting their ability to safely manage controversial speakers and events which necessarily entail far greater security costs.

Rather than respecting the First Amendment and what has been done to apply its principles across a wide range of higher education institutions, the provisions in Title II of H.R. 3724 would undermine campus efforts to foster free speech and ensure student safety. We are particularly concerned with the impact this legislation would have on campuses' ability to prevent discrimination and hateful incidents at a time of widespread national tension. We urge the House to remove Title II from H.R. 3724, the End Woke Higher Education Act, or vote against the broader bill if it reaches the floor with Title II included.

Sincerely,

TED MITCHELL,
President.

On behalf of:
American Association of Community Colleges,
American Association of State Colleges and Universities,
American Council on Education,
Association of American Universities,
Association of Public and Land-grant Universities,
National Association of Independent Colleges and Universities.

Mr. SCOTT of Virginia. Mr. Chair, I reserve the balance of my time.

Ms. FOXX. Mr. Chair, I yield 4 minutes to the gentleman from Utah (Mr. OWENS), the bill's sponsor.

Mr. OWENS. Mr. Chair, I thank Chairwoman FOXX for her remarkable vision and leadership.

Mr. Chair, I will speak to the ACE Act, which is a part of the End Woke Higher Education Act.

Our Nation's education system is built on the fundamental values of free speech, freedom of religion, and the guaranteed rights of hearty and healthy debates. These core principles are so inherent to America that we often take them for granted. We, over time, assume that these freedoms will always be safe, without any effort on our part to protect them. Unfortunately, this is not the case.

A glance at our university system reveals a troubling trend: Ideological conformity and intolerance when not compliant is undermining academic freedom.

There is a systemic acceptance of a new litmus test in the accreditation world. Institutions of higher learning are facing immense pressure from accreditors to conform to the anti-American Marxist doctrine of DEI and critical race theory or risk losing access to Federal funding. This is not the education our Founders envisioned in their quest for America to continue to be a more perfect Union.

My dad was a college professor for 40 years at Florida A&M. Being raised in Tallahassee, Florida, in the shadows of FAMU and Florida State, I remember distinctly the era when our Nation's colleges and universities prided themselves on merit and competition. It was in that era within the classrooms that value of free speech, free exchange of ideas, and high standards were proudly taught.

Fast-forward to 2024, and throughout our Nation, religious institutions and conservative colleges that seek to teach their own values, the same values that students are signing up for and paying for, risk losing Federal funding by doing this process, by teaching this process.

The ACE Act brings this attack on the foundation of our American culture to an end. It allows every educational institution in our country to return to its original mission, which is to educate students in the American tradition of free and open debate, to allow for the training of critical thinking skills, and to prepare them to enter and succeed in America's innovative and diverse workforce.

The ACE Act reinforces the autonomy of every school to develop their own curriculums and policies without undue pressure to conform to the Marxist agenda pushed by politicized accrediting bodies. Most importantly, this upholds our constitutional right of free speech, which is fundamental to preserving the legacy of freedom for all future generations.

Mr. Chair, I urge my colleagues to join me in defending the basic American rights afforded to us by the Constitution and support the ACE Act, H.R. 3724.

Mr. SCOTT of Virginia. Mr. Chair, I yield 3 minutes to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Chair, I rise today in opposition to the so-called End Woke Higher Education Act.

There is a lot we could be doing in Congress to improve higher education, and this is not it. This bill combines two extreme bills into one, attacking intellectual freedom and diversity on college campuses while fanning the flames of culture war rhetoric to score political points.

This so-called End Woke Higher Education Act would allow institutions of higher education to eliminate policies and programs that protect students and staff from discrimination because of who they are, where they come from, what they believe, or who they love.

By forbidding accreditors from considering diversity and inclusion efforts and allowing schools to require all applicants and employees to abide by a

statement of faith, colleges and universities would be free to remove curricula that highlight the historical experience of marginalized groups. They could reject students from attending federally funded institutions based on the student's religious beliefs.

Anti-Semitism and Islamophobia on college campuses is a pervasive problem, yet this bill would open the door for more schools to discriminate against Jewish or Muslim students solely because of their faith.

Is it woke to believe that Jewish and Muslim students should be able to attend the schools they choose and join the clubs that fit their interests? Is it woke to ask schools not to subsidize speakers that make certain groups of students feel unsafe on campus?

Though it is not typical to have a term in a bill that is undefined, there is no definition of ''woke'' in this bill. What is it? Do they believe it when they see it, or do they define it when they want to?

Instead of limiting access to inclusive, accurate curricula, we should be focused on vigorous enforcement of our civil rights laws that protect all students and provide equal opportunities.

For this reason, at the appropriate time, I will offer a motion to recommit this bill back to committee. If the House rules permitted, I would have offered the motion with an important amendment to this bill.

My amendment would increase funding for the Office for Civil Rights at the Department of Education. That is important because the Department of Education's Office for Civil Rights, OCR, enforces a number of civil rights laws that apply to colleges and universities receiving Federal funding. The Office for Civil Rights has the crucial responsibility to uphold and enforce core nondiscrimination statutes that protect students on the basis of race, color, national origin, sex, disability, and age.

Despite the massive increase in complaints received over the past several years, this office has only half the staff it had when it was established 45 years ago. In fact, House Republicans on the Appropriations Committee recently proposed a $10 million cut to the Office for Civil Rights. That is right. They proposed a $10 million cut to the Office for Civil Rights.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. Mr. Chair, I yield an additional 1 minute to the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chair, if they are seriously concerned about religious discrimination on college campuses, why diminish the Federal enforcement agency's power to prevent cases of discrimination and, importantly, take enforcement action when these cases occur?

□ 1245

Federal anti-discrimination laws are critical tools, especially in today's political climate, to protect the civil rights of all students.

I hope my colleagues will join me in voting for the motion to recommit and opposing H.R. 3724 because we don't need the End Woke Higher Education Act.

Mr. Chair, I include in the RECORD the text of my amendment.

Ms. Bonamici of Oregon moves to recommit the bill H.R. 3724 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. ___. AUTHORIZATION OF APPROPRIATIONS FOR THE OFFICE FOR CIVIL RIGHTS.

There are authorized to be appropriated to the Office for Civil Rights of the Department of Education $280,000,000 for each of fiscal years 2025 through 2029.

Ms. FOXX. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Mr. Chair, I rise in support of the End Woke Higher Education Act, a bill that will refocus college accreditation on academic excellence—there is a concept—and correct the First Amendment rights of college students.

The Federal Government pays billions in hardworking taxpayer dollars each year to colleges and universities assuming that accredited schools are preparing students to think academically and to earn a good job after graduation. It is increasingly clear that many students aren't prepared for life after college.

Today, $1.6 trillion of taxpayer dollars are missing from the Treasury because graduates aren't paying back their student loans.

Of course, Democrats think that is wonderful because they think it is the government's job to provide free college education for everyone.

Sadly, many college students leave their university with little to show for it besides crushing debt, bleak job prospects in the Biden-Harris economy, and too often, liberal brainwashing from what they were taught.

Students are suffering under the misguided priorities of our institutions, and accreditors are contributing to the problem.

Instead of working with colleges to ensure that academic progress will lead to student success, accreditors are determined to impose their diversity, equity, and inclusion standards on institutions.

This bill simply prohibits accreditors from forcing colleges to adopt DEI standards in order to receive accreditation.

In addition, this bill protects the fundamental rights of free speech and free association on college campuses.

That means religious clubs on college campuses can have the same access to resources that are available to any other student group.

Unfortunately, here in 2024, it is still common for faith-based organizations to be discriminated against on college campuses, which makes this legislation necessary and important.

Restricting First Amendment rights and empowering divisive ideology on our college campuses is not serving our students well. This legislation will help stop those harmful practices.

I thank my friend, Mr. OWENS, for leading on this legislation. I urge my colleagues to support it.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we received a letter from the Association of Public & Land Grant Universities, which says, in part, the bill's ''purported solutions would radically undermine First Amendment jurisprudence, threatening the ability of public universities to ensure State property can be used for its intended educational purposes, and represents an astonishing level of Federal intrusion in matters traditionally respected as the purview of States and State entities.''

We received another letter from the ACLU, which says, in part, ''H.R. 3724 purportedly prohibits: partisan, political, ideological, social, cultural, or political viewpoints and beliefs; the disparate treatment of any individual or group of individuals on the basis of any protected class under Federal civil rights law; and violation of any right protected by the U.S. Constitution. In reality, H.R. 3724 would encourage these unlawful actions by permitting postsecondary institutions to eliminate curricula that covers historical contributions and lived experiences of some racial and ethnic groups while continuing such curriculum of other groups.''

Mr. Chair, I include in the RECORD letters from the Association of Public & Land-Grant Universities and the American Civil Liberties Union.

ASSOCIATION OF PUBLIC & LAND-GRANT UNIVERSITIES,
Washington, DC, September 16, 2024.

Hon. MIKE JOHNSON,
Speaker, House of Representatives,
Washington, DC.

