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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. OWENS introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

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.

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 “Accreditation for Col-  
3   lege Excellence Act of 2023”.

4   **SEC. 2. PROHIBITION ON POLITICAL LITMUS TESTS IN AC-**  
5                   **CREDITATION OF INSTITUTIONS OF HIGHER**  
6                   **EDUCATION.**

7           (a) OPERATING PROCEDURES REQUIRED.—Section  
8   496(c) of the Higher Education Act of 1965 (20 U.S.C.  
9   1099b(c)) is amended—

10               (1) by striking “and” at the end of paragraph

11               (8);

12               (2) in paragraph (9), by striking the period at  
13   the end and inserting “; and”; and

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

15               “(10) confirms that—

16                   “(A) the standards for accreditation of the  
17   agency or association do not—

18                       “(i) except as provided in clause (ii)—

19                           “(I) require, encourage, or coerce  
20   any institution to—

21                               “(aa) support, oppose, or  
22   commit to supporting or oppos-  
23   ing—

24                                   “(AA) a specific par-  
25   tisan or political belief or set  
26   of beliefs; or

1 “(BB) a particular  
2 viewpoint on a social or po-  
3 litical issue; or

4 “(bb) support or commit to  
5 supporting the disparate treat-  
6 ment of any individual or group  
7 of individuals on the basis of sex,  
8 race, or ethnicity, except as re-  
9 quired by Federal law; or

10 “(II) assess an institution’s com-  
11 mitment to any ideology, belief, or  
12 viewpoint;

13 “(ii) prohibit an institution—

14 “(I) from having a religious mis-  
15 sion, operating as a religious institu-  
16 tion, or being controlled by a religious  
17 organization (in a manner described  
18 in paragraph (1), (2), (3), (4), (5), or  
19 (6) of section 106.12(c) of title 34,  
20 Code of Federal Regulations (as in ef-  
21 fect on the date of the enactment of  
22 this paragraph)), or from requiring an  
23 applicant, student, or employee of  
24 such an institution to—

1 “(aa) provide or adhere to a  
2 statement of faith; or

3 “(bb) adhere to a code of  
4 conduct consistent with the stat-  
5 ed religious mission of such insti-  
6 tution or the religious tenets of  
7 such organization; or

8 “(II) from requiring an appli-  
9 cant, student, or employee to take an  
10 oath to uphold the Constitution of the  
11 United States; or

12 “(iii) require, encourage, or coerce an  
13 institution of higher education to violate  
14 any right protected by the Constitution;  
15 and

16 “(B) no institution of higher education  
17 subject to its jurisdiction will—

18 “(i) be required, encouraged, or co-  
19 erced by the agency or association to—

20 “(I) support, oppose, or make a  
21 commitment to supporting or oppos-  
22 ing any belief or viewpoint described  
23 in subparagraph (A)(i)(I)(aa); or

1 “(II) support or commit to sup-  
2 porting the treatment described in  
3 subparagraph (A)(i)(I)(bb);

4 “(ii) be assessed by the agency or as-  
5 sociation in the manner described in sub-  
6 paragraph (A)(i)(II);

7 “(iii) be prohibited by the agency or  
8 association from—

9 “(I) having a religious mission,  
10 operating as a religious institution, or  
11 being controlled by a religious organi-  
12 zation as described in subparagraph  
13 (A)(ii)(I); or

14 “(II) requiring an applicant, stu-  
15 dent, or employee to take an action,  
16 as described in subparagraph  
17 (A)(ii)(II); or

18 “(iv) be required, encouraged, or co-  
19 erced to commit a violation described in  
20 subparagraph (A)(iii).”.

21 (b) LIMITATION ON SCOPE OF CRITERIA.—Section  
22 496(g) of the Higher Education Act of 1965 (20 U.S.C.  
23 1099b(g)) is amended—

24 (1) in the first sentence, by striking “Nothing  
25 in” and inserting the following:

1           “(1) RULES OF CONSTRUCTION.—Nothing in”;  
2           (2) by striking the second sentence; and  
3           (3) by adding at the end the following:  
4           “(2) PROHIBITION.—No accrediting agency or  
5           association may adopt standards for accreditation  
6           not provided for in this section.”.