



1 the funds made available under the Higher Education Act  
2 of 1965 or any other Act may be provided by contract  
3 or by grant to any institution of higher education that has  
4 a policy or practice of admitting as students of the institu-  
5 tion individuals who are aliens who are not lawfully  
6 present in the United States.

7 (b) INAPPLICABILITY TO FEDERAL STUDENT FINAN-  
8 CIAL ASSISTANCE.—

9 (1) IN GENERAL.—Subsection (a) shall not be  
10 construed to prohibit, limit, or otherwise affect the  
11 payment of Federal student financial assistance to  
12 any student at an institution described in such sub-  
13 section.

14 (2) DEFINITION.—The term “Federal student  
15 financial assistance” means any grant, loan, work-  
16 study, or other form of financial assistance provided  
17 to an institution of higher education, or to an indi-  
18 vidual, under the Higher Education Act of 1965 to  
19 cover part or all of the cost of attendance for a stu-  
20 dent at an institution of higher education.

21 (c) EXCEPTIONS.—Subsection (a) shall not apply to  
22 an institution of higher education if the Secretary of Edu-  
23 cation determines that the institution has ceased the policy  
24 or practice described in such subsection and, for a period  
25 of at least one year, has not admitted as a student of the

1 institution any individual who is an alien who is not law-  
2 fully present in the United States.

3 (d) NOTICE OF DENIAL OF FUNDS.—Whenever the  
4 Secretary of Education makes a determination that an in-  
5 stitution of higher education is prohibited from receiving  
6 funds under this section, the Secretary shall transmit a  
7 notice of the determination to Congress, and shall publish  
8 in the Federal Register a notice of the determination and  
9 the effect of the determination on the eligibility of the in-  
10 stitution of higher education for contracts and grants.

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