Hon. HAKEEM JEFFRIES,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER JOHNSON AND MINORITY LEADER JEFFRIES: As president of the Association of Public and Land-grant Universities (APLU), a membership association of more than 230 public research universities and systems, I write to express APLU's strong opposition to Title II of H.R. 3724, the ''End Woke Higher Education Act,'' which is expected to be considered on the House Floor this week. Title II contains the text of the Respecting the First Amendment on Campus Act, provisions of which are predominantly aimed at state entities given the application of the First Amendment to public institutions.

While APLU appreciates goals of the legislation to ensure public colleges and universities are upholding their obligations under the First Amendment and fostering learning environments in which students are exposed to a variety of perspectives, its purported solutions would radically undermine First Amendment jurisprudence, threatening the ability of public universities to ensure state property can be used for its intended educational purposes, and represents an astonishing level of federal intrusion in matters

traditionally respected as the purview of states and state entities.

Further, the timing of the legislation is particularly perplexing given the enormous challenges public universities faced in the spring and continue to face as targets from outside organizations seeking to sow campus unrest to generate global attention. The legislation would be a major boon to such organizations by making it substantially more difficult for public universities to preserve its property for intended educational uses while protecting the rights of the vast majority of campus communities simply seeking to receive an education, further scientific advancement, and fully enjoy the enriching experiences afforded on public university campuses. The legislation would also raise the need for institutions to direct substantial resources to administration rather than in support of students, including exposing state institutions to new threats from unscrupulous lawyers seeking paydays from state coffers through the legislation's waiver of state sovereign immunity and creation of new private rights of action.

The First Amendment combined with case law provides deep protections for free speech and association on campuses of public universities, while enabling institutions to put in place reasonable, viewpoint neutral restrictions to protect public safety and speakers while enabling their higher education mission. While some aspects of the legislation related to designated public forums reinforce precedent within some circuits, not all circuit courts have adopted such standards. As such, the bill would treat all public university outdoor property as if it was traditional public fora like a town square or the quintessential public university ''quad.'' However, public institutions own and maintain an incredible diversity of property including hospitals, bus stations, agricultural field stations, athletics fields, sewage plants, parking lots, residence halls, forests, nature preserves, museums, etc. We find it highly unusual that Congress would insert itself into the designation of state property in ways it would likely never consider for other non-federal public lands.

APLU is also concerned with the manner in which the legislation will drive up legal expenses of institutions, diverting resources that could otherwise be devoted in furtherance of public universities' education, research, and community engagement missions. For example, creating new private rights of action and conditioning participation in Title IV federal student aid programs on waiving state sovereign immunity are deeply concerning. Additionally, the legislation contains incredibly harsh penalties of loss of Title IV eligibility for what could be unintentional infractions due to ambiguities with the bill's extremely prescriptive standards. APLU questions the need for such penalties, waivers of sovereign immunity, and creation of private rights of action as the First Amendment provides adequate protections for free speech on campus and judicial remedies for institutional noncompliance.

As public institutions, campuses have obligations to ensure students and campus communities more broadly have exposure to an array of speakers and events that further an educational mission, including the arts and sciences. Public universities receive countless requests for use of their facilities, including from outside organizations, speakers, and candidates for public office. As part of allowing public university campus property to be used by outside organizations, institutions must assess fees to recover costs, including security fees. The legislation would preclude an institution from taking into consideration ''an anticipated reaction by students or the public'' as part of determining a security fee. This provision is particularly dangerous. Public universities can reasonably anticipate a greater security need in hosting a controversial public figure or provocative fringe organization than say a mundane scientific conference of physicians. With this provision and especially combined with provisions creating new legal exposures, public universities would be faced with an impossible choice of providing inadequate security creating threats to public safety or having events bankrupt public university budgets. As like other provisions of the legislation, this would make public university campuses even greater targets of outside provocateurs who under the bill can pass along the financial costs of their events to state taxpayers.

Lastly, APLU is concerned by numerous provisions of the legislation that micromanage state university policies at the federal level, needlessly overriding the judgments of states and institutional leaders. For example, prescriptive standards in the legislation regarding governance of student organization policies override the discretion of campus administrators who are best positioned to know the needs of their communities.

APLU urges members of Congress to oppose the legislation and instead work with the public university community on legislation that better addresses policymaker concerns without such deeply troublesome unintended consequences. Thank you for your consideration.

Sincerely,

MARK BECKER,
President, Association of Public and Land-grant Universities.

Re Vote ''NO'' on H.R. 3724, the Accreditation for College Excellence Act of 2023; Vote ''NO'' on H.R. 7683, the Respecting the First Amendment on Campus Act; Vote ''NO'' on H.R. 4790, the Guiding Uniform and Responsible Disclosure Requirements and Information Limits Act of 2023; Vote ''NO'' on H.R. 5339, the Roll back ESG to Increase Retirement Earnings Act

ACLU, NATIONAL POLITICAL ADVOCACY DEPARTMENT,
Washington, DC, September 18 2024.

DEAR REPRESENTATIVE: The American Civil Liberties Union strongly urges you to vote ''NO'' on H.R. 3724, the Accreditation for College Excellence Act of 2023; H.R. 7683, the Respecting the First Amendment on Campus Act; H.R. 4790, the Guiding Uniform and Responsible Disclosure Requirements and Information Limits Act of 2023; and H.R. 5339, the Roll back ESG to Increase Retirement Earnings Act. These bills collectively and individually aim to undermine and dismantle policies and programs that both ensure compliance with non-discrimination laws and create welcoming and inclusive environments for students or employees. The ACLU will score these votes.

H.R. 3724, ACCREDITATION FOR COLLEGE EXCELLENCE ACT OF 2023

H.R. 3724 would prohibit accrediting agencies from requiring or encouraging public higher education institutions to consider inclusion and diversity efforts when assessing curricula and campus climates for students, faculty, and staff. Current accreditation standards concerning inclusion and diversity further non-discrimination and equal opportunity policies; foster diversity within curricula, the student body, and faculty; create a welcoming climate of respect and inclusiveness; encourage civic engagement; and measure achievement gaps between students. These programs and policies adopted by colleges and universities impact a vast population of students and staff, including women of all races and ethnicities, racial and religious minorities, veterans, people with disabilities, persons from low socioeconomic backgrounds, those who live in rural or urban geographic locations, and immigrants.

The bill would also permit educational institutions that are controlled by religious organizations to require applicants, students, employees, and independent contractors to provide or adhere to a statement of faith; adhere to a code of conduct consistent with one religious mission or certain religious tenets; and swear to a loyalty oath to vaguely ''uphold the U.S. Constitution.''

H.R. 3724 purportedly prohibits: (1) partisan, political, ideological, social, cultural, or political viewpoints and beliefs; (2) the disparate treatment of any individual or group of individuals on the basis of any protected class under Federal civil rights law; and (3) violation of any right protected by the U.S. Constitution. But, in reality, H.R. 3724 would encourage these unlawful actions by permitting post-secondary institutions to eliminate curricula that covers the historical contributions and lived experiences of some racial and ethnic groups, while continuing such curricula for other groups. In addition, H.R. 3724 would permit institutions to dismantle programs and policies that ensure compliance with non-discrimination protections for students, faculty, and staff; exclude students who practice certain religions from federally funded institutions; and mandate unconstitutionally vague loyalty oaths. The ACLU strongly urges you to vote ''NO'' on H.R. 3724.

H.R. 7683, THE RESPECTING THE FIRST AMENDMENT ON CAMPUS ACT

H.R. 7683 would wrongly prohibit consideration of lawful statements used to assess prospective applicants and faculty on their experiences, actions, and planned contributions. These prohibitions would undermine universities' efforts to consider the lived experiences of applicants and develop a well-rounded study body and faculty. For example, H.R. 7683 would preclude a public higher education institution from requiring, requesting, or considering a statement from a student applicant explaining how a social construct, such as race, ethnicity, gender roles or identity, socioeconomic status, religion, or nationality, has impacted their life or their ability to contribute to the institution.

However, this very type of statement was explicitly upheld by the Supreme Court. In Students for Fair Admissions, Inc. v. President and Fellows of Harvard College, the Supreme Court noted that higher education institutions may consider ''an applicant's discussion of how race affected the applicant's life, so long as that discussion is concretely tied to a quality of character or unique ability that the particular applicant can contribute'' to the institution.

In addition, this bill prohibits public higher education institutions from requiring, requesting, or considering a statement from a prospective or current faculty member explaining how their teaching, research or service has or would promote diversity, equity, and inclusion within the institution. Yet, such statements are clearly relevant to a faculty member's professional experiences and scholarship, and therefore it is understandable and appropriate to ask about them. Ultimately, the ''political litmus tests'' defined in this legislation will serve only to reduce diversity amongst students and faculty and would not protect speech. The ACLU strongly urges you to vote ''NO'' on H.R. 7683.

