

118TH CONGRESS  
2D SESSION

# S. 3978

To amend the Higher Education Act of 1965 to prohibit an institution of higher education that employs unauthorized aliens from receiving funds from Federal student assistance or Federal institutional aid and to require institutions of higher education to participate in the E-Verify Program in order to be eligible to participate in any program authorized under title IV of such Act.

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IN THE SENATE OF THE UNITED STATES

MARCH 19, 2024

Mr. VANCE (for himself, Mr. HAWLEY, Mr. COTTON, Mr. RUBIO, and Mr. BUDD) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Higher Education Act of 1965 to prohibit an institution of higher education that employs unauthorized aliens from receiving funds from Federal student assistance or Federal institutional aid and to require institutions of higher education to participate in the E-Verify Program in order to be eligible to participate in any program authorized under title IV of such Act.

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 “College Employment  
3 Accountability Act”.

4 **SEC. 2. INELIGIBILITY DUE TO EMPLOYMENT OF UNAU-**  
5 **THORIZED ALIENS.**

6 Part B of title I of the Higher Education Act of 1965  
7 (20 U.S.C. 1011 et seq.) is amended by adding at the end  
8 the following:

9 **“SEC. 124. INELIGIBILITY DUE TO EMPLOYMENT OF UNAU-**  
10 **THORIZED ALIENS.**

11 “Notwithstanding any other provision of law, no in-  
12 stitution of higher education shall be eligible to receive  
13 funds from Federal student assistance or Federal institu-  
14 tional aid under this Act if the institution is found to be  
15 in violation of section 274A of the Immigration and Na-  
16 tionality Act (8 U.S.C. 1324a).”.

17 **SEC. 3. REQUIREMENT TO PARTICIPATE IN THE E-VERIFY**  
18 **PROGRAM.**

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

22 “(30) The institution will participate in the E-  
23 Verify Program under section 403(a) of the Illegal  
24 Immigration Reform and Immigrant Responsibility  
25 Act of 1996 (8 U.S.C. 1324a note).”.

1 **SEC. 4. DEPARTMENT OF HOMELAND SECURITY MONI-**  
2 **TORING AND NOTIFICATION REQUIREMENTS.**

3 (a) MONITORING.—The Secretary of Homeland Secu-  
4 rity shall monitor every 6 months whether an institution  
5 of higher education is participating in the E-Verify Pro-  
6 gram under section 403(a) of the Illegal Immigration Re-  
7 form and Immigrant Responsibility Act of 1996 (8 U.S.C.  
8 1324a note).

9 (b) NOTIFICATION.—The Secretary of Homeland Se-  
10 curity shall notify the Secretary of Education, not later  
11 than 10 days after the Secretary of Homeland Security  
12 finds—

13 (1) an institution of higher education to be in  
14 violation of section 274A of the Immigration and  
15 Nationality Act (8 U.S.C. 1324a); or

16 (2) that an institution of higher education is  
17 not participating in the E-Verify Program under  
18 section 403(a) of the Illegal Immigration Reform  
19 and Immigrant Responsibility Act of 1996 (8 U.S.C.  
20 1324a note).

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