

119TH CONGRESS
1ST SESSION

H. R. 2374

To amend section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to prohibit the provision of Federal financial assistance to public institutions of higher education that provide certain higher education benefits to aliens who are not lawfully present in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2025

Ms. MACE (for herself, Mr. HARRIS of Maryland, and Ms. BOEBERT) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to prohibit the provision of Federal financial assistance to public institutions of higher education that provide certain higher education benefits to aliens who are not lawfully present in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Students
3 First Act”.

4 **SEC. 2. RESTRICTING HIGHER EDUCATION BENEFITS FOR**
5 **ALIENS NOT LAWFULLY PRESENT.**

6 Section 505 of the Illegal Immigration Reform and
7 Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is
8 amended—

9 (1) in subsection (b), by striking “This section”
10 and inserting “Subsection (a)”; and

11 (2) by adding at the end the following:

12 “(c) PROHIBITION ON FEDERAL FINANCIAL ASSIST-
13 ANCE.—

14 “(1) IN GENERAL.—A public institution of
15 higher education in a State may not receive any
16 Federal financial assistance for the fiscal year fol-
17 lowing any fiscal year in which the Secretary of
18 Education determines that the institution is an ineli-
19 gible institution under paragraph (2).

20 “(2) INELIGIBILITY.—A public institution of
21 higher education in a State is an ineligible institu-
22 tion for purposes of this subsection if the institu-
23 tion—

24 “(A) charges an alien who is not lawfully
25 present in the United States tuition for attend-
26 ance at the institution at a rate that is less

1 than or equal to the rate charged for residents
2 of the State who are citizens of the United
3 States; or

4 “(B) provides State-based financial aid to
5 an alien who is not lawfully present in the
6 United States.

7 “(3) DEFINITIONS.—In this subsection:

8 “(A) The term ‘Federal financial assist-
9 ance’ has the meaning given such term in sec-
10 tion 7501(a)(5) of title 31, United States Code.

11 “(B) The term ‘institution of higher edu-
12 cation’ has the meaning given such term in sec-
13 tion 101 of the Higher Education Act of 1965
14 (20 U.S.C. 1001).

15 “(C) The term ‘State’ has the meaning
16 given such term in section 103 of the Higher
17 Education Act of 1964 (20 U.S.C. 1003).”.

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