H.R. 4790, GUIDING UNIFORM AND RESPONSIBLE DISCLOSURE REQUIREMENTS AND INFORMATION LIMITS ACT OF 2023 AND H.R. 5339, ROLL BACK ESG TO INCREASE RETIREMENT EARNINGS ACT

H.R. 4790 and H.R. 5339 aim to prohibit investors, including financial services companies investing pension and other retirement funds, from making investment decisions based on a company's commitment to environmental protections, public health and labor safety standards for the community at large, the social impact of diversity and inclusivity, and the general governance of organizations including shareholder rights. Not only do these bills disregard the desires and concerns of workers and investors across the country for nondiscriminatory and supportive workplaces, but they would have the perverse effect of disallowing the consideration of workplace diversity and environmental factors that contribute to the financial success of a business. Furthermore, a series of amendments offered by minority members of the Financial Services Committee that would have protected the will and economic interests of investors in investing in businesses that succeed by valuing and protecting their employees were all rejected. The ACLU strongly urges you to vote ''NO'' on H.R. 4790 and H.R. 5339.

The ACLU greatly appreciates your attention to this request, as we ask you to protect nondiscriminatory, inclusive and supportive workplaces and classrooms by voting ''NO'' on final passage of H.R. 3724, H.R. 7683, H.R. 4790, and H.R. 5339.

Sincerely,

CHRISTOPHER ANDERS,
Director, Democracy & Technology.
KIMBERLY CONWAY,
Senior Policy Counsel.

Mr. SCOTT of Virginia. Mr. Chair, I reserve the balance of my time.

Ms. FOXX. Mr. Chair, I yield 4 minutes to the gentleman from California (Mr. KILEY).

Mr. KILEY. Mr. Chair, one of the most important things that has happened in this Congress is the exposure of the alarming state of affairs at American universities.

Our institutions of higher learning have been gripped by retrograde prejudices and abhorrent ideologies that are in many ways abandoning the values of the enlightenment itself.

Fortunately, we are finally seeing accountability and a new course. Following testimony before the Education and the Workforce Committee that highlighted the true state of affairs on their campus, the presidents of several leading universities have resigned, including the presidents of Harvard, Penn, Columbia, and Rutgers.

What is more, several of these universities are reversing misguided policies like forced faculty diversity statements and are renewing their commitment to institutional neutrality.

Even the entire California public university system, the UCs and the CSUs, recently came out and said they are going to ban these disgraceful tent encampments that have produced chaos on their campuses.

This is a moment of reckoning for American higher education. A very important part of that is restoring the place of free speech on campus, which is why I am very happy that included in today's bill, H.R. 3724, is a measure that I introduced, the Free Speech on Campus Act.

This measure seeks to assure that free speech is not only protected as a legal right but is restored as a foundational principle in American higher education.

Now, my colleague on the other side of the aisle from New York stressed the importance of bipartisanship in these matters, and I could not agree more.

As a matter of fact, I developed this measure alongside one of the leading liberal scholars in California, the dean of UC Berkeley, Erwin Chemerinsky, someone who I don't agree with on much, but we were able to come together on a principle that transcends political differences.

The best way to resolve differences, to learn to find common ground, is the free and open exchange of ideas.

Unfortunately, many universities have lost sight of this and have become the most repressive institutions in American life.

They have stifled disfavored viewpoints and created an environment where students are afraid to speak their mind and participate in the marketplace of ideas.

We have seen universities adopt unconstitutional speech codes or designate only certain areas on campus as open to speech or allow a heckler's veto to shut down speakers or force faculty members to espouse certain points of view in order to get hired or built up entire bureaucracies devoted to censorship.

All the more pervasively, this last year, the very same universities allowed the banner of free speech to then falsely be used to justify not speech but illegal actions such as building tent encampments, occupying buildings, or setting up checkpoints to exclude students based on their identity.

As one example, Harvard University, which became the poster child for abhorrent, horrifying anti-Semitism on campus, was also ranked as the university with the worst protections for free speech. In fact, they got the worst ranking in the history of the survey.

These two things are not unrelated, by the way, because the biggest threat to hate, ignorance, and prejudice is reasoned argument.

Institutions that systematically shut down reasoned argument and debate allow retrograde ideas to flourish because they don't have the needed opposition.

This bill seeks to reverse this troubling trend and to restore First Amendment freedoms at the place where they are most vital, our institutions of higher learning.

My legislation ensures that our universities inform students of their First Amendment rights as soon as they step on campus.

As a condition of receiving Federal funds, universities will be required to provide new students with a written statement at orientation.

It will outline their First Amendment rights, affirm the institution's commitment to free expression, and guarantee that neither students nor invited speakers will have those rights violated.

The Acting CHAIR. The time of the gentleman has expired.

Ms. FOXX. Mr. Chair, I yield an additional 30 seconds to the gentleman from California.

Mr. KILEY. Too often, students arrive on campus without an understanding of why free speech is important or how it has been such an important force for progress throughout our Nation's history.

This legislation will make sure the First Amendment itself is a key part of their college education so they grasp its vital role in safeguarding freedom and democracy.

Mr. Chair, we may often disagree, sometimes fiercely, on a range of ideas, but we should all be able to agree on the importance of ideas themselves.

I urge my colleagues to join me in passing this legislation.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we received another letter from the Association of American Universities which says, in part, ''On behalf of America's leading research universities, I urge you to oppose H.R. 3724, the End Woke Higher Education Act. Title II ('Respecting the First Amendment on Campus') of this misguided legislation would dangerously undermine public universities' ability to implement crucial time, place, and manner policies for campus expression, jeopardizing their ability to protect student safety—particularly for vulnerable groups such as Jewish students—and disrupting the educational environment.''

Mr. Chairman, I include in the RECORD a letter from the Association of American Universities.

ASSOCIATION OF AMERICAN UNIVERSITIES,
Washington, DC, September 16, 2024.

Hon. MIKE JOHNSON
Speaker of the House, House of Representatives, Washington, DC.

Hon. HAKEEM JEFFRIES,
House Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER JOHNSON AND MINORITY LEADER JEFFRIES: On behalf of America's leading research universities, I urge you to oppose H.R. 3724, the ''End Woke Higher Education Act.'' Title II (''Respecting the First Amendment on Campus'') of this misguided legislation would dangerously undermine public universities' ability to implement crucial time, place, and manner policies for campus expression, jeopardizing their ability to protect student safety—particularly for vulnerable groups such as Jewish students—and disrupting the educational environment.

It is puzzling that, at a time when the House has been focused on what colleges and universities are doing to protect students from hateful, intimidating, or harassing actions which impede an atmosphere conducive to effective learning, this legislation would actually remove critical tools that campuses use to protect students and reduce the likelihood of such outcomes.

Time, place, and manner policies are not abstract concepts; they are vital tools that have been repeatedly upheld by the U.S. Supreme Court for use by federal, state, and local governments, as well as university campuses. These content-neutral regulations govern when, where, and how speech activities occur on campus, balancing free expression with safety and educational needs. For example:

Time restrictions limit noisy demonstrations during class hours

Place restrictions designate appropriate areas for large gatherings

Manner restrictions regulate sound amplification use or require advance notice for major events

The U.S. Supreme Court has consistently recognized the constitutionality of these policies, holding that such restrictions are valid if they are content-neutral, narrowly tailored to serve a significant governmental interest, and leave open ample alternative channels for communication.

This Act seeks to broaden the requirements of that legal standard by simultaneously 1) reclassifying all generally accessible areas of campus at public institutions as traditional public forums and 2) weakening public universities' ability to regulate the time, place, and manner of campus protests by requiring them to allow a right of no-notice spontaneous assembly to any member of the public who wants to protest. The Act would also allow demonstrators a right to physically approach students on campus to distribute literature.

These added requirements will jeopardize this established legal framework within which universities consider a variety of factors, including free expression, campus safety, disruption of educational mission, and protection of students from the type of discrimination and harassment that creates an environment that impedes their ability to participate in their education.

By changing the requirements these policies, the Act would:

Endanger Jewish students and other vulnerable groups: Without the ability to manage the location and timing of demonstrations, colleges would struggle to prevent hostile groups from gathering near religious or cultural centers, potentially subjecting students to harassment or intimidation.

Disrupt the learning environment: Unrestricted protests could interfere with classes, exams, or even important events like Holocaust remembrance ceremonies, impeding the core educational mission of universities.

Create logistical nightmares: Colleges would be unable to effectively allocate resources for security or manage competing demands for limited campus spaces, potentially leading to chaos and increased safety risks.

Conflict with other legal obligations: The Act could make it nearly impossible for colleges to meet their responsibilities under Title VI of the Civil Rights Act to protect students from discrimination while still allowing free expression.

Instead of this deeply flawed legislation, AAU strongly urges Congress to:

Protect colleges' ability to implement reasonable, content-neutral time, place, and manner restrictions as already established by judicial precedent.

Support initiatives that balance free expression with campus safety.

Encourage collaborative policy-making involving administrators, students, and faculty to address each campus's unique needs.

While the provisions relating to campus speech are our primary focus, AAU has additional concerns with other provisions in the Act relating to security fees and single-sex associations, some of which affect both public and private universities.

Despite its ''Respecting the First Amendment'' name, Title II of this legislation would not enhance free speech. Instead, it would create a potentially dangerous environment that could silence vulnerable voices and undermine the very purpose of higher education. I implore you to stand against this misguided legislation and protect the delicate balance of rights and responsibilities that our universities currently navigate.

Sincerely,

BARBARA R. SNYDER,
President.

Mr. SCOTT of Virginia. Mr. Chairman, I reserve the balance of my time.

