

Vote “**NO**” on Bill to Police Free Speech on College Campuses

What does H.R. 4795 do?

H.R.4795, the [Protect Economic and Academic Freedom Act](#), would amend the *Higher Education Act* by imposing new conditions on colleges and universities that receive federal Title IV funding.

Specifically, under H.R. 4795, institutions receiving Title IV federal student aid would be legally required to certify that they are not engaged in a “non-expressive commercial boycott” of Israel, certify that students and faculty are not obstructed from participating in programs in Israel, and certify that Israeli students and faculty are not prevented from participating in programs at the institution.

The bill is similar to laws passed in 38 states that restrict or oppose student-led BDS efforts.

Does H.R. 4795 target the Boycott, Divestment, and Sanctions (BDS) movement?

Although H.R. 4795 does not explicitly reference the Boycott, Divestment, and Sanctions (BDS) movement, its provisions appear to be directed at it.

There is a difference between the actions or views of student organizations and the official policies of the colleges and universities they attend. There has not been a single case of an American college or university administration adopting the BDS-related policies described in this bill.

Could H.R. 4795 withhold federal funding from schools if they legally exercise their First Amendment rights?

Potentially. The bill’s federal requirements raise serious questions about how they would operate in practice, the potential negative effects on institutions, and the extent to which the federal government may condition funding on policies that implicate First Amendment-protected speech.

H.R. 4795 does not respond to an ongoing or existing higher education policy of boycotting Israel or discriminating against Israeli students and faculty. Nonetheless, it would create new federal requirements intended to prevent institutions from adopting such policies in the future. The bill is a solution to a problem that currently does not exist but could, in theory, arise in the future.

Does H.R. 4795 have broad support?

No. In fact, [J Street](#) and AFT, which represents 1.875 million members who work in education, healthcare, and public services, [oppose H.R. 4795](#). In AFT’s letter to Congress, it cites concerns that “tying federal financial aid to an institution’s position on a foreign-policy issue risks sweeping in a broad range of protected institutional and academic decisions that have nothing to do with antisemitism. Instead, the bill will simply infringe on the First Amendment and free speech.”