Ms. FOXX. Mr. Chair, it is astounding to me that associations of higher education in this country are opposing this bill, absolutely astounding. That should send a message to the American people about what the status of higher education is right now.

I yield 2 minutes to the gentleman from North Carolina (Mr. MURPHY).

Mr. MURPHY. Mr. Chair, I rise today in support of H.R. 3724, the End Woke Higher Education Act.

As a former member of a board of trustees in a college, I am deeply concerned about the erosion of free speech on college campuses and political activism by administrators and college presidents as well as professors.

Institutions of higher education are chartered to foster academic excellence and prepare students for meaningful careers. Instead, they have become incubators of political activism and extreme progressive ideology.

One only has to look at recent FIRE reports and recent FIRE ratings to see the meteoric rise in self-censorship, which is happening on college campuses.

In one school, which I love dearly, 41 percent of students feel it is okay to shout down somebody who is coming to speak just because they disagree with them.

In some cases, even the most prestigious universities in our Nation have descended into hotbeds of anti-American and anti-Semitic hatred. We saw an American flag burned at Columbia University.

Thankfully, we have now seen several university presidents resign because of the ideological push that they are having on their campuses.

I believe that this is a symptom of extreme ideological influence that universities have allowed, permitted, and promoted to permeate its classrooms. They teach what to think, not how to think.

Sadly, this indoctrination is now going into the Nation's medical schools where we see this in the admissions process, fealty oaths, curriculum, promotion of faculty, and teaching what to think, not how to think.

I am proud that my bills, H. Res. 282, as well as the Campus Free Speech Restoration Act, were included in this legislation.

Academic freedom is central to vigorous debate and the exploration of ideas. Academic freedom means listening to more than one side. We must celebrate differences in thought, not censorship with those we disagree with.

Let's restore sanity on our college campuses across the country by seizing this opportunity to protect academic freedom.

Mr. Chair, I urge my colleagues to support H.R. 3724, the End Woke Higher Education Act.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I received another letter from the American Federation of Teachers which says, in part, ''Academic freedom and the right to peacefully protest on our college campuses are hallmarks of a functioning democracy and a thriving economy. Unfortunately, the bill before you today does not respect the vital and dynamic role that higher education plays in promoting knowledge, pluralism, and democracy. The bill would limit the ability of campuses to stand up against hate and bigotry, which runs counter to the very core of higher education's fundamental purpose.''

Mr. SCOTT of Virginia. Mr. Chairman, I reserve the balance of my time.

Ms. FOXX. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, we have groups that are supporting this bill, strong support. Over the years, we have worked with experts in the field to craft these policies.

Let me read just some of the praise. The James G. Martin Center for Academic Renewal states: This legislation is an essential step in restoring the fundamental purpose of higher education to foster free inquiry and equip students to think critically and independently.

Too many institutions have prioritized ideological conformity over academic excellence. Accreditation bodies and universities have increasingly promoted DEI initiatives that risk undermining intellectual diversity and free expression.

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I won't read all of these, but Young America's Foundation has given strong support, as has the Defense of Freedom Institute. The American Council of Trustees and Alumni stated: ''The respecting the First Amendment on Campus Act is a step in the right direction toward protecting freedom of speech, association, and religion on college and university campuses across the country.''

''. . . Congress is listening to major public concerns as the battle for the soul of American education continues to play out in the form of hegemonic diversity, equity, and inclusion efforts, the heckler's veto, disinvitations, and deplatforming.''

In addition, we have the National Panhellenic Conference, the North American Interfraternity Conference, the American Council of Trustees and Alumni, the Defense of Freedom Institute, Foundation for Individual Rights

and Expression, and Young America's Foundation supporting this bill.

Mr. Chair, may I inquire as to the time remaining?

The Acting CHAIR (Mr. BOST). The gentlewoman from North Carolina has 6½ minutes remaining.

Ms. FOXX. Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, could you advise how much time remains on this side?

The Acting CHAIR. The gentleman has 14 minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time to close.

Mr. Chairman, we also received a letter from the Americans United for Separation of Church and State and Interfaith Alliance that says, in part, that ''we oppose the provision on 'political litmus tests' in accreditation, because it is unnecessary and unwise.

''The provision seems aimed, in part, to allow religious colleges to ignore accreditation standards and still maintain accreditation. Current law and regulations, though, already require accreditors to give significant deference to religious schools.''

''This bill seeks to go further, though, by requiring accrediting agencies to permit religious schools to discriminate against all students and employees. The bill would allow religious schools to require adherence to a statement of faith or religious code of conduct, which could be written so broadly as to allow religious schools to discriminate against people because of sex, disability, national origin, sexual orientation, or gender identity. Every single student, employee, and contractor, including janitors, IT administrators, nurses, and more, could face discrimination—and for students, perhaps even on the basis of their parents' relationship or frequency of church attendance.

''Moreover, this goes beyond what title VII allows religious colleges to do in employment. Religious employers may favor religion—and only religion—in their employment practices. Title VII 'does not confer upon religious organizations a license to make those [employment] decisions' on the basis of race, national origin, or sex. Decades of case law makes clear that religious employers do not get a license to discriminate on other grounds, even when such discrimination is motivated by religion or carried out under a 'code of conduct.' ''

Mr. Chairman, what we have heard today from the other side are attempts to micromanage and insert themselves into the colleges and universities under the thin guise of protecting students.

In reality, this bill is one of many culture war bills that would strip America's educational institutions of their freedoms to explore the subjects that make up a comprehensive and rigorous academic experience.

For a coalition that claims to support limited government, they are using valuable title IV funds as a weapon to beat colleges and universities into submission. This stops us from having the necessary discussions on difficult issues about race, gender, and inequity that would help us improve our higher education system.

Mr. Chairman, for these reasons, we must reject the bill, and I yield back the balance of my time.

Ms. FOXX. Mr. Chair, I yield myself the balance of my time to close.

Mr. Chair, I indicate to my friends and colleagues that we have an opportunity in the bill before us today to make a strong stand for free speech.

This bill does not mandate any political viewpoint or ideology. It simply demands, from the accreditation process down to the classroom, that all levels of postsecondary education respect the free speech rights of students.

Postsecondary education should empower students to discover truth and think critically. American universities risk losing sight of this core mission by refusing to engage with certain viewpoints.

The End Woke Higher Education Act will restore the essential freedoms that make our universities the global leaders of open debate and intellectual growth, ensuring that the next generation of Americans can think for themselves and engage in the pursuit of truth.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce printed in the bill, an amendment in the nature of a substitute, consisting of the text of Rules Committee Print 118–49, shall be considered as adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill is as follows:

H.R. 3724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''End Woke Higher Education Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—ACCREDITATION FOR COLLEGE EXCELLENCE

SEC. 101. SHORT TITLE.

This title may be cited as the ''Accreditation for College Excellence Act of 2024''.

SEC. 102. PROHIBITION ON POLITICAL LITMUS TESTS IN ACCREDITATION OF INSTITUTIONS OF HIGHER EDUCATION.

(a) OPERATING PROCEDURES REQUIRED.—Section 496(c) of the Higher Education Act of 1965 (20 U.S.C. 1099b(c)) is amended—

(1) by striking ''and'' at the end of paragraph (8);

(2) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(10) confirms that the standards for accreditation of the agency or association do not—

''(A) except as provided in subparagraph (B)—

''(i) require, encourage, or coerce any institution to—

''(I) support, oppose, or commit to supporting or opposing—

''(aa) a specific partisan, political, or ideological viewpoint or belief or set of such viewpoints or beliefs; or

''(bb) a a specific viewpoint or belief or set of viewpoints or beliefs on social, cultural, or political issues; or

''(II) support or commit to supporting the disparate treatment of any individual or group of individuals on the basis of any protected class under Federal civil rights law, except as required by Federal law or a court order; or

''(ii) assess an institution's or program of study's commitment to any ideology, belief, or viewpoint;

''(B) prohibit an institution—

''(i) from having a religious mission, operating as a religious institution, or being controlled by a religious organization (in a manner described in paragraph (1), (2), (3), (4), (5), or (6) of section 106.12(c) of title 34, Code of Federal Regulations (as in effect on the date of the enactment of this paragraph)), or from requiring an applicant, student, employee, or independent contractor (such as an adjunct professor) of such an institution to—

''(I) provide or adhere to a statement of faith; or

''(II) adhere to a code of conduct consistent with the stated religious mission of such institution or the religious tenets of such organization; or

''(ii) from requiring an applicant, student, employee, or contractor to take an oath to uphold the Constitution of the United States; or

''(C) require, encourage, or coerce an institution of higher education to violate any right protected by the Constitution.''.

(b) LIMITATION ON SCOPE OF CRITERIA.—Section 496(g) of the Higher Education Act of 1965 (20 U.S.C. 1099b(g)) is amended to read as follows:

''(g) LIMITATION ON SCOPE OF CRITERIA.—

''(1) IN GENERAL.—The Secretary shall not establish criteria for accrediting agencies or associations that are not required by this section.

''(2) INSTITUTIONAL ELIGIBILITY.—An institution of higher education shall be eligible for participation in programs under this title if the institution is in compliance with the standards of its accrediting agency or association that assess the institution in accordance with subsection (a)(5), regardless of any additional standards adopted by the agency or association for purposes unrelated to participation in programs under this title.''.

SEC. 103. RULE OF CONSTRUCTION.

Nothing in this title prevents religious accreditors from holding and enforcing religious standards on institutions they choose to accredit.

TITLE II—RESPECTING THE FIRST AMENDMENT ON CAMPUS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Respecting the First Amendment on Campus Act''.

SEC. 202. SENSE OF CONGRESS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended by inserting after section 112 the following new section:

''SEC. 112A. SENSE OF CONGRESS; CONSTRUCTION; DEFINITION.

''(a) SENSE OF CONGRESS.—

''(1) ADOPTION OF CHICAGO PRINCIPLES.—The Congress—

''(A) recognizes that free expression, open inquiry, and the honest exchange of ideas are fundamental to higher education;

''(B) acknowledges the profound contribution of the Chicago Principles to the freedom of speech and expression; and

''(C) calls on nonsectarian institutions of higher education to adopt the Chicago Principles or substantially similar principles with respect to institutional mission that emphasizes a commitment to freedom of speech and expression on university campuses and to develop and consistently implement policies accordingly.

''(2) POLITICAL LITMUS TESTS.—The Congress—

''(A) condemns public institutions of higher education for conditioning admission to any student applicant, or the hiring, reappointment, or promotion of any faculty member, on the applicant or faculty member pledging allegiance to or making a statement of personal support for or opposition to any political ideology or movement, including a pledge or statement regarding diversity, equity, and inclusion, or related topics; and

''(B) discourages any institution from requesting or requiring any such pledge or statement from an applicant or faculty member, as such actions are antithetical to the freedom of speech protected by the First Amendment to the Constitution.

''(b) CONSTRUCTION.—Nothing in sections 112B through 112E shall be construed to infringe upon, or otherwise impact, the protections provided to individuals under titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(c) DEFINITION.—For purposes of sections 112C, 112D, and 112E, the term 'covered public institution' means an institution of higher education that is—

''(1) a public institution; and

''(2) participating in a program authorized under title IV.''.

SEC. 203. DISCLOSURE OF FREE SPEECH POLICIES.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by section 202 of this title, is further amended by inserting after section 112A the following new section:

''SEC. 112B. DISCLOSURE OF POLICIES RELATED TO FREEDOM OF SPEECH, ASSOCIATION, AND RELIGION.

''(a) IN GENERAL.—No institution of higher education shall be eligible to participate in any program under title IV unless the institution certifies to the Secretary that the institution has annually disclosed to current and prospective students and faculty—

''(1) any policies held by the institutions related to—

''(A) speech on campus, including policies limiting—

''(i) the time when such speech may occur;

''(ii) the place where such speech may occur; or

''(iii) the manner in which such speech may occur;

''(B) freedom of association, if applicable; and

''(C) freedom of religion, if applicable; and

''(2) the right to a cause of action under section 112E, if the institution is a public institution.

''(b) INTENDED BENEFICIARIES.—The certification specified in subsection (a) shall include an acknowledgment from the institution that the students and faculty are the intended beneficiaries of the policies disclosed in the certification.''.

SEC. 204. FREEDOM OF ASSOCIATION AND RELIGION.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by section 203 of this title, is further amended by inserting after section 112B the following new section:

''SEC. 112C. FREEDOM OF ASSOCIATION AND RELIGION.

''(a) STUDENTS' BILL OF RIGHTS TO FURTHER PROTECT SPEECH AND ASSOCIATION.—

''(1) PROTECTED RIGHTS.—A covered public institution shall comply with the following requirements:

''(A) RECOGNIZED STUDENT ORGANIZATIONS.—A covered public institution that has recognized student organizations shall comply with the following requirements:

''(i) FACULTY ADVISORS.—

''(I) IN GENERAL.—A covered public institution may not deny recognition to a student organization because the organization is unable to obtain a faculty advisor or sponsor, if the organization meets each of the other content- and viewpoint-neutral institutional requirements for such recognition.

''(II) ALTERNATIVE.—An institution described in subclause (I) shall ensure that any policy or practice related to the recognition of a student organization—

''(aa) in the case of an organization that meets each of the other content- and viewpoint-neutral institutional requirements for such recognition but is unable to obtain a faculty advisor or sponsor, provides for an alternative to any requirement that a faculty or staff member serve as the faculty advisor or sponsor as a condition for recognition of the student organization, which alternative may include—

''(AA) waiver of such requirement; or

''(BB) the institution assigning a faculty or staff member to such organization; and

''(bb) does not require a faculty or staff member of the institution assigned to serve as faculty advisor pursuant to item (aa)(BB) to participate in, or support, the organization other than by performing the purely administrative functions required of a faculty advisor.

''(ii) APPEAL OPTIONS FOR RECOGNITION.—

''(I) IN GENERAL.—A covered public institution shall provide an appeals process by which a student organization that has been denied recognition by the institution may appeal to an institutional appellate entity for reconsideration.

''(II) REQUIREMENTS.—The appeal process shall—

''(aa) require the covered public institution to provide a written explanation for the basis for the denial of recognition in a timely manner, which shall include a copy of all policies relied upon by the institution as a basis for the denial;

''(bb) require the covered public institution to provide written notice to the students seeking recognition of the appeal process and the timeline for hearing and resolving the appeal;

''(cc) allow the students seeking recognition to obtain outside counsel to represent them during the appeal; and

''(dd) ensure that such appellate entity did not participate in any prior proceeding related to the denial of recognition to the student organization.

''(B) DISTRIBUTION OF FUNDS TO STUDENT ORGANIZATIONS.—A covered public institution that collects a mandatory fee from students for the costs of student activities or events (or both), and provides funds generated from such student fees to one or more recognized student organizations of the institution, shall—

''(i) establish and make publicly available clear, objective, content- and viewpoint-neutral, and exhaustive standards to be used by the institution to determine—

''(I) the total amount of funds made available for allocations to the recognized student organizations; and

''(II) the allocations of such total amount to individual recognized student organizations;

''(ii) ensure that allocations are made to the recognized student organizations in accordance with the standards established pursuant to clause (i);

''(iii) upon the request of a recognized student organization that has been denied all or a portion of an allocation described in clause (ii), provide to the organization, in writing (which may include electronic communication) and in a timely manner, the specific reasons for such denial, copies of all policies relied upon by the institution as basis for the denial, and information of the appeals process described in clause (iv); and

''(iv) provide an appeals process by which a recognized student organization that has been denied all or a portion of an allocation described in clause (ii) may appeal to an institutional appellate entity for reconsideration, which appeals process—

''(I) shall require the covered public institution to provide written notice to the students seeking an allocation through the appeal process and the timeline for hearing and resolving the appeal;

''(II) allow the students seeking an allocation to obtain outside counsel to represent them during the appeal; and

''(III) require the institution to ensure that such appellate entity did not participate in any prior proceeding related to such allocation.

''(C) ASSESSMENT OF SECURITY FEES FOR EVENTS.—A covered public institution shall establish and make publicly available clear, objective, content- and viewpoint-neutral, and exhaustive standards to be used by the institution to—

''(i) determine the amount of any security fee for an event or activity organized by a student or student organization; and

''(ii) ensure that a determination of such an amount may not be based, in whole or in part, on—

''(I) the content of expression or viewpoint of the student or student organization;

''(II) the content of expression of the event or activity organized by the student or student organization;

''(III) the content of expression or viewpoint of an invited guest of the student or student organization; or

''(IV) an anticipated reaction by students or the public to the event.

''(D) PROTECTIONS FOR INVITED GUESTS AND SPEAKERS.—A covered public institution shall establish and make publicly available clear, objective, content- and viewpoint-neutral, and exhaustive standards to be used by the institution related to the safety and protection of speakers and guests who are invited to the institution by a student or student organization.

''(2) DEFINITIONS.—In this subsection:

''(A) RECOGNIZED STUDENT ORGANIZATION.—The term 'recognized student organization' means a student organization that has been determined by a covered public institution to meet institutional requirements to qualify for certain privileges granted by the institution, such as use of institutional venues, resources, and funding.

''(B) SECURITY FEE.—The term 'security fee' means a fee charged to a student or student organization for an event or activity organized by the student or student organization on the campus of the institution that is intended to cover some or all of the costs incurred by the institution for additional security measures needed to ensure the security of the institution, students, faculty, staff, or surrounding community as a result of such event or activity.

''(b) EQUAL CAMPUS ACCESS.—A covered public institution shall not deny to a religious student organization any right, benefit, or privilege

that is otherwise afforded to other student organizations at the institution (including full access to the facilities of the institution and official recognition of the organization by the institution) because of the religious beliefs, practices, speech, leadership standards, or standards of conduct of the religious student organization.

''(c) FREEDOM OF ASSOCIATION.—

''(1) UPHOLDING FREEDOM OF ASSOCIATION PROTECTIONS.—Any student (or group of students) enrolled in an institution of higher education that receives funds under this Act, including through an institution's participation in any program under title IV, shall—

''(A) subject to paragraph (3)(A), be able to form a single-sex social organization, whether recognized by the institution or not; and

''(B) be able to apply to join any single-sex social organization; and

''(C) if selected for membership by any single-sex social organization, be able to join, and participate in, such single-sex organization, subject to its standards for regulating its own membership, as provided under paragraph (3)(C).

''(2) NONRETALIATION AGAINST STUDENTS OF SINGLE-SEX SOCIAL ORGANIZATIONS.—An institution of higher education that receives funds under this Act, including through an institution's participation in any program under title IV, shall not—

''(A) take any action to require or coerce a student or prospective student who is a member or prospective member of a single-sex social organization to waive the protections provided under paragraph (1), including as a condition of enrolling in the institution;

''(B) take any adverse action against a single-sex social organization, or a student who is a member or a prospective member of a single-sex social organization, based on the membership practice of such organization limiting membership only to individuals of one sex; or

''(C) impose a recruitment restriction (including a recruitment restriction relating to the schedule for membership recruitment) on a single-sex social organization recognized by the institution, which is not imposed upon other student organizations by the institution, unless the organization (or a council of similar organizations) and the institution have entered into a mutually agreed upon written agreement that allows the institution to impose such restriction.

''(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall—

''(A) require an institution of higher education to officially recognize a single-sex social organization;

''(B) prohibit an institution of higher education from taking an adverse action against a student who organizes, leads, or joins a single-sex social organization—

''(i) due to academic or nonacademic misconduct; or

''(ii)(I) for public institutions, because the organization's purpose is directed to inciting or producing imminent lawless action and likely to incite or produce such action; or

''(II) for private institutions, because the organization's purpose is incompatible with the religious mission of the institution, so long as that adverse action is not based on the membership practice of the organization of limiting membership only to individuals of one sex;

''(C) prevent a single-sex social organization from regulating its own membership;

''(D) inhibit the ability of the faculty of an institution of higher education to express an opinion (either individually or collectively) about membership in a single-sex social organization, or otherwise inhibit the academic freedom of such faculty to research, write, or publish material about membership in such an organization; or

''(E) create enforceable rights against a single-sex social organization or against an institution of higher education due to the decision of the organization to deny membership to an individual student.

''(4) DEFINITIONS.—In this subsection:

''(A) ADVERSE ACTION.—The term 'adverse action' includes the following actions taken by an institution of higher education with respect to a single-sex social organization or a member or prospective member of a single-sex social organization:

''(i) Expulsion, suspension, probation, censure, condemnation, formal reprimand, or any other disciplinary action, coercive action, or sanction taken by an institution of higher education or administrative unit of such institution.

''(ii) An oral or written warning with respect to an action described in clause (i) made by an official of an institution of higher education acting in their official capacity.

''(iii) An action to deny participation in any education program or activity, including the withholding of any rights, privileges, or opportunities afforded other students on campus.

''(iv) An action to withhold, in whole or in part, any financial assistance (including scholarships and on-campus employment), or denying the opportunity to apply for financial assistance, a scholarship, a graduate fellowship, or on-campus employment.

''(v) An action to deny or restrict access to on-campus housing.

''(vi) An act to deny any certification, endorsement, or letter of recommendation that may be required by a student's current or future employer, a government agency, a licensing board, an institution of higher education, a scholarship program, or a graduate fellowship to which the student applies or seeks to apply.

''(vii) An action to deny participation in any sports team, club, or other student organization, including a denial of any leadership position in any sports team, club, or other student organization.

''(viii) An action to withdraw the institution's official recognition of such organization.

''(ix) An action to require any student to certify that such student is not a member of a single-sex social organization or to disclose the student's membership in a single-sex social organization.

''(x) An action to interject an institution's own criteria into the membership practices of the organization in any manner that conflicts with the rights of such organization under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) or this subsection.

''(xi) An action to impose additional requirements on advisors serving a single-sex social organization that are not imposed on all other student organizations.

''(B) SINGLE-SEX SOCIAL ORGANIZATION.—The term 'single-sex social organization' means—

''(i) a social fraternity or sorority described in section 501(c) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such Code, or an organization that has been historically single-sex, the active membership of which consists primarily of students or alumni of an institution of higher education; or

''(ii) a single-sex private social club (including an independent organization located off-campus) that consists primarily of students or alumni of an institution of higher education.

''(d) CONSTRUCTION.—Nothing in this section shall be construed to prohibit an institution of higher education from taking any adverse action (such as denying or revoking recognition, funding, use of institutional venues or resources, or other privileges granted by the institution) against a student organization based on the student organization having knowingly provided material support or resources to an organization designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).''.

SEC. 205. FREE SPEECH ON CAMPUS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by section 204 of this title, is further amended by inserting after section 112C the following new section:

''SEC. 112D. FREE SPEECH ON CAMPUS.

''(a) IN GENERAL.—A covered public institution shall—

''(1) at each orientation for new and transfer students, provide students attending the orientation—

''(A) a written statement that—

''(i) explains the rights of students under the First Amendment to the Constitution;

''(ii) affirms the importance of, and the commitment of the institution to, freedom of expression;

''(iii) explains students' protections under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the procedures for filing a discrimination claim with the Office for Civil Rights of the Department of Education; and

''(iv) includes assurances that students, and individuals invited by students to speak at the institution, will not be treated in a manner that violates the freedom of expression of such students or individuals; and

''(B) educational programming (including online resources) that describes their free speech rights and responsibilities under the First Amendment to the Constitution; and

''(2) post on the publicly accessible website of the institution the statement described in paragraph (1)(A).

''(b) CAMPUS FREE SPEECH AND RESTORATION.—

''(1) DEFINITION OF EXPRESSIVE ACTIVITIES.—In this subsection, the term 'expressive activity'—

''(A) includes—

''(i) peacefully assembling, protesting, speaking, or listening;

''(ii) distributing literature;

''(iii) carrying a sign;

''(iv) circulating a petition; or

''(v) other expressive activities guaranteed under the First Amendment to the Constitution;

''(B) applies equally to religious expression as it does to nonreligious expression; and

''(C) does not include unprotected speech (as defined by the precedents of the Supreme Court of the United States).

''(2) EXPRESSIVE ACTIVITIES AT AN INSTITUTION.—

''(A) IN GENERAL.—A covered public institution may not prohibit, subject to subparagraph (B), a person from freely engaging in noncommercial expressive activity in a generally accessible area on the institution's campus if the person's conduct is lawful. The publicly accessible outdoor areas of campuses of public institutions of higher education shall be regulated pursuant to rules applicable to traditional public forums.

''(B) RESTRICTIONS.—A covered public institution may not maintain or enforce time, place, or manner restrictions on an expressive activity in a generally accessible area of the institution's campus unless the restriction—

''(i) is narrowly tailored in furtherance of a significant governmental interest;

''(ii) is based on published, content-neutral, and viewpoint-neutral criteria;

''(iii) leaves open ample alternative channels for communication; and

''(iv) provides for spontaneous assembly and distribution of literature.

''(C) APPLICATION.—The protections provided under subparagraph (A) do not apply to expressive activity in an area on an institution's campus that is not a generally accessible area.

''(D) NONAPPLICATION TO SERVICE ACADEMIES.—This subsection shall not apply to an institution of higher education whose primary purpose is the education of individuals for the military services of the United States, or the merchant marine.

''(c) PROHIBITION ON USE OF POLITICAL TESTS.—

''(1) IN GENERAL.—A covered public institution may not consider, require, or discriminate on the basis of a political test in the admission, appointment, hiring, employment, or promotion of

any covered individual, or in the granting of tenure to any covered individual.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to prohibit an institution of higher education whose primary purpose is the education of individuals for the military services of the United States, or the merchant marine, from requiring an applicant, student, or employee to take an oath to uphold the Constitution of the United States;

''(B) to prohibit an institution of higher education from requiring a student, faculty member, or employee to comply with Federal or State antidiscrimination laws or from taking action against a student, faculty member, or employee for violations of Federal or State anti-discrimination laws, as applicable;

''(C) to prohibit an institution of higher education from evaluating a prospective student, an employee, or a prospective employee based on their knowingly providing material support or resources to an organization designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

''(D) to prohibit an institution of higher education from considering the subject-matter competency including the research and creative works, of any candidate for a faculty position or faculty member considered for promotion when the subject matter is germane to their given field of scholarship; or

''(E) to apply to activities of registered student organizations.

''(3) DEFINITIONS.—In this subsection:

''(A) COVERED INDIVIDUAL.—The term 'covered individual' means, with respect to an institution of higher education that is a public institution—

''(i) a prospective student who has submitted an application to attend such institution;

''(ii) a student who attends such institution;

''(iii) a prospective employee who has submitted an application to work at such institution;

''(iv) an employee who works at such institution;

''(v) a prospective faculty member who has submitted an application to work at such institution; and

''(vi) a faculty member who works at such institution.

''(B) MATERIAL SUPPORT OR RESOURCES.—The term 'material support or resources' has the meaning given that term in section 2339A of title 18, United States Code (including the definitions of 'training' and 'expert advice or assistance' in that section).

''(C) POLITICAL TEST.—The term 'political test' means a method of compelling or soliciting an applicant for enrollment or employment, student, or employee of an institution of higher education to identify commitment to or make a statement of personal belief in support of any ideology or movement that—

''(i) supports or opposes a specific partisan or political set of beliefs;

''(ii) supports or opposes a particular viewpoint on a social or political issue; or

''(iii) promotes the disparate treatment of any individual or group of individuals on the basis of race, color, or national origin, including—

''(I) any initiative or formulation of diversity, equity, and inclusion beyond upholding existing Federal law; or

''(II) any theory or practice that holds that systems or institutions upholding existing Federal law are racist, oppressive, or otherwise unjust.''.

SEC. 206. ENFORCEMENT.

(a) PROGRAM PARTICIPATION AGREEMENT.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by adding at the end the following:

''(30)(A) The institution will comply with all the requirements of sections 112B.

''(B) An institution that fails to comply with section 112B shall—

''(i) be ineligible to participate in the programs authorized by this title for a period of not less than 1 award year; and

''(ii) in order to regain eligibility to participate in such programs, demonstrate compliance with all requirements of such section for not less than one award year after the award year in which such institution became ineligible.''.

(b) CAUSE OF ACTION.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), as amended by section 205 of this title, is further amended by inserting after section 112D the following new section:

''SEC. 112E. ENFORCEMENT.

''(a) CAUSE OF ACTION.—

''(1) CIVIL ACTION.—After exhaustion of any available appeals under section 112C(a), an aggrieved individual who, or an aggrieved organization that, is harmed by the maintenance of a policy or practice by a covered public institution that is in violation of a requirement described in section 112B, 112C, or 112D may bring a civil action in a Federal court for appropriate relief.

''(2) APPROPRIATE RELIEF.—For the purposes of this subsection, appropriate relief includes—

''(A) a temporary or permanent injunction; and

''(B) awarding a prevailing plaintiff—

''(i) compensatory damages;

''(ii) reasonable court costs; and

''(iii) reasonable attorney's fees.

''(3) STATUTE OF LIMITATIONS.—A civil action under this subsection may not be commenced later than 2 years after the cause of action accrues. For purposes of calculating the two-year limitation period, each day that the violation of a requirement described in section 112B, 112C, or 112D persists, and each day that a policy in violation of a requirement described in section 112B, 112C, or 112D remains in effect, shall constitute a new day that the cause of action has accrued.

''(b) NONDEFAULT, FINAL JUDGMENT.—In the case of a court's nondefault, final judgment in a civil action brought under subsection (a) that a covered public institution is in violation of a requirement described in section 112B, 112C, or 112D, such covered public institution shall—

''(1) not later than 7 days after the date on which the court makes such a nondefault, final judgment, notify the Secretary of such judgment and submit to the Secretary a copy of the nondefault, final judgment; and

''(2) not later than 30 days after the date on which the court makes such a nondefault, final judgment, submit to the Secretary a report that—

''(A) certifies that the standard, policy, practice, or procedure that is in violation of the requirement described in section 112B, 112C, or 112D is no longer in use; and

''(B) provides evidence to support such certification.

''(c) REVOCATION OF ELIGIBILITY.—In the case of a covered public institution that does not notify the Secretary as required under subsection (b)(1) or submit the report required under subsection (b)(2), the Secretary shall revoke the eligibility of such institution to participate in a program authorized under title IV for each award year following the conclusion of the award year in which a court made a nondefault, final judgment in a civil action brought under subsection (a) that the institution is in violation of a requirement described in section 112B, 112C, or 112D.

''(d) RESTORATION OF ELIGIBILITY.—

''(1) IN GENERAL.—A covered public institution that loses eligibility under subsection (c) to participate in a program authorized under title IV may seek to restore such eligibility by submitting to the Secretary the report described in subsection (b)(2).

''(2) DETERMINATION BY THE SECRETARY.—Not later than 90 days after a covered public institution submits a report under paragraph (1), the Secretary shall review such report and make a determination with respect to whether such report contained sufficient evidence to demonstrate that such institution is no longer in violation of a requirement described in section 112B, 112C, or 112D.

''(3) RESTORATION.—If the Secretary makes a determination under paragraph (2) that the covered public institution is no longer in violation of a requirement described in section 112B, 112C, or 112D, the Secretary shall restore the eligibility of such institution to participate in a program authorized under title IV for each award year following the conclusion of the award year in which such determination is made.

''(e) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, and on an annual basis thereafter, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Senate Committee on Health, Education, Labor, and Pensions a report that includes—

''(1) a compilation of—

''(A) the notifications of violation received by the Secretary under subsection (b)(1) in the year for which such report is being submitted; and

''(B) the reports submitted to the Secretary under subsection (b)(2) for such year; and

''(2) any action taken by the Secretary to revoke or restore eligibility under subsections (c) and (d) for such year.

''(f) VOLUNTARY WAIVER OF STATE AND LOCAL SOVEREIGN IMMUNITY AS CONDITION OF RECEIVING FEDERAL FUNDING.—The receipt, on or after the date of enactment of this section, of any Federal funding under title IV of this Act by a State or political subdivision of a State (including any municipal or county government) is deemed to constitute a clear and unequivocal expression of, and agreement to, waiving sovereign immunity under the 11th Amendment to the Constitution or otherwise, to a civil action for injunctive relief, compensatory damages, court costs, and attorney's fees under this section.

''(g) DEFINITION.—In this section, the term 'nondefault, final judgment' means a final judgment by a court for a civil action brought under subsection (a) that a covered public institution is in violation of a requirement described in section 112B, 112C, or 112D that the covered public institution chooses not to appeal or that is not subject to further appeal.''.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 118–685. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, and shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MOLINARO

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 118–685.

Mr. MOLINARO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 5, insert ''religion,'' after ''color,''.

The Acting CHAIR. Pursuant to House Resolution 1455, the gentleman from New York (Mr. MOLINARO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MOLINARO. Mr. Chairman, for our entire history as a nation, our colleges and universities have been the example for other countries. Why? Because historically this Nation has ensured that colleges and institutions of higher learning have been places where we have embraced and encouraged critical thought.

We have embraced and accepted differences in thought, and we have tried to ensure that the individual rights enshrined in the Constitution inherent to each of us are protected in these places of higher learning.

Yet, over the course of the last year and a half, we have seen a consistent effort to attempt to silence one set of views. In fact, having traveled all across the State of New York for most of my adult life, I can tell you the SUNY college system has been a model of great institutions meant to bring people from different backgrounds and different experiences together not to be indoctrinated in a school of thought but, rather, to engage in critical thought.

Yet, over the last year and a half, we have seen consistently one set of thoughts, one set of beliefs being silenced in order to embrace another ideology or agenda. It isn't what our colleges and universities were about.

The End Woke Higher Education Act, importantly, seeks to uphold Americans' constitutional rights and restore diversity of thought and viewpoints at colleges without forcing a single perspective.

Part of the bill prohibits public colleges from asking or encouraging faculty and students to make a statement of personal belief in support of an ideology or movement that promotes the wrongful treatment of individuals. Imagine in 2024 having to even state that, yet here we are.

My amendment adds to this prohibition by taking it one step further. This says that public colleges cannot promote the wrongful treatment of individuals on the basis of religion.

Of course, this should be common sense; and, by the way, every institution should seek to protect individual students and faculty's freedom to express their faith as they see fit. Yet, unfortunately, over the past year we have seen far too many ugly events on college campuses incited and emboldened both by faculty and students allowed to impose their will and their beliefs in an intolerant and hostile way on others.

Just this week at Cornell University in my own district, a member of the faculty who spoke favorably about the October 7 terrorist attacks by Hamas on Israel was recently taken off leave. This individual recently taken off leave was brought back to full employment in the classroom.

I have met with college students, Jewish students, who simply want a safe place to learn, yet they feel marginalized because of the imposition of someone else's will in an intolerant and inexcusable way.

How are Jewish students supposed to feel when a professor who openly supports a terrorist attack against, in fact, some of their own family? How are they supposed to feel?

Colleges are to be the place where students are safe to learn and grow, to flourish in their own beliefs and even, I would offer, challenge their beliefs. When colleges don't provide this protection, yes, it is important that we remind folks that they all must uphold and protect the constitutional right to freedom of thought, freedom of speech, and freedom of expression.

My amendment simply seeks to strengthen the bill in chief by ensuring one's religious beliefs are not held against them nor is one's religious beliefs imposed on someone else as a doctrine or a statement that is necessary for employment or joining as a student.

Mr. Chair, I urge my colleagues' support of the amendment, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the amendment and yield myself such time as I may consume.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, the amendment offered by the gentleman from New York seeks to add religion to the definition of political tests, which already includes COVID categories of race, color, or national origin.

I fear this may cause confusion. As drafted, the language in the underlying bill's definition conforms with classes protected under title VI of the Civil Rights Act which prohibits discrimination on the basis of race, color, national origin in educational programs receiving Federal financial assistance.

There were a lot of debates when the law was written as to whether or not to include religion, and just like as it is now, it was not covered in the underlying bill. I think we are going to confuse the matter by trying to stick it in now.

Further, while religion is included in title VII of the Civil Rights Act, which covers employment discrimination, title VII protects discrimination also on the basis of sex. Notably, ''sex'' is not included in either definition of the political tests in the bill or by the amendment, which suggests supporters of the bill do not feel that the political tests that discriminate on the basis of sex need to be outlawed.

Mr. Chair, I just think that the inclusion of religion here would just confuse the matter of title VI or title VII. You would have another provision here with a cause of action where religion is in some, not in others, and for no apparent good reason other than a last-minute thought.

Mr. Chair, I would hope we would not accept the amendment, and I yield back the balance of my time.

Mr. MOLINARO. Mr. Chairman, my colleague knows I respect him greatly. I know that he and I appreciate the expression of our faith in the way that we choose to do so. I don't think there is any confusion here at all. The beauty of this body is that when confronted with new challenges that face Americans, we are to debate them, consider them, and then apply reason as to establishing new policy.

I will address one comment. This is not some unnecessary last-minute thought. We have seen over the last 2 years hatred in the most vile form: intimidation, intolerance, violence committed against Jewish students, Jewish faculty. In my own district, threats of death against Jewish students, Jewish students locked in buildings, not being able to exercise not only their faith or participate in their education process overall.

This isn't last minute, and it certainly isn't unnecessary. It is timely, it is necessary, and it is appropriate. It also, by the way—perhaps to weaken my argument only slightly—goes both ways. This is an effort to ensure that nobody can impose a standard on one or the other. I ask for support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MOLINARO).

The amendment was agreed to.

□ 1315

AMENDMENT NO. 2 OFFERED BY MR. OGLES

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 118–685.

Mr. OGLES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following new section:

SEC. 207. SENSE OF CONGRESS RELATING TO ACTS OF VIOLENCE ON CAMPUS.

It is the sense of Congress that acts of violence committed on the campus of an institution of higher education are not protected under the First Amendment to the Constitution.

The Acting CHAIR. Pursuant to House Resolution 1455, the gentleman from Tennessee (Mr. OGLES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. OGLES. Mr. Chair, my amendment adds a sense of Congress that acts of violence committed on the campus of an institution of higher education are not protected under the First Amendment to the Constitution.

We cherish free speech in America. It is the foundation of our democracy, a beacon of liberty, and an essential right for every citizen.

We must remember that the First Amendment draws a clear line. It protects peaceful expression, not violent acts.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SCOTT of Virginia. Mr. Chair, I thank the gentleman for his amendment, which restates what most of us think is present law, that violence is not protected by the First Amendment. I reserve the balance of my time.

Mr. OGLES. Mr. Chair, I thank my colleague for his comments.

What we have seen is an alarming rise in incidents where protests on college campuses turn violent against Jewish students.

This is not free speech. It is an assault on free speech, and it has no place in America, let alone in the institutions tasked with shaping the minds of the next generation.

Since the horrific October 7 terrorist attack on Israel, we have seen an explosion of anti-Semitism on college campuses. Across the country, Jewish students have been harassed, assaulted, intimidated, and subjected to the hostile and sometimes violent environments of their campuses.

Every Jewish student deserves the right to learn, to speak, and to participate in campus life without fear of being targeted.

In the wake of anti-Semitic incidents on college campuses across our country, violence against Jews has even gotten worse. Since October 7, fewer than half of Jewish students feel physically safe on campus.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I think any implication that the right to protest is an act of violence in and of itself would fly in the face of hundreds of years of First Amendment precedent. Those protests which, in fact, are violent are not protected. I am not sure that the amendment is necessary, but I am obviously not opposed to it.

Mr. Chair, I yield back the balance of my time.

Mr. OGLES. Mr. Chair, again, I thank my colleague for his comments.

I think in light of the October 7 attack, in light of the violence we have seen on college campuses, and the very fact that Jewish students say they don't feel safe, it is important to restate what is law. It is important to restate that they have a right to be free, to be safe, and to learn.

Sometimes it is important that we state the obvious. Sometimes it is important that we stand and say what needs to be said, that anti-Semitism can't be tolerated. It can't be tolerated. It can't be tolerated.

Mr. Chair, I urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. OGLES).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. OGLES

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 118–685.

Mr. OGLES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, beginning on line 1, after ''leadership standards'', insert '', including standards regarding religious identity, belief, or practice,''.

The Acting CHAIR. Pursuant to House Resolution 1455, the gentleman from Tennessee (Mr. OGLES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. OGLES. Mr. Chair, this amendment simply inserts or adds a clarifying clause.

While religious student groups are free to select people who aren't members of their religion to lead them, most people agree that it is reasonable for a Muslim student group to want its leaders to be, well, Muslim or a Catholic student group to want its leaders to be practicing Catholics.

Unfortunately, administrators of some of our universities keep showing that they disagree. Many believe that if a religious group requires that its leaders are of their religion that it is somehow unfair discrimination.

It is only common sense that a religious group should be able to require its leaders to agree with its religious message and mission. Because student leaders may lead the group's Scripture, prayer, or worship, they should have a familiarity and agree with the group's religious beliefs.

In 2018, the University of Iowa threatened to derecognize almost every religious group on campus: Christian, Jewish, and Muslim. It was a deliberate effort to force religious student groups to abandon their religious leadership requirements.

In 2021, the Eighth Circuit Court of Appeals held that the university administrators were personally liable for violating the religious groups' First Amendment rights, but that required 3 years of litigation.

In 2022, at the State University of New York at Cortland, a student organization was told that its selection process in which it asked potential leaders about their religious beliefs, as well as its requirements that its leaders demonstrate knowledge of and uphold the organization's religious teachings, was unacceptable.

Whether you understand the beliefs of an organization could obviously be relevant to your ability to lead it. The university changed course only after legal counsel sent a letter explaining the law.

In 2006, the University of Wisconsin-Madison derecognized a Catholic student organization because of its religious leadership and member requirements. The university eventually lost its case before the Seventh Circuit Court but not until 2011, long enough for an entire class of students to enroll and graduate without access to a recognized Catholic campus ministry.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, we received a letter, that I read from previously, from the Americans United for Separation of Church and State and Interfaith Alliance, which says, in part, relevant to this provision: ''We oppose the 'Equal Campus Access' provision of the bill because it would sanction discrimination by religious student groups at public colleges and universities.''

I would say that the amendment doesn't really cure the problem of the provision in the underlying bill, as I am speaking both against the underlying bill as well as the amendment.

''To ensure that all students can participate, colleges and universities often have nondiscrimination policies, frequently called 'accept-all-comers' policies, that require officially recognized student groups to allow any student to join, participate in, and seek leadership in those groups. These policies are important because they prevent student groups from discriminating. And because funding for student groups often comes from mandatory student-activity fees, accept-all-comers' policies also ensure that universities don't subsidize discrimination and guarantee that all students aren't forced to fund a group that would reject them as members.

''The Equal Campus Access provision, however, would prohibit public colleges and universities from enforcing accept-all-comers' policies.''

''Critically, this provision is not required by the First Amendment. Any student club can become a recognized group and access funds if it adheres to its school's nondiscrimination policy. And if a club decides it wants to impose requirements for membership and leadership that conflict with the school policy, it will not be silenced or driven off campus; instead, it, like any other club, simply will not be eligible for official recognition.''

I would hope that, Mr. Chair, that we would reject the amendment and the underlying bill on this provision because it would allow discrimination in violation of the policies, the accept-all-comers' policies, that many colleges elect to have.

Mr. Chair, I yield back the balance of my time.

Mr. OGLES. Mr. Chair, I will go back to the Eighth Circuit where it determined at the University of Iowa, that

the student groups, the religious groups, had the right to choose their leadership. You can go back to the University of Wisconsin-Madison where the same type of ruling came down.

That being said, in 2022, the law school at Madison decided to reject the initial application of a Christian Legal Society chapter because the group requires that its leader is Christian, which administrators claim was different than requiring believing Christian beliefs. They only relented after being challenged on the legality of their actions.

The underlying bill already establishes that public universities cannot discriminate against religious groups for their leadership standards, but we all know that sometimes, like my previous amendment, you need to state the obvious.

When we find an issue that public universities will persist in fighting, even after losing in court, it is important to spell things out clearly. My amendment does just that. It inserts the statement: '' . . . regarding religious identity, belief, or practice.'' It clarifies their right to choose their leadership based off of their beliefs.

I urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. OGLES).

The amendment was agreed to.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NUNN of Iowa) having assumed the chair, Mr. BOST, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3724) to amend the Higher Education Act of 1965 to prohibit recognized accrediting agencies and associations from requiring, encouraging, or coercing institutions of higher education to meet any political litmus test or violate any right protected by the Constitution as a condition of accreditation, and, pursuant to House Resolution 1455, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. BONAMICI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore (Mr. BOST). The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Bonamici of Oregon moves to recommit the bill H.R. 3724 to the Committee on Education and the Workforce.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. BONAMICI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

GUIDING UNIFORM AND RESPONSIBLE DISCLOSURE REQUIREMENTS AND INFORMATION LIMITS ACT OF 2023

Mr. HUIZENGA. Mr. Speaker, pursuant to House Resolution 1455, I call up the bill (H.R. 4790) to amend the Federal securities laws with respect to the materiality of disclosure requirements, to establish the Public Company Advisory Committee, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1455, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118–48, modified by the amendment printed in part B of House Report 118–685, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Prioritizing Economic Growth Over Woke Policies Